

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – FEBRUARY 25, 2020

Minute Order 164.20  
March 10, 2020  
Consent Agenda A2

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, FEBRUARY 25, 2020 AT 2:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2<sup>ND</sup> 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:**

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 BUTLER, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *PAUL PERRY, COMMISSIONER, PRECINCT 3 AND PASTOR DEMETRIUS McCLENDON*

**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 147.20      APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1      APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2      APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM FEBRUARY 11, 2020.  
          – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3      ACCEPTING A SURETY BOND FOR ESD #7 BOARD MEMBER GARY SPORTSMAN. – *TIM BIRDWELL, FIRE MARSHAL*
- A4      ACCEPTING THE 2019 RACIAL PROFILING REPORT FOR CONSTABLE PRECINCT 2. – *TERRY NAY, CONSTABLE, PRECINCT 2*
- A5      ACCEPTING THE MONTHLY TRAVEL AND ACTIVITY REPORTS FROM ELLIS COUNTY EXTENSION AGENTS. – *MARK ARNOLD, TEXAS A&M AGRILIFE EXTENSION OFFICE*

**FINANCIAL:**

- F1 ACCEPTING THE COUNTY AUDITOR'S MONTHLY REPORT FOR JANUARY 2020, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.025. - *JANET MARTIN, AUDIT*
- F2 ACCEPTING A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS FROM FEBRUARY 4, 2020 – FEBRUARY 14, 2020, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.024. – *JANET MARTIN, AUDIT*
- F3 APPROVING THE AUTHORIZATION TO PAY PROPERTY TAX REFUNDS IN THE AMOUNT OF \$169,639.56. – *JANET MARTIN, AUDIT*
- F4 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 009-0602-505580 CONTINGENCY BY \$200,000.00; INCREASE 009-0602-508020 PURCHASE OF EQUIPMENT BY \$200,000.00. – *RANDY STINSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 1*
- F5 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0613-508080 AUTO GAS/OIL REIMB. BY \$413.31; INCREASE 001-0613-508100 AUTO TIRES BY \$413.31. – *CURTIS POLK, JR., CONSTABLE PRECINCT 3*
- F6 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0613-508020 EQUIPMENT BY \$366.00; INCREASE 001-0613-508100 UNIFORM EXP. BY \$366.00. – *CURTIS POLK, JR., CONSTABLE PRECINCT 3*
- F7 **FY 2019-20 BUDGET AMENDMENT:** INCREASE 001-0010-409280 AUCTION SALE BY \$37,762.20; INCREASE 001-0140-508110 FLEET PURCHASE BY \$37,762.20, PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. THIS REVENUE IS FROM THE ONLINE AUCTION HELD BY RENE BATES ON JANUARY 30, 2020. – *K.W. WINKLES, AUDIT*
- F8 **FY 2019-20 BUDGET AMENDMENT:** INCREASE 001-0010-406590 INSURANCE REIMBURSEMENT BY \$38,181.00; INCREASE 001-0140-508110 FLEET PURCHASE BY \$38,181.00, PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR AND ACCEPTED BY COMMISSIONERS' COURT ON 2/11/2020. – *K.W. WINKLES, AUDIT*
- F9 **FY 2019-20 BUDGET AMENDMENT:** INCREASE 001-0010-406590 INSURANCE REIMBURSEMENT BY \$11,991.66; INCREASE 001-0140-508110 FLEET PURCHASE BY \$11,991.66, PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. THIS REVENUE IS FOR THE TOTAL LOSS OF A 2013 CHEVY TAHOE, VIN 0165. – *K.W. WINKLES, AUDIT*
- F10 **FY 2019-20 BUDGET AMENDMENT:** INCREASE 001-0010-400030 MISC. REIMBURSEMENTS BY \$1,525.99; INCREASE 001-0230-508880 COMPUTER SERVICE BY \$1,525.99, PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. THIS REVENUE IS A REBATE FROM STAPLES. – *EJ HARBIN, PURCHASING*

