

FILED
MAY 11 2015
COUNTY CLERK
ELLIS COUNTY, TEXAS

ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // MARCH 23, 2015

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, MARCH 23, 2015 AT 3:00 PM, IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2ND FLOOR), WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED TO WIT:

PRESENT WERE:

COUNTY JUDGE:

JUDGE CAROL BUSH

COMMISSIONERS:

DENNIS ROBINSON, COMMISSIONER, PCT. 1

LANE GRAYSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

KYLE BUTLER, COMMISSIONER, PCT. 4

COUNTY CLERK:

TINA CHAMBERS, ADMINISTRATIVE ASSISTANT

COUNTY & DISTRICT ATTORNEY'S OFFICE:

ANN MONTGOMERY-MORAN, ASSISTANT COUNTY ATTORNEY

VANCE HINDS, ASSISTANT COUNTY ATTORNEY

OPENING COURT:

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

MOTION TO OPEN COURT BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER DENNIS ROBINSON

PUBLIC COMMENT*- Members of the public will have the opportunity to make their comments at the time the agenda item is being addressed.

MINUTE ORDER NO 174.15 APPROVING CONSENT AGENDA – Consideration and Action:

Motion to approve Consent Agenda by Commissioner Robinson, second by Commissioner Grayson carries unanimously

Administrative:

A1 Approval of Regular Bills, Payroll, and Officers' Reports

A2 Approval of the Statement of Elected/Appointed Official and Oath of Office for the following Emergency Service District Board Members:

- ESD #5
 - Stephen Solomon
 - Samuel Duane Laney
 - Bruce Moore
- ESD #6
 - Bill Gilliland

- Tommy Hamilton
 - Charles McCormack
 - Bill Derden
 - ESD #7
 - Cheryl Duckworth
 - David Futral
 - Jim Pharr
 - ESD #8
 - Everett Russell
 - ESD #9
 - John Griffin Hancock
 - Douglas Young
- A3 February 2015 Travel Reports of the Texas AgriLife Extension Office
 -Mark Arnold, Agriculture
 -Rita Hodges, Family & Consumer Science
 -Megan Parr, 4H
- A4 Review and acceptance of the 2014 Racial Profiling Report for Ellis County Constable, PCT 1 –
Roy Callender Jr., Constable, Pct. 1
- A5 Approval of the Official Minutes for January 26, 2015, February 9, 2015, & February 24, 2015.
Cindy Polley, County Clerk

Financial:

- F1 **From** 001-0360-40096 LEOSE Training – Revenue \$974.75 **To** 001-0360-50820 LEOSE Training \$974.75. – *Patrick Wilson, County & District Attorney*
- F2 Approve refund of overpayment to the following account for payment in error:
- | <u>Refund to be issued to:</u> | <u>Account</u> | <u>Amount Due</u> |
|--------------------------------|-------------------|-------------------|
| Gateway Mortgage Group, LLC | 228890 | \$2,749.40 |
| Gateway Mortgage Group, LLC | 232354 | \$3,194.58 |
| GWG Wood Group, Inc. | 99200126700013800 | \$4,306.25 |
- F3 **From** 006-0754-40010 Sale of Equipment \$9,943.75, 006-0754-40004 Sale of Material \$4,699.10 **To** 006-0754-50802 Purchase of Equipment \$9,943.75, 006-0754-50906 Culverts \$4,699.10 – *Kyle Butler, Commissioner, Pct. 4*
- F4 **From** 001-0150-50836 443rd Atty's \$150,000, 001-0140-50822 Legal Fees \$5,000.00, 001-0140-50557 Workers Comp \$ 60,000.00, 001-0140-50939 Courthouse Security Contract Services \$40,000.00, 001-0140-50560 Compensatory/Fringe \$25,000.00, 001-0140-50887 Radio Tower \$25,000.00, 001-0140-50837 Postmortem Exams \$25,000.00 **To** 001-0140-50558 Contingency/Reserves \$14,000.00, 001-0140-50802 Equipment/Maintenance/Repairs \$90,000.00, 001-0140-50807 Other Expenses \$226,000.00

Simplified Plat:

- SP1 Tanglewood Hollow, Phase 2, 2 lots, East Highland Road, requested by Patricia Ruyle, Road and Bridge Pct. 4.

