

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES // OCTOBER 24, 2017

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, OCTOBER 24, 2017 AT 10:00 A.M. IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2ND FLR), 101 W. MAIN STREET, WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED, TO-WIT:

MEMBER PRESENT:

COUNTY JUDGE: CAROL BUSH

COUNTY CLERK: CINDY POLLEY

COMMISSIONERS:

RANDY STINSON, COMMISSIONER, PCT. 1

PAUL PERRY, COMMISSIONER, PCT. 3

KYLE BUTLER, COMMISSIONER, PCT. 4

ASSISTANT COUNTY ATTORNEY: VANCE HINDS

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 BUTLER, SECOND BY COMMISSIONER PERRY 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.*

CONSENT AGENDA

**MINUTE ORDER NO 435.17 APPROVING CONSENT AGENDA**

ADMINISTRATIVE:

A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS

A2 3RD QUARTER 2017 INVESTMENT REPORT – CHERYL CHAMBERS, TREASURER

FINANCIAL:

F1 FROM 010-0653-50913 FM2 CHEMICALS \$1,200.00 TO 010-0653-50911 FM2 GRAVEL \$600.00; 010-0653-50915 FM2 ASPHALT \$600.00. – LANE GRAYSON, COMMISSIONER, PCT. 2

F2 FROM 001-0420-50878 JUVENILE RESIDENTIAL \$27,660.00 TO 001-0420-50703 TELEPHONE \$660.00; 001-0420-50845 JUVENILE DETEN SERV. \$27,000.00. – CHELSEA SMITH, JUVENILE SERVICES

F3 FROM 001-0140-50560 COMPENSE/FRINGE/STAFFING \$12,194.00 TO 001-0100-50502 STAFFING \$10,259.00; 001-0100-50553 SOCIAL SECURITY \$785.00; 001-0100-50554 RETIREMENT \$1,150.00.

SIMPLIFIED PLAT:

SP1 CONSIDER AND ACT ON A REQUEST FOR A SIMPLIFIED PLAT OF J & M ESTATES. THE PROPERTY CONTAINS ± 9.959 ACRES OF LAND IN THE JGEORGE M. CASEY SURVEY A-245 AND WILLIAM ESTES SURVEY A-337 LOCATED ON THE EAST SIDE OF GREATHOUSE ROAD AND NORTH OF BOZ ROAD, ROAD & BRIDGE PRECINCT NO.3.

**SP2 AGENDA ITEM NO. SP2 CONSIDER AND ACT ON A REQUEST FOR A SIMPLIFIED PLAT OF KAYLEE ADDITION. THE PROPERTY CONTAINS ± 2.856 ACRES OF LAND IN THE A DE. LS GARZA SURVEY A-2 LOCATED ON THE EAST SIDE OF ALLARD ROAD AND NORTH SIDE OF FM 1181, ROAD & BRIDGE PRECINCT NO. 2.**

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

### **DEPARTMENT OF COUNTY DEVELOPMENT**

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

**NO ACTION (1.1) CONSIDER AND ACT UPON A REPLAT OF LOT 6, OF MORGAN CREEK INTO LOT 6A & 6B. THE PROPERTY CONTAINS ± 4.18 ACRES OF LAND LOCATED ON THE EAST SIDE OF NORRELL ROAD AND NORTH OF MARION ROAD, ROAD & BRIDGE PRECINCT NO. 4.**

### **PURCHASING**

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

**MINUTE ORDER NO 436.17 (2.1) APPROVING COUNTY JUDGE TO SIGN RENEWAL AGREEMENT WITH SIMPLEX GRINNELL FOR THE SHERIFF'S OFFICE AND JAIL IN THE AMOUNT OF \$38,070.49. TYCO/SIMPLEX GRINNELL TXMAS CONTRACT NUMBER TXMAS-5-03FAC010.**

