

**ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES // MAY 23 2017, 2:00 PM**

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, MAY 23, 2017 AT 2:00 PM 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:

CAROL BUSH, COUNTY JUDGE	CINDY POLLEY, COUNTY CLERK
RANDY STINSON, COMMISSIONER, PCT 1	VANCE HINDS, ASSISTANT COUNTY ATTORNEY
LANE GRAYSON, COMMISSIONER, PCT 2	
PAUL PERRY, COMMISSIONER, PCT 3	
KYLE BUTLER, COMMISSIONER, PCT 4	

OPENING COURT

THE 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 CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE – COMMISSIONER RANDY STINSON

PUBLIC COMMENT*- MEMBERS OF THE PUBLIC WILL HAVE THE OPPORTUNITY TO MAKE THEIR COMMENTS AT THE TIME THE AGENDA ITEM IS BEING ADDRESSED. *NO COMMENT*

MINUTE ORDER NO 245.17 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 ACCEPT THE EXECUTED TAX ABATEMENT AGREEMENT WITH LEGGETT AND PLATT, ORIGINALLY APPROVED ON NOVEMBER 8, 2016, MINUTE ORDER #466.16.
- A3 APRIL 2017 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
 - MARK ARNOLD, AGRICULTURE
 - RITA HODGES, FAMILY & CONSUMER SCIENCE
 - MEGAN PARR, 4H
- A4 APPROVAL OF OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT:
 - MARCH 28, 2017 2:00 PM
 - APRIL 3, 2017 9:30 AM
 - APRIL 4, 2017 9:30 AM

FINANCIAL:

- F1 FROM 001-0520-50812 RADIO \$250.00; 001-0520-50874 DOCKET BOOKS/PRINTING \$500.00; 001-0520-50802 EQUIPMENT \$2,000.00 To 001-0520-50805 CONFERENCE \$750.00; 001-0520-50801 SUPPLIES \$2,000.00. – JACKIE MILLER, JR., JUSTICE OF THE PEACE, PCT. 2
- F2 FROM 019-0919-50803 FURNITURE/FIXTURES \$100.00 To 019-0919-50601 TRAVEL

- REIMBURSEMENT \$100.00. – CARLA CATES, LAW LIBRARY
- F3 FROM 001-0010-40059 2016 RISK CONTROL REIMBURSEMENT PROGRAM \$20,895.20 To 001-0425-50987 TAC REIMBURSEMENT PROGRAM \$20,895.20. – THERESA TAYLOR, DIRECTOR OF HUMAN RESOURCES
- F4 FROM 010-0653-50807 FM2 GENERAL EXPENSES \$12,000.00 To 010-0653-50909 FM2 REPAIRS PARTS \$12,000.00. – LANE GRAYSON, COMMISSIONER, PCT. 2
- F5 FROM 001-0420-50601 TRAVEL REIMBURSEMENT \$3,000.00 To 001-0420-50835 EDUCATION/TRAINING \$3,000.00. – CHATRINIA JOHNSON, JUVENILE SERVICES
- F6 FROM 012-0755-40008 FM4/INTERLOCAL \$20,000.00 To 012-0755-50911 FM4/GRAVEL \$20,000.00. – KYLE BUTLER, COMMISSIONER, PCT. 4
- F7 FROM 009-0602-50807 FM1 GEN. Misc. \$15,000.00 To 009-0602-50909 FM1 REPAIRS/PARTS \$15,000.00. – RANDY STINSON, COMMISSIONER, PCT. 1
- F8 FROM 005-0703-30302 FUND BALANCE \$46,500.00 To 005-0703-50805 CONFERENCE/DUES \$1,500.00; 005-0703-50802 PURCHASE EQUIPMENT \$40,000.00; 005-0703-50907 TIRES \$5,000.00. – PAUL PERRY, COMMISSIONER, PCT. 3
- F9 FROM 001-0530-50602 STAFF TRAVEL \$1,500.00; 001-0530-50812 RADIO \$200.00; 001-0530-50801 SUPPLIES \$300.00 To 001-0530-50805 CONFERENCE \$1,500.00; 001-0530-50802 EQUIPMENT \$500.00. – CURTIS POLK, JUSTICE OF THE PEACE, PCT. 3
- F10 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>
CORELOGIC	153758	\$2,841.50
LAMMERT DEHANN	181978	\$3,288.06
CORELOGIC	217019	\$3,664.91
CORELOGIC	218051	\$4,619.89
CORELOGIC	216111	\$3,977.49
CORELOGIC	207673	\$2,577.21
CORELOGIC	205964	\$4,936.90
CORELOGIC	201930	\$4,567.74
CORELOGIC	166052	\$3,484.94
CORELOGIC	166320	\$3,672.01
CORELOGIC	162460	\$3,479.42
CORELOGIC	162211	\$2,962.16
CORELOGIC	218177	\$3,196.55
CORELOGIC	218651	\$3,079.75
CORELOGIC	219311	\$5,012.10
CORELOGIC	219379	\$5,832.95
CORELOGIC	219616	\$2,958.82
CORELOGIC	220911	\$3,262.19
CORELOGIC	221200	\$3,090.24
CORELOGIC	221500	\$4,395.20
CORELOGIC	222148	\$5,295.82
CORELOGIC	222653	\$3,736.01
CORELOGIC	256953	\$4,969.41

