

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JANUARY 28, 2020

Minute Order 135.20
February 11, 2020
Consent Agenda A2

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JANUARY 28, 2020 AT 2:05 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2ND FLOOR) 101 W. MAIN STREET, WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED, TO-WIT:

MEMBERS PRESENT:

COUNTY JUDGE: TODD LITTLE

COUNTY CLERK: KRystal VALDEZ

COMMISSIONERS:

ASSISTANT COUNTY ATTORNEY: VANCE HINDS

RANDY STINSON, COMMISSIONER, PCT. 1
LANE GRAYSON, COMMISSIONER, PCT. 2
PAUL PERRY, COMMISSIONER, PCT. 3
KYLE BUTLER, COMMISSIONER, PCT. 4

OPENING COURT

COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO OPEN MEETINGS ACT.

MOTION TO OPEN COURT BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *RANDY STINSON, COMMISSIONER, PRECINCT 1*

PUBLIC COMMENT - MEMBERS OF THE PUBLIC WILL HAVE THE OPPORTUNITY TO MAKE THEIR COMMENTS AT THE TIME THE AGENDA ITEM IS BEING ADDRESSED.

RESOLUTION:

AA RESOLUTION IN HONOR OF PHILLIP LYNCH. – *TODD LITTLE, COUNTY JUDGE*

MINUTE ORDER 119.20 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM JANUARY 14, 2020 AND SPECIAL MEETING MINUTES FROM JANUARY 22, 2020. – *KRystal VALDEZ, COUNTY CLERK*
- A3 ACCEPTING THE RACIAL PROFILING STATUS REPORT. – *TIM BIRDWELL, FIRE MARSHAL*
- A4 ACCEPTING THE REGULAR MONTHLY REPORTS FOR TRAVEL AND PROGRAM ACTIVITIES FOR TEXAS A&M AGRILIFE EXTENSION AGENTS ARNOLD, ESPIE, EDGAR. – *MARK ARNOLD, TEXAS A&M AGRILIFE EXTENSION*

- A5 APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS FROM THE REGULARLY SCHEDULED MEETING HELD ON DECEMBER 30, 2019.
- A6 APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM DECEMBER 17, 2019. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A7 APPROVING OFFICIAL BOND FOR COUNTY CLERK. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A8 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND THE CITY OF OAK LEAF FOR TERM AGREEMENT JANUARY 1, 2020 THROUGH DECEMBER 31, 2020. – *KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4*
- A9 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND THE CITY OF OVILLA FOR TERM AGREEMENT JANUARY 1, 2020 THROUGH DECEMBER 31, 2020. – *KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4*
- A10 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND RED OAK ISD FOR TERM AGREEMENT JANUARY 1, 2020 THROUGH DECEMBER 31, 2020. – *KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4*
- A11 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND WAXAHACHIE ISD FOR TERM AGREEMENT JANUARY 1, 2020 THROUGH DECEMBER 31, 2020. – *KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4*
- A12 AUTHORIZING TO ADVERTISE AND SOLICIT BIDS FOR A CONTRACT FOR RENTAL EQUIPMENT ON AN AS-NEEDED BASIS FOR ROAD & BRIDGE PRECINCTS 1, 2, 3 AND 4. – *E.J. HARBIN, PURCHASING*
- A13 APPROVING A UNIFORM AND SUPPLIES RENTAL PROGRAM WITH CINTAS CORPORATION USING THE OMNIA COOPERATIVE CONTRACT NUMBER R-BB-19002 IN ACCORDANCE WITH THE COOPERATIVE PURCHASING PROGRAM, CHAPTER 271 OF THE TEXAS GOVERNMENT CODE. – *E.J. HARBIN, PURCHASING*
- A14 AUTHORIZING THE COUNTY JUDGE TO EXECUTE A LEASE AGREEMENT WITH AMERICAN NATIONAL LEASING FOR A FORD F-150 PICKUP FOR THE ENGINEERING DEPARTMENT. THIS WILL BE A THREE (3) YEAR LEASE TO PURCHASE. – *E.J. HARBIN, PURCHASING*
- A15 AUTHORIZING TO ADVERTISE AND SOLICIT FOR REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ) FOR PROFESSIONAL LAND SURVEYING SERVICES, FOR A 5 YEAR CONTRACT, AND USABLE ON AN AS NEEDED BASIS. – *E.J. HARBIN, PURCHASING*
- A16 AUTHORIZING TO EXERCISE THE LEASE RENEWAL OPTION FOR YEAR 4 WITH LEASING IMPRESSIONS COMMERCIAL, LLC FOR A PORTION OF THE BUILDING DESIGNATED AS 330 NORTH 8TH STREET AT THE AMOUNT OF \$3,500.00 PER MONTH. ONLY ONE RENEWAL AVAILABLE AFTER THIS ONE. – *E.J. HARBIN, PURCHASING*
- A17 APPROVING THE RE-APPOINTMENT OF THE FOLLOWING EMERGENCY SERVICE DISTRICT BOARD MEMBERS FOR TWO YEAR TERMS BEGINNING ON JANUARY 1, 2020 AND ENDING ON DECEMBER 31, 2022:
- ESD #1**
ANDY MULVANY, GENEVA MULLINS, NORQUIST WADE