DEPARTMENT OF COUNTY DEVELOPMENT

Consideration and action as may be appropriate regarding the following matters:

MINUTE ORDER NO 175.15 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES AS IT RELATES TO THE REQUIREMENT OF 150' OF COUNTY ROAD FRONTAGE ON LOG CABIN ROAD, REQUESTED BY STEVE SPURGEON, ROAD AND BRIDGE PCT 2

Motion to approve by Commissioner Grayson, second by Commissioner Perry carries unanimously

PURCHASING

Consideration and action as may be appropriate regarding the following matters:

MINUTE ORDER NO 176.15 DECLARING THE FOLLOWING ITEM AS SURPLUS AND TO BE DISPOSED OF IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 263 – ALAMO BOOM DITCHER, FROM ROAD AND BRIDGE PCT 4

Motion to approve by Commissioner Butler, second by Commissioner Perry carries unanimously

MINUTE ORDER NO 177.15 APPROVING MONTHLY RENTAL AGREEMENT FROM ROMCO FOR A DYNAPAC CA250 FOR ROAD AND BRIDGE PCT 1, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

Motion to approve by Commissioner Butler, second by Commissioner Perry carries unanimously

MINUTE ORDER NO 178.15 APPROVING THE PURCHASE OF TWO FLEET TRUCKS FOR ROAD & BRIDGE PCT 4 AT A COST OF \$15,705.90 EACH, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

ADMINISTRATIVE

Consideration and action as may be appropriate regarding the following matters:

MINUTE ORDER NO 179.15 APPROVING A RESOLUTION IN SUPPORT OF H.B. 1187, WHICH WOULD DESIGNATE THE PORTION OF U.S. HIGHWAY 287 BETWEEN THE ITS INTERSECTION WITH REX ODOM DRIVE AND ITS INTERSECTION WITH KIMBLE ROAD AS THE CHRIS KYLE AND CHAD LITTLEFIELD MEMORIAL HIGHWAY. – *Carol Bush, County Judge*

Motion to approve by Judge Bush, second by Commissioner Butler carries unanimously

NO ACTION 3.2 Burn Ban Order for Ellis County. – *Joe Stewart, Fire Marshal*

MINUTE ORDER NO 180.15 APPROVING EXPENDITURES OF EQUIPMENT, SOFTWARE, AND SUPPLIES RELATING TO IMAGE CASH LETTER AND BUSINESS DEPOSIT CAPTURE FOR TAX ASSESSOR-COLLECTOR AND TREASURER. – *Cheryl Chambers, Treasurer*

Motion to approve by Commissioner Robinson, second by Commissioner Grayson carries unanimously

MINUTE ORDER NO 181.15 APPROVING AN AMENDMENT TO COMERICA BUSINESS AND PERSONAL DEPOSIT ACCOUNT CONTRACT – *Cheryl Chambers, Treasurer*

Motion to approve by Commissioner Butler, second by Commissioner Robinson carries unanimously

RECESS REGULAR SESSION TO CONVENE PUBLIC HEARING 3:18 PM

Motion by Commissioner Perry, second by Commissioner Butler carries unanimously

PUBLIC HEARING

Pursuant to §251.152 of the Texas Transportation Code, public hearing to discuss the installation of stop signs on Oak Tree Lane at the following two locations: 1) The southern intersection of Lake Grove Loop and Oak Tree Lane; and 2) The Intersection of Sheparkon Drive and Oak Tree Lane in Ellis County, Texas – PCT #3.