CORELOGIC	258537	\$5,446.54
CORELOGIC	258569	\$8,296.52
CORELOGIC	259340	\$9,408.62
CORELOGIC	261022	\$4,417.06

SIMPLIFIED PLAT:

SP1 CONSIDER AND ACT UPON A REQUEST TO APPROVE A SIMPLIFIED PLAT OF VALEK ROAD ACRES. PROPERTY CONTAINS ± 2.00 ACRES OF LAND IN THE T.M. ROWE SURVEY, ABSTRACT NO. 890 LOCATED ON THE NORTH SIDE OF VALEK ROAD ± 1,060 FEET WEST OF HORNICK ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD & BRIDGE PRECINCT NO. 2.

SP2 CONSIDER AND ACT UPON A REQUEST TO APPROVE A SIMPLIFIED PLAT OF BRADLEY FARM ADDITION. PROPERTY CONTAINS ± 9.29 ACRES OF LAND IN THE THOMAS DUNCAN SURVEY SURVEY, ABSTRACT NO. 289 LOCATED ON THE SOUTH SIDE OF MARBLE ROAD ± 2,000 FEET WEST OF MERTENS ST/FM 308, MILFORD, ROAD & BRIDGE PRECINCT NO. 3.

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER TO APPROVE CONSENT AGENDA CARRIES UNANIMOUSLY

DEPARTMENT OF COUNTY DEVELOPMENT

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

MINUTE ORDER NO 246.17 (1.1) APPROVING RELEASE OF PERFORMANCE BOND ISSUED FROM PHILADELPHIA INDEMNITY INSURANCE COMPANY, IN THE AMOUNT OF ONE MILLION EIGHT HUNDRED SEVENTY-NINE THOUSAND TWO HUNDRED TWENTY-TWO DOLLARS & 00/100 (\$1,879,222.00) AND ACCEPTING MAINTENANCE BOND NO. PB02484500008M ISSUED FROM PHILADELPHIA INDEMNITY INSURANCE COMPANY, IN THE AMOUNT OF SEVEN HUNDRED FIFTY-ONE THOUSAND SIX HUNDRED EIGHTY-NINE DOLLARS AND 00/100 (\$751,689.00) FOR LEGACY ESTATES, PHASE ONE, LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF MIDLOTHIAN, ROAD & BRIDGE PRECINCT NO. 4, AS REQUESTED BY JHDMC, INC.

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 247.17 (1.2) APPROVING REQUEST TO ABANDON LOTS 1-27 OF TIMARRON ESTATES, THE SUBDIVISION OF TIMARRON ESTATES, THE DEDICATED PUBLIC AREAS AND RIGHT OF WAYS IN TIMARRON ESTATES. PROPERTY CONTAINS ± 38.17 ACRES OF LAND LOCATED ALONG THE NORTH SIDE OF GREATHOUSE ROAD ± 2,000 FEET WEST OF DAWSON ROAD, WAXAHACHIE, IN ROAD & BRIDGE PRECINCT NO. 3.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 248.17 (1.3) APPROVING A RESOLUTION SUPPORTING THE DESIGNATION OF THE ALIGNMENT OF STATE LOOP 9, A FREEWAY BETWEEN I-35E AND I-45.

