

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – JULY 2, 2019

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JULY 2, 2019 AT 2:02 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:**

**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 GRAYSON, 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.

**MINUTE ORDER 289.19      APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1      APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2      APPROVING COMMISSIONERS COURT MINUTES FROM JUNE 18, 2019 AND SPECIAL MEETING MINUTES FROM JUNE 21, 2019. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3      AUTHORIZING THE CITY OF MILFORD TO PURCHASE CRS-2 (EMULSION) UNDER THE INTERLOCAL AGREEMENT WITH ELLIS COUNTY. – *PAUL PERRY, COMMISSIONER, PRECINCT 3*

**FINANCIAL:**

- F1 CORRECTING BUDGET ADJUSTMENT ITEM F15 APPROVED DURING JUNE 18, 2019  
COMMISSIONERS' COURT: FROM 042-0942-303020 FUND BALANCE \$15,606.90; 042-0942-508600 TSF ACCOUNT To 001-0140-508110 FLEET PURCHASE \$15,606.90; 001-0140-508600 TSF FUNDS – *CHUCK EDGE, SHERIFF*
- F2 FROM 042-0942-303020 FUND BALANCE \$343.96 To 042-0942-508020 EQUIPMENT \$343.96 – *CHUCK EDGE, SHERIFF*
- F3 FROM 042-0942-303020 FUND BALANCE \$1,539.61 To 042-0942-508020 EQUIPMENT \$1,539.61 – *CHUCK EDGE, SHERIFF*
- F4 FROM 001-0510-506020 STAFF TRAVEL \$500.00 To 001-0510-508050 CONFERENCE \$500.00 – *CHRIS MACON, JUSTICE OF THE PEACE, PRECINCT 1*
- F5 FROM 001-0010-406590 INSURANCE REIMBURSEMENT \$23,143.10 To 001-0140-508110 FLEET PURCHASE \$23,143.10 – *TODD LITTLE, COUNTY JUDGE*
- F6 FROM 001-0020-507050 ELEVATOR \$2,000.00; 001-0020-508070 GENERAL MISC. \$1,500.00; 001-0020-508080 AUTO GAS \$1,000.00; 001-0020-508090 AUTO REPAIR \$5,000.00 To 001-0020-507020 REPAIRS \$9,500.00 – *KEITH ROBERT, MAINTENANCE*
- F7 FROM 001-07430-508060 OFFICIAL BOND \$500.00 To 001-0430-508010 SUPPLIES \$500.00 – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*
- F8 FROM 001-0430-508010 AUTO TIRES \$400.00; 001-0430-508080 AUTO GAS \$500.00 To 001-0430-508150 UNIFORMS \$900.00 – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*
- F9 FROM 001-0430-508090 AUTO REPAIRS \$300.00 To 001-0430-508190 COMPUTER \$300.00 – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*
- F10 FROM 001-0360-508880 COMPUTER SERVICE \$5,000.00 To 001-0360-508070 GENERAL Misc. \$2,000.00; 001-0360-507030 TELEPHONE \$500.00; 001-0360-508330 COURT REPORTING \$2,500.00 – *PATRICK WILSON, COUNTY AND DISTRICT ATTORNEY*
- F11 FROM 001-0380-508010 SUPPLIES \$94.98 To 001-0380-508030 FURNITURE/FIXTURES \$94.98 – *JIM CHAPMAN, COUNTY COURT AT LAW No. 1*
- F12 FROM 001-0050-508020 EQUIPMENT \$170.00 To 001-0050-508430 4-H TRAVEL \$170.00 – *MARK ARNOLD, TEXAS AGRILIFE EXTENSION*
- F13 FROM 010-0653-509080 FM2 LUMBER \$4,000.00; 010-0653-509130 FM2 CHEMICALS \$3,000.00; 010-0653-509120 FM2 BRIDGE REPAIRS \$5,000.00; 010-0653-508680 FM2 CONTRACT LABOR \$2,000.00; 004-0652-508070 RB2 GENERAL EXPENSES \$2,000.00 To 010-0653-509090 FM2 REPAIRS PARTS \$4,000.00; 010-0653-509180 FM2 HARDWARE TOOLS \$3,000.00; 010-0653-509070 FM2 TIRES \$5,000.00; 010-0653-508070 FM2 GENERAL EXPENSES \$2,000.00; 004-0652-508050 RB2 CONFERENCE/DUES \$2,000.00 – *LANE GRAYSON, COMMISSIONER, PRECINCT 2*