ESD #2

TIMOTHY R. RAVEN, DANNY LONG, TOM MANNING

ESD #3

MURRIE WAINSCOTT, JOHN V. ALLEN, CLAY SPARKS

ESD #4

RAY BRINDLE, ANTHONY MODESTO JR.

ESD #5

BILLY THOMPSON, RAYMOND MINER

ESD #6

JAMES MALONE

ESD #7

GARY SPORTSMAN, JAMES PHARR, CECIL HAMMONDS

ESD #8

TEANER JOHNSON

ESD #9

KENNY CALDWELL, RICK DAVIS

- *TIM BIRDWELL, FIRE MARSHAL*

- A18 ACCEPTING THE RESIGNATIONS OF THE FOLLOWING ESD BOARD MEMBERS EFFECTIVE DECEMBER 31, 2019: RANDY JOHNSTON (ESD #6), JOE BOND (ESD #4). – *TIM BIRDWELL, FIRE MARSHAL*
- A19 ACCEPTING THE APPLICATION OF STEVEN WAKELAND AND APPOINTING HIM TO REPLACE JOE BOND FOR A TERM ENDING DECEMBER 30, 2020. – *TIM BIRDWELL, FIRE MARSHAL*
- A20 APPROVING A NEW TAXING UNIT FOR 2019, KNOWN AS A PUBLIC IMPROVEMENT DISTRICT, ESTABLISHED BY THE CITY OF FERRIS, PURSUANT TO LOCAL GOVERNMENT CODE §372. – *JOHN BRIDGES, TAX ASSESSOR/COLLECTOR*
- A21 APPROVING THE USE OF THE UNCLAIMED MONEY RECEIVED ANNUALLY UNDER PROPERTY CODE CHAPTER 74. TEXAS LOCAL GOVERNMENT CODE §381.004(F) AUTHORIZES THE COUNTY TO USE THE MONEY TO BENEFIT THE CHILDREN’S ADVOCACY CENTER. – *JANET MARTIN, AUDITOR*

FINANCIAL:

- F1 APPROVING THE PAYMENT OF FY2019 INVOICES OUT OF FY2020 BUDGETED FUNDS. – *JANET MARTIN, AUDITOR*
- F2 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 010-0653-508070 FM2 GENERAL MISC. BY \$10,000.00; INCREASE 010-0653-509090 FM2 REPAIRS/PARTS BY \$10,000.00– *LANE GRAYSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 2*
- F3 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0210-508010 SUPPLIES BY \$560.00; INCREASE 001-0210-508030 FURN./FIXTURES BY \$560.00 – *JANA ONYON, ELECTIONS*

- F4 **FY 2019-20 BUDGET AMENDMENT: DECREASE 011-0704-303020 FM3 BUDGETED FUND BALANCE \$50,000.00; INCREASE 011-0704-509110 FM3 GRAVEL BY \$50,000.00. – PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3**
- F5 **ACCEPTING A TABULATED REPORT OF THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM JANUARY 4, 2020 – JANUARY 16, 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. - JANET MARTIN, AUDIT**
- F6 **FY 2018-19 LINE ITEM ADJUSTMENT: DECREASE 001-0030-508620 FISCAL SERVICE FEE BY \$1,188.00; INCREASE 001-0030-508190 COMPUTER BY \$1,188.00– K.W. WINKLES, AUDIT**
- F7 **FY 2019-20 LINE ITEM ADJUSTMENT: DECREASE 001-0010-509380 DWI WARRANT REVIEW BY \$729.89; INCREASE 001-0010-509460 DISPATCH EQUIPMENT BY \$729.89. – CHUCK EDGE, SHERIFF**