- F11 **FY 2019-20 BUDGET AMENDMENT: INCREASE 005-0000-303020 RB3 FUND BALANCE BY \$280,000.00; INCREASE 005-0703-508020 PURCHASE EQUIPMENT BY \$280,000.00, INCREASE 011-0000-303020 FM3 FUND BALANCE BY \$179,000.00; INCREASE 011-0704-508020 FM3 PURCHASE EQUIPMENT BY \$179,000.00 – PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3**
- F12 **FY 2019-20 BUDGET AMENDMENT: INCREASE 009-0000-303020 FM1 FUND BALANCE BY \$257,557.28; INCREASE 009-0602-508020 PURCHASE EQUIPMENT BY \$257,557.28. – RANDY STINSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 1**
- F13 **FY 2019-20 BUDGET AMENDMENT: INCREASE 012-0000-303020 FM4 BUDGETED FUND BALANCE BY \$460,000.00; INCREASE 012-0755-508020 FM4 PURCHASE EQUIPMENT BY \$460,00.00. – KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4**
- F14 **FY 2019-20 BUDGET AMENDMENT: INCREASE 042-0942-492220 BULLETPROOF VEST GRANT REVENUE BY \$12,315.37; INCREASE 042-0942-508020 EQUIPMENT BY \$12,315.37, PURSUANT TO LOCAL GOVERNMENT CODE §111.0107, UNBUDGETED INTERGOVERNMENTAL CONTRACT REVENUE CERTIFIED BY COUNTY AUDITOR. – CHUCK EDGE, SHERIFF**
- F15 **FY 2019-20 LINE ITEM ADJUSTMENT: DECREASE 033-0933-508600 TSF TO GENERAL BY \$4,000.00; INCREASE 033-0933-508020 EQUIPMENT BY \$4,000.00. – JACKIE MILLER, JR., JUSTICE OF THE PEACE PRECINCT TWO**

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

## **RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING**

### **PUBLIC HEARINGS:**

MOTION TO OPEN P1 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

- P1 **PUBLIC HEARING ON PROPOSED NAME CHANGE OF MEADOW LANE TO WEST MEADOW LANE. – TED KANTOR, ENGINEERING**

MOTION TO CLOSE P1 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

MOTION TO OPEN P2 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

- P2 **PUBLIC HEARING ON PROPOSED INSTALLATION OF STOP SIGN ON THE EAST-BOUND LANE OF CAMPBELL ROAD AT N. OAK BRANCH ROAD. – TED KANTOR, ENGINEERING**

MOTION TO CLOSE P2 BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

**REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:**

**DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 148.20** (1.1) **NO ACTION** CONSIDERATION AND ACTION UPON A REQUEST TO RELEASE A PERFORMANCE BOND AND ACCEPT A MAINTENANCE BOND FOR DRAINAGE IMPROVEMENTS FOR SPRINGSIDE ESTATES, PHASE ONE. THE PROPERTY CONTAINS ± 88.651 ACRES OF LAND LOCATED ON THE NORTH SIDE OF BROADHEAD ROAD ± 650 FEET WEST OF GIBSON ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

MOTION TO TAKE NO ACTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

**MINUTE ORDER 149.20** (1.2) **NO ACTION** CONSIDERATION AND ACTION UPON A REQUEST TO RELEASE A PERFORMANCE BOND AND ACCEPT A MAINTENANCE BOND FOR PAVING IMPROVEMENTS FOR SPRINGSIDE ESTATES, PHASE ONE. THE PROPERTY CONTAINS ± 88.651 ACRES OF LAND LOCATED ON THE NORTH SIDE OF BROADHEAD ROAD ± 650 WEST OF GIBSON ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4

MOTION TO TAKE NO ACTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

**MINUTE ORDER 150.20** (1.3) APPROVING A REQUEST TO ACCEPT A PERFORMANCE BOND FOR HORSESHOE MEADOWS. THIS PROPERTY CONTAINS ± 74.86 ACRES OF LAND IN THE MARY POWERS SURVEY, ABSTRACT NO. 843, AND THE W. C. BERRY SURVEY, ABSTRACT NO. 73, LOCATED ON THE SOUTHSIDE OF BOB WHITE ROAD ± 850 FEET WEST OF FM 664 IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

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

**MINUTE ORDER 151.20** (1.4) APPROVING A REQUEST TO GRANT A ONE-TIME VARIANCE FOR 200 MULKEY ROAD & ADJACENT PROPERTY (PARCEL ID NO. 202575 AND 271129) FROM SECTION IV (B) (2) (RESIDENTIAL LOTS) OF THE SUBDIVISION DEVELOPMENT STANDARDS TO ALLOW ONE (1) LOT WITHOUT MEETING THE MINIMUM ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 4.00 ACRES OF LAND ON THE SOUTH SIDE OF MULKEY ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE, PRECINCT NO. 4

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

**MINUTE ORDER 152.20** (1.5) APPROVING A FINAL PLAT OF PALOMINO ESTATES. THE PROPERTY CONTAINS ± 5.043 ACRES OF LAND IN THE W. BERRY SURVEY, ABSTRACT NO. 73, LOCATED NEAR THE

SOUTHEAST CORNER OF SPRING BRANCH ROAD AND BLACK CHAMP ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

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

## **PURCHASING**

**MINUTE ORDER 153.20** (2.1) AUTHORIZING THE PURCHASE OF THREE (3) 2021 INTERNATIONAL HV607 TRUCKS WITH ETNYRE DISTRIBUTOR UNITS IN THE AMOUNT OF \$534,024.84 FOR ROAD & BRIDGE PRECINCTS 1, 3, AND 4, USING TEXAS ASSOCIATION OF SCHOOL BOARDS BUY BOARD COOPERATIVE CONTRACT NUMBER 601-19 FROM SOUTHWEST INTERNATIONAL TRUCKS.