### SIMPLIFIED PLAT

SP1 APPROVING A SIMPLIFIED PLAT OF KELLER AND ANDERSON SUBDIVISION. THE PROPERTY CONTAINS ± 7.583 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ON THE WEST SIDE OF UNION HILL ROAD, ± 2,170 FEET SOUTH OF VALDEZ ROAD, ENNIS ROAD & BRIDGE PRECINCT NO. 1

SP2 APPROVING A SIMPLIFIED PLAT OF MAW AND PAW ESTATES. THE PROPERTY CONTAINS ± 10.123 ACRES OF LAND IN THE A. DE LA GARZA SURVEY, ABSTRACT NO. 2, LOCATED ON THE NORTH SIDE OF OLD TELICO ROAD ± 550 FEET EAST OF THE INTERSECTION OF STATE HIGHWAY 34 AND OLD TELICO ROAD IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD AND BRIDGE PRECINCT NO. 2

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

### PURCHASING

**MINUTE ORDER 290.19** (2.1) AUTHORIZING TO ACCEPT RENEWAL OF BID #2016-013 PAVEMENT REHABILITATION AND RESURFACING EFFECTIVE SEPTEMBER 13, 2018 THROUGH SEPTEMBER 12, 2019

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

**MINUTE ORDER 291.19** (2.2) AUTHORIZING TO ADVERTISE AND SEEK BIDS/PROPOSALS FOR BID NUMBER RFP-2019-007 CONTRACT FOR HOURLY RATES FOR BRIDGE AND HEADWALL REPAIRS ELLIS COUNTY, TEXAS

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

### RECESS TO CONVENE TO EXECUTIVE SESSION TO DISCUSS ITEM 3.1 2:14 P.M.

MOTION BY COMMISSIONER Grayson, SECOND BY COMMISSIONER Butler, CARRIES UNANIMOUSLY

- COMMISSIONER PERRY OPPOSED

### **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.

- 4.3 PURSUANT TO SECTION 551.076 OF THE GOVERNMENT CODE, CONSULTATION REGARDING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL OR DEVICES IN THE HISTORIC COURTHOUSE.

**ADJOURNMENT OF EXECUTIVE SESSION 3:23 P.M.**

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

**RECONVENE TO REGULAR SESSION 3:23 P.M.**

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

**ADMINISTRATIVE**

**MINUTE ORDER 292.19** (3.1) APPROVING THE OPENING OF ALL FOUR HISTORIC COURTHOUSE DOORS.

*PUBLIC COMMENT: SYLVIA COULSON – WAXAHACHIE*

*AMBER CAVERLY - WAXAHACHIE*

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

**RECORDED VOTE:**

COMMISSIONER PERRY	YES
COMMISSIONER GRAYSON	YES
COMMISSIONER STINSON	NO
COMMISSIONER BUTLER	NO
COUNTY JUDGE LITTLE	YES

**NO ACTION** (3.2) ELLIS COUNTY BURN BAN. – *TIM BIRDWELL, FIRE MARSHALL*

**TABLED** (3.3) AUTHORIZATION FOR ELLIS COUNTY STAFF AND THE COUNTY'S FINANCIAL ADVISOR TO INITIATE THE PROCESS TO ISSUE DEBT TO FUND PROPOSED CAPITAL IMPROVEMENT PROJECTS. – *JIM SABONIS, HILLTOP SECURITIES*

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

- *COMMISSIONER PERRY FILED ABSTENTION AFFIDAVIT PRIOR TO DISCUSSION*

**MINUTE ORDER 293.19** (3.4) AUTHORIZING THE COUNTY JUDGE TO SIGN A SUPPORT LETTER FOR 2019 GRANT FUNDS FOR A FLOOD RISK IDENTIFICATION STUDY IN THE WAXAHACHIE CREEK WATERSHED (PHASE 1). THIS WILL INVOLVE FEDERAL FUNDING AND A LOCAL MATCH COMPONENT OF \$25,872.98 (FY 2020 BUDGET). – *JOSEPH JACKSON, ENGINEER*

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

**MINUTE ORDER 294.19** (3.5) AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR THE RENEWAL OF THE TPDES GENERAL PERMIT NO. TXR040000. THE TCEQ HAS DESIGNATED ELLIS COUNTY AS A SMALL MUNICIPAL STORM SEWER SYSTEM (MS4) DUE TO THE PRESENCE OF URBANIZED AREA (UA) WITHIN THE COUNTY. PERMIT COVERAGE IS REQUIRED FOR THE PORTION OF THE UA WITHIN UNINCORPORATED ELLIS COUNTY. – *JOSEPH JACKSON, ENGINEER*