MOTION TO APPROVE BY JUDGE BUSH, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

PURCHASING

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

MINUTE ORDER NO 249.17 (2.1) RATIFYING THE DUNBAR ARMORED CAR CHANGE OF ADDRESS FORM FOR THE MIDLOTHIAN TAX OFFICE, 330 N 8TH STREET, SUITE 108, MIDLOTHIAN, TX 76065.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 250.17 (2.2) AWARDED BID NUMBER 2017-003, HOT MIX ASPHALT, TYPE B, C, D, AND SAND TO OLD CASTLE MATERIALS, INC.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

ADMINISTRATIVE

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

NO ACTION (3.1) BURN BAN FOR ELLIS COUNTY. – *TIM BIRDWELL, FIRE MARSHAL*

MINUTE ORDER NO 251.17 (3.2) ACCEPTING THE APPLICATION OF CLAY SPARKS TO SERVE ON EMERGENCY SERVICES DISTRICT (ESD) #3 BOARD, TO FILL AN UNEXPIRED TERM THROUGH DECEMBER 31, 2017.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 252.17 (3.3) APPROVING ELLIS COUNTY EMERGENCY PLANS (ANNEX T – DONATIONS MANAGEMENT FOR ELLIS COUNTY & APPENDIX 4, ANNEX T – DONATIONS MANAGEMENT FOR ELLIS COUNTY). – *STEPHANIE PARKER, EMERGENCY MANAGEMENT COORDINATOR*

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

(3.4) THE TEXAS COMMISSION ON JAIL STANDARDS RECENT INSPECTION OF THE ELLIS COUNTY JAIL. *SHERIFF EDGE – JAIL PASSED INSPECTION*

MINUTE ORDER NO 253.17 (3.5) APPROVING THE ADDITION OF ONE (1) DEPUTY LIEUTENANT POSITION AT THE SHERIFF'S OFFICE EFFECTIVE JUNE 1, 2017, FUNDED WITHIN THE SHERIFF'S CURRENT FISCAL YEAR BUDGET. – *CHUCK EDGE, SHERIFF*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

MINUTE ORDER NO 254.17 (3.6) AUTHORIZING COUNTY JUDGE TO SIGN UPDATED CONTRACT WITH THE DEPARTMENT OF THE ARMY CORP OF ENGINEERS TO PROVIDE LAW ENFORCEMENT SERVICES TO THE LAKE BARDWELL PROJECT, ORIGINALLY APPROVED MARCH 14, 2017. – *CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE*

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

DISCUSSION: (3.7) DISCUSSION REGARDING COUNTY ROADS EVALUATIONS FOR ANNUAL ELLIS COUNTY PRECINCT ROAD REPORTING. – KYLE BUTLER, COMMISSIONER, PCT. 4

MINUTE ORDER NO 255.17 (3.8) APPROVING WORK ORDER FOR POTHOLE REPAIRS ON BURKETT, CAROL LANE, HIGH MEADOWS, AND GLENBROOK IN THE CITY OF PECAN HILL. – RANDY STINSON, COMMISSIONER, PCT. 1

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

RECESS TO CONVENE TO EXECUTIVE SESSION 2:38 PM

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON 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 §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.

4.2 PURSUANT TO §551.076 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES.

ADJOURNMENT OF EXECUTIVE SESSION 3:02 PM

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 256.17 (3.9) REAPPOINTING JODI PLATT, PURCHASING AGENT. – CAROL BUSH, COUNTY JUDGE

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON CARRIES UNANIMOUSLY

ADJOURNMENT

MOTION TO ADJOURN BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT MAY 23, 2017 AT 2:00 PM ARE HEREBY APPROVED.

PRESIDING OFFICER:

CAROL BUSH, 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 AUGUST 22, 2017.


Cindy Polley, County Clerk