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

**NO ACTION (2.2) APPROVAL ON THE UPDATES TO THE STANDARDIZED BID PACKAGE THAT WERE APPROVED ON DECEMBER 10, 2012, MINUTE ORDER 353.12.**

**MINUTE ORDER NO 437.17 (2.3) APPROVING DEPARTMENTAL TRANSFER OF A 2014 CHEVROLET TAHOE, VIN 1GNSK2E06ER157498, FROM THE FIRE MARSHAL'S OFFICE TO THE SHERIFF'S OFFICE CRIME SCENE TECHNICIAN.**

**MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY**

**MINUTE ORDER NO 438.17 (2.4) APPROVING PAYMENT IN THE AMOUNT OF \$12,267.67 TO BANCORP SOUTH FOR THE LEASED 2017 MACK DUMP TRUCK FOR ROAD AND BRIDGE PRECINCT 3.**

**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 439.17 (3.2) ACCEPTING APPLICATION OF ANTHONY SALLES MODESTO, JR. TO SERVE ON ESD (EMERGENCY SERVICES DISTRICT) BOARD #4 TO FILL AN UNEXPIRED TERM ENDING DECEMBER 31, 2017. - TIM BIRDWELL, FIRE MARSHAL**

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

**REPORT (3.3) COMPENSATORY TIME REPORTING. – THERESA TAYLOR, DIRECTOR, HUMAN RESOURCES**

**MINUTE ORDER NO 440.17 (3.4) APPROVING PURCHASE OF GUARD1, IN THE AMOUNT OF \$14,595.13, FROM TIME KEEPING SYSTEMS, INC. THIS IS A RESULT OF THE STATE LEGISLATURE PASSING THE SANDRA BLAND ACT. NEW REQUIREMENTS HAVE BEEN PLACED ON THE JAIL STAFF AND THIS PRODUCT WILL KEEP US IN COMPLIANCE. THE FUNDING SOURCE WILL COME FROM THE COMMISSARY FUND. – CHUCK EDGE, SHERIFF (CHIEF TERRY OGDEN)**

**MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON CARRIES UNANIMOUSLY**

**MINUTE ORDER NO 441.17 (3.5) APPROVING SHERIFF'S OFFICE TO ENTER INTO AN AGREEMENT WITH AXON TO PARTICIPATE IN THE NATIONAL FIELD TRIAL OF THE BODY WORN CAMERAS FOR ESCO PERSONNEL. THIS WILL BE AT NO COST TO THE COUNTY. SHOULD WE DECIDE TO KEEP THE CAMERAS, NEXT FY, WE WILL BUDGET FOR THE COST TO STORE THE DIGITAL FILES. – CHUCK EDGE, SHERIFF (CAPTAIN CHRIS HAMILTON)**

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

**NO ACTION (3.6) CONSIDERATION AND ACTION AS NECESSARY CONCERNING CAUSE NO. 97047, THOMAS MCCOLLUM VS. SOUTH ELLIS COUNTY WATER CORPORATION & ELLIS COUNTY. – VANCE HINDS, ASSISTANT COUNTY & DISTRICT ATTORNEY**

**RECESS TO CONVENE TO EXECUTIVE SESSION 10:24 AM**

**MOTION BY COMMISSIONER STINSON, SECOND BY COMMISSIONER BUTLER 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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL CONCERNING CAUSE NO. 97047, THOMAS MCCOLLUM VS. SOUTH ELLIS COUNTY WATER CORPORATION & ELLIS COUNTY IN THE 40TH JUDICIAL DISTRICT COURT OF ELLIS COUNTY.

4.2 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.

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

4.4 PURSUANT TO SECTION 551.072 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING THE POSSIBLE SALE OR LEASE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.

**ADJOURNMENT OF EXECUTIVE SESSION TO RECONVENE IN REGULAR SESSION 11:11 AM**

**MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER CARRIES UNANIMOUSLY**

**ADJOURN**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OCTOBER 24, 2017 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 DECEMBER 19, 2017.



CINDY POLLEY, COUNTY CLERK