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 120.20 (1.1) APPROVING AN APPLICATION FOR A REPLAT OF ROCK CREEK ESTATES LOT 60A. THE PROPERTY CONTAINS ± 4.139 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF MEADOW LARK LANE ± 1,600 FEET WEST OF BATCHLER ROAD IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF RED OAK, ROAD & BRIDGE PRECINCT No. 1.

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 121.20 (1.2) APPROVING A FINAL PLAT OF STEADHAM ADDITION LOT 1 & 2, BLOCK 1. THE PROPERTY CONTAINS ± 21.333 ACRES OF LAND IN THE J. LILES SURVEY, ABSTRACT No. 660, LOCATED AT THE INTERSECTION OF ANGUS ROAD AND HOYT ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF WAXAHACHIE, ROAD & BRIDGE PRECINCT No. 3.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 122.20 (1.3) APPROVING A FINAL PLAT OF CRESTVIEW ACRES ADDITION, LOT 7, BLOCK 1. THE PROPERTY CONTAINS ± 4.12 ACRES OF LAND ± 100 FEET SOUTHWEST FROM THE INTERSECTION OF HUNSUCKER ROAD AND ALVIN LANE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF RED OAK, ROAD & BRIDGE PRECINCT No. 1

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 123.20 (1.4) DENYING A REQUEST TO DISCONTINUE MAINTENANCE AND VACATION OF A COUNTY ROAD, RUTH ROAD, IN ACCORDANCE WITH CHAPTER 251 OF THE TEXAS TRANSPORTATION CODE. RUTH ROAD IS LOCATED ON THE NORTH SIDE OF FM 879 AND ± 3,500 FEET WEST OF BOYCE ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ELLIS COUNTY, PRECINCT NO. 1

PUBLIC PARTICIPATION: LARRY WALLACE

MOTION TO DENY BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 124.20 (1.5) APPROVING A FINAL PLAT OF CISNEROS SIMON ADDITION. THE PROPERTY CONTAINS ± 5.44 ACRES OF LAND IN THE R. PENA SURVEY, ABSTRACT NO. 3, LOCATED ON EASON ROAD, ± 1,580 FEET NORTHWEST OF CHEMLAR LANE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF ENNIS, ROAD & BRIDGE PRECINCT NO. 1.

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 125.20 (1.6) APPROVING A REQUEST TO RELEASE A PERFORMANCE BOND AND ACCEPT A MAINTENANCE BOND FOR MURRAY ESTATES. THE PROPERTY CONTAINS A TOTAL OF ± 39.60 ACRES OF LAND LOCATED ON THE NORTH SIDE OF FM 879 ± 1,120 FEET WEST OF BOYCE FIRST STREET IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 1.

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

PURCHASING

MINUTE ORDER 126.20 (2.1) APPROVING THE AWARD OF BID NUMBER 2019-018 – CONTRACT FOR SALE OF SCRAP METAL AND VEHICLES TO HLHR METALS RECYCLING FOR PRECINCTS 1, 2, 3, AND 4.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

MINUTE ORDER 127.20 (2.2) AUTHORIZING THE USE OF THE BUYBOARD COOPERATIVE CONTRACT NUMBER 541-17 WITH LONE STAR AUCTIONEERS IN ACCORDANCE WITH THE COOPERATIVE PURCHASING PROGRAM, PURSUANT TO LOCAL GOVERNMENT CODE §271.