Public Participants in favor

Mickey Branum

Jane Charnock

Ramey Hutson

In favor ... not addressing Court

Russell Branum

Karen Denn

Sara Jones

ADJOURN PUBLIC HEARING and RECONVENE TO REGULAR SESSION 3:30 PM

Motion by Commissioner Perry, second by Commissioner Butler carries unanimously

MINUTE ORDER NO 182.15 APPROVING REQUEST FOR INSTALLATION OF STOP SIGNS ON OAK TREE LANE AT THE FOLLOWING TWO LOCATIONS: 1) THE SOUTHERN INTERSECTION OF LAKE GROVE LOOP AND OAK TREE LANE; AND

2) THE INTERSECTION OF SHEPARKON DRIVE AND OAK TREE LANE IN ELLIS COUNTY, TEXAS, PCT. 3.

– *Paul Perry, Commissioner, Pct. 3*

Motion to approve by Commissioner Perry, second by Commissioner Butler carries unanimously

MINUTE ORDER NO 183.15 AUTHORIZING COUNTY JUDGE TO EXECUTE AN AUDIT ENGAGEMENT LETTER WITH PATTILLO, BROWN & HILL, LLP. – *Mike Navarro, Auditor*

Motion to approve by Commissioner Robinson, second by Commissioner Butler carries unanimously

MINUTE ORDER NO 184.15 APPROVING A WORK ORDER BETWEEN THE CITY OF PECAN HILL AND ELLIS COUNTY ROAD & BRIDGE PCT. 1, TO REBUILD AND RESURFACE STREETS IN THE CITY OF PECAN HILL WITH 2 COURSE CHIP SEAL AND SPOT BASE AS NEEDED. – *Dennis Robinson, Commissioner, Pct. 1*

Motion to approve by Commissioner Robinson, second by Commissioner Perry carries unanimously

MINUTE ORDER NO 185.15 APPROVING A WORK ORDER BETWEEN THE CITY OF PALMER AND ELLIS COUNTY ROAD & BRIDGE PCT. 1, TO REBUILD AND RESURFACE STREETS IN THE CITY OF PALMER WITH 2 COURSE CHIP SEAL AND SPOT BASE AS NEEDED. – *Dennis Robinson, Commissioner, Pct. 1*

Motion to approve by Commissioner Robinson, second by Commissioner Grayson carries unanimously

MINUTE ORDER NO 186.15 APPROVING A 3 YEAR AGREEMENT WITH BAT FOR SECURITY OF CERTAIN ELLIS COUNTY OFFICES – *John Bridges, Tax Assessor/Collector*

Motion to approve by Commissioner Robinson, second by Commissioner Butler carries unanimously

RECESS TO CONVENE TO EXECUTIVE SESSION 3:35 PM

Motion by Commissioner Perry, second by Commissioner Grayson carries unanimously

EXECUTIVE SESSION

The Commissioners Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code 551, or to seek the advice of its attorney and/or other attorneys representing Ellis County on any matter in which the duty of the attorney to the Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551.

4.1 Pursuant to §551.076 of the Government Code , consultation to deliberate the deployment, or specific occasions for implementation, of security personnel or devices within the Ellis County Courts and Administration Building and the Historic Courthouse.

4.2 Pursuant to §551.074 of the Government Code, consultation to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Purchasing Agent.

4.3 Pursuant to §551.074 of the Government Code, consultation to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Fire Marshal/EMC.

ADJOURNMENT OF EXECUTIVE SESSION

Motion to adjourn by Commissioner Butler second by Commissioner Robinson carries unanimously

ADJOURNMENT

Motion to adjourn by Robinson Perry second by Commissioner Perry carries unanimously

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF MARCH 9, 2015 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER, PCT 1



PAUL PERRY, COMMISSIONER, PCT 3



LANE GRAYSON, COMMISSIONER, PCT 2



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS MAY 11, 2015:



CINDY POLLEY, COUNTY CLERK