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

**MINUTE ORDER 154.20** (2.2) AUTHORIZING THE PURCHASE OF THREE (3) ETNYRE CHIP SPREADER UNITS IN THE AMOUNT OF \$838,647.00 FOR ROAD & BRIDGE PRECINCTS 1, 3, AND 4, USING TEXAS ASSOCIATION OF SCHOOL BOARDS BUY BOARD COOPERATIVE CONTRACT NUMBER 597-19 FROM R.B. EVERETT & Co.

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

**MINUTE ORDER 155.20** (2.3) AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE ORDER FORM FOR THE IMPLEMENTATION OF BONFIRE EPROCUREMENT SOFTWARE USING THE TEXAS DIR-TSO-4363 COOPERATIVE CONTRACT FOR THE PURCHASING DEPARTMENT.

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

**MINUTE ORDER 156.20** (2.4) FINDING OF AN EXEMPTION UNDER §262.024 OF THE LOCAL GOVERNMENT CODE FROM THE BIDDING REQUIREMENTS UNDER §262.023 OF THE LOCAL GOVERNMENT CODE FOR THE PURCHASE OF PROPRIETARY SUPER SLURRY MIX AND SERVICES FROM MARTIN MARIETTA, INC.

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

**MINUTE ORDER 157.20** (2.5) GRANTING AUTHORITY TO PURCHASE SUPER SLURRY MIX FROM MARTIN MARIETTA INC. ON AN AS NEEDED BASIS FOR ROAD & BRIDGE PRECINCTS 1, 2, 3, AND 4.

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

**MINUTE ORDER 158.20** (2.6) GRANTING AN EXEMPTION UNDER §262.024 OF THE LOCAL GOVERNMENT CODE FROM THE BIDDING REQUIREMENTS OF §262.023 OF THE LOCAL GOVERNMENT CODE OF THE PURCHASE OF A SURPLUS 2016 GRADALL FROM THE CITY OF RED OAK, TEXAS FOR ROAD & BRIDGE PRECINCT 4.

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

**MINUTE ORDER 159.20** (2.7) APPROVING THE PURCHASE OF ONE (1) 2016 GRADALL XL 3300 III FROM THE CITY OF RED OAK FOR AN AMOUNT OF \$160,000.00 FOR ROAD & BRIDGE PRECINCT 4.

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

**MINUTE ORDER 160.20** (2.8) DECLARING THE LISTED VEHICLES AND ITEMS AS SURPLUS TO BE DISPOSED IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE 263:

- 2008 FORD CROWN VICTORIA VIN 2FAFP71V88X139045
- SONY TV (2), RCA VCR
- 4'x6" WHITEBOARD
- VARIOUS PRINTERS – APPROXIMATELY 5
- APPROXIMATELY 20 OFFICE CHAIRS
- BOX OF NEW VHS TAPES, APPROXIMATELY 6

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

## **ADMINISTRATIVE**

**MINUTE ORDER 161.20** (3.1) AUTHORIZING THE COUNTY JUDGE TO SIGN A CONTRACT WITH FIRSTLOOK, "A SEXUAL HEALTH AND PREGNANCY CENTER". – *TODD LITTLE, COUNTY JUDGE*

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

**MINUTE ORDER 162.20** (3.2) APPROVING THE PROPOSED NAME CHANGE OF MEADOW LANE TO WEST MEADOW LANE. – *TED KANTOR, ENGINEERING*

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

**MINUTE ORDER 163.20** (3.3) APPROVING THE PROPOSED INSTALLATION OF A STOP SIGN ON THE EAST-BOUND LANE OF CAMPBELL ROAD AT N. OAK BRANCH ROAD. – *TED KANTOR, ENGINEERING*

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

**NO ACTION** (3.4) DISCUSSION AND POSSIBLE ACTION TO APPROVE PURCHASING AUTHORITY FOR THE PURCHASING AGENT FOR EMERGENCIES AND CERTAIN EXEMPTIONS IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 262.024. – *PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3*

**ADJOURNMENT** 2:38 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF FEBRUARY 25, 2020 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
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TODD LITTLE, COUNTY JUDGE


  
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RANDY STINSON, COMMISSIONER, PCT 1

  
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LANE GRAYSON, COMMISSIONER, PCT 2

  
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PAUL PERRY, COMMISSIONER, PCT 3

  
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KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 1<sup>ST</sup> DAY OF MARCH 2020.

  
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KRYSTAL VALDEZ, COUNTY CLERK