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

ADMINISTRATIVE

MINUTE ORDER 128.20 (3.1) APPROVING A RESOLUTION IN SUPPORT OF DESIGNATING ELLIS COUNTY AS A "SANCTUARY COUNTY FOR THE UNBORN". – *TODD LITTLE, COUNTY JUDGE*

PUBLIC PARTICIPATION: SHEILA DOMSTEAD – OVILLA; SYLVIA COULSON – WAX.; RANDY BELLOMY – OVILLA; REV. ROGER RESTON – WAX.; HUGH REYNOLDS – MIDLO.; BECKY SCASTA – WAX.; JUSTIN COFFMAN – MIDLO.; PENNY STORY – RED OAK; VERNON WITHERSPOON – MIDLO.; SHARMIN SMITH – MIDLO.; DERLON WILSON – MIDLO.; AMY HEDTKE – WAX.; RHONDA DENMAN – WAX.; RON BRYCE – WAX.; ERIC VALDEZ – WAX.; DONNA YOUNG – WAX.; WILLIAM WESTBROOK – ITALY;

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, WITH COMMISSIONER STINSON, COMMISSIONER BUTLER AND COUNTY JUDGE VOTING YES, MOTION CARRIED

MINUTE ORDER 129.20 (3.2) **NO ACTION TAKEN** DISCUSSION AND CONSIDERATION TO AUTHORIZE COUNTY JUDGE TO SIGN A CONTRACT WITH FIRSTLOOK, "A SEXUAL HEALTH AND PREGNANCY CENTER". – *TODD LITTLE, COUNTY JUDGE*

PUBLIC PARTICIPATION: DONNA YOUNG – WAXAHACHIE; HUGH REYNOLDS – MIDLOTHIAN; VERNON WITHERSPOON – MIDLOTHIAN; BECKY SCASTA – WAXAHACHIE

MOTION TO TAKE NO ACTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

BREAK FOR RECESS AT 4:23 P.M.

RECONVENE TO REGULAR SESSION AT 4:40 P.M.

MINUTE ORDER 130.20 (3.3) APPROVING A TAX ABATEMENT AGREEMENT WITH COMPASS DATA CENTERS DFW III, LLC, THE OWNER OF THE PROPERTY LOCATED WITHIN THE RED OAK TAX ABATEMENT REINVESTMENT ZONE NUMBER 8. – *TODD LITTLE, COUNTY JUDGE*

PUBLIC PARTICIPATION: TODD FULLER – WAXAHACHIE; AMY HEDTKE – WAXAHACHIE; ALLAN HUGLEY – RED OAK

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 131.20 (3.4) AUTHORIZING THE COUNTY JUDGE TO SIGN A RENTAL AGREEMENT WITH ELECTION SYSTEMS & SOFTWARE FOR RENTING 50 EXPRESSVOTE TERMINALS FOR THE PRIMARY MARCH 3, 2020 ELECTION DAY VOTE CENTERS. THE RENTAL AND PAYMENT OF \$39,750.00 HAS BEEN PRE-APPROVED BY THE STATE OF TEXAS. – *JANA ONYON, ELECTIONS*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

MINUTE ORDER 132.20 (3.5) APPROVING THE REPLACEMENT OF A BACKUP SERVER IN THE AMOUNT OF \$20,297.78. THE FUNDS WILL BE TAKEN FROM EMERGENCY RESERVE 0140-505580 – *TERAL CRAWFORD, INFORMATION TECHNOLOGY*

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 133.20 (3.6) APPROVING THE TEXAS ASSOCIATION OF COUNTIES (TAC) CYBER SECURITY COURSE. – *TERAL CRAWFORD, INFORMATION TECHNOLOGY*

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

NO ACTION (3.7) ELLIS COUNTY BURN BAN REMAINS LIFTED. – *TIM BIRDWELL, FIRE MARSHAL*

MINUTE ORDER 134.20 (3.8) APPROVING AN AMENDED ORDER RESOLUTION ADOPTED BY MINUTE ORDER 268.08 AMENDING AND RESTATING RESOLUTION CONCERNING UTILITY AND COMMUNICATION LINES IN COUNTY RIGHT-OF-WAY. – *ROBERT SCHELL, COUNTY & DISTRICT ATTORNEY'S OFFICE*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTIONED CARRIED

ADJOURNMENT 5:09 P.M.

MOTION TO ADJOURN BY COMMISSIONER STINSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF JANUARY 28, 2020
ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2



PAUL PERRY, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 11TH DAY OF FEBRUARY 2020.



KRYSTAL VALDEZ, COUNTY CLERK