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

**MINUTE ORDER 295.19** (3.6) AUTHORIZING TO HIRE A TEMPORARY/SEASONAL EMPLOYEE TO ASSIST IN THE MAINTENANCE DEPARTMENT. FUNDS ARE TO COME FROM CURRENT SALARY LINE – NO ADDITIONAL FUNDING REQUIRED. – *THERESA TAYLOR, HUMAN RESOURCES; KEITH ROBERTS, MAINTENANCE*

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

**MINUTE ORDER 296.19** (3.7) ACCEPTING THE 1<sup>ST</sup> QUARTER 2019 ELLIS COUNTY INVESTMENT REPORT AND ANNUAL REVIEW OF THE ELLIS COUNTY INVESTMENT POLICY. – *CHERYL CHAMBERS, TREASURER*

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

**MINUTE ORDER 297.19** (3.8) APPROVING INTERLOCAL MINUTE ORDER 499.18 (c) FOR POT HOLE REPAIRS IN THE CITY OF PECAN HILL ON MULTIPLE ROADS; LOWRANCE, CAROL LN, BURKETT, HIGHMEADOWS, BELLS CHAPEL, ROCKETT LN. – *RANDY STINSON, COMMISSIONER, PRECINCT 1*

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

**MINUTE ORDER 298.19** (3.9) AUTHORIZING THE COUNTY JUDGE TO SIGN AXON CONTRACT FOR BODY CAMERAS USE IN PRECINCT 3 CONSTABLE'S OFFICE. FIRST YEAR COST WILL BE

\$3,982.00 AND PAID OUT OF ACCOUNT 001-0140-509880, LAW ENFORCEMENT  
CAMERAS. – *CURTIS POLK, JR., CONSTABLE, PRECINCT 3*

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

**MINUTE ORDER 299.19** (3.10) AUTHORIZING THE COUNTY JUDGE TO SIGN THE INDIGENT CARE  
AFFILIATION AGREEMENT WITH BAYLOR MEDICAL CENTER WAXAHACHIE, PENDING LEGAL  
REVIEW. – *JACK WILCOX, ENNIS REGIONAL MEDICAL CENTER*

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

**MINUTE ORDER 300.19** (3.11) AUTHORIZING THE COUNTY JUDGE TO SIGN THE INDIGENT CARE  
AFFILIATION AGREEMENT WITH ENNIS REGIONAL MEDICAL CENTER, PENDING LEGAL  
REVIEW. – *JACK WILCOX, ENNIS REGIONAL MEDICAL CENTER*

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

**MINUTE ORDER 301.19** (3.12) AUTHORIZING THE COUNTY JUDGE TO SIGN THE TEXAS HEALTHCARE  
TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM 1115 DEMONSTRATION  
WAIVER PROGRAM CERTIFICATION OF HOSPITAL PARTICIPATION FOR BAYLOR MEDICAL  
CENTER WAXAHACHIE, PENDING LEGAL REVIEW. – *JACK WILCOX, ENNIS REGIONAL  
MEDICAL CENTER*

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

**MINUTE ORDER 302.19** (3.13) AUTHORIZING THE COUNTY JUDGE TO SIGN THE TEXAS HEALTHCARE  
TRANSFORMATION AND QUALITY IMPROVEMENT PROGRAM 1115 DEMONSTRATION  
WAIVER PROGRAM CERTIFICATION OF HOSPITAL PARTICIPATION FOR ENNIS REGIONAL  
MEDICAL CENTER, PENDING LEGAL REVIEW. – *JACK WILCOX, ENNIS REGIONAL MEDICAL  
CENTER*

MOTION BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON, CARRIES UNANIMOUSLY

**CITIZENS TO BE HEARD ON NON-RELATED AGENDA ITEMS – NO ACTION TO BE TAKEN**

(MAXIMUM THREE (3) MINUTES PER INDIVIDUAL OR FIVE (5) MINUTES FOR GROUP REPRESENTATIVES)

– *COUNTY JUDGE TODD LITTLE*

*PUBLIC PARTICIPATION: REED HIGGINS – WAXAHACHIE*

*JAMES PARKS - WAXAHACHIE*

**RECESS TO CONVENE TO EXECUTIVE SESSION      4:31 P.M.**

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 §551.074 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PERSONNEL MATTERS.
  
- 4.2      PURSUANT TO SECTION 551.074 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE APPOINTMENT AND EMPLOYMENT OF THE ELLIS COUNTY PURCHASING AGENT.

**ADJOURNMENT OF EXECUTIVE SESSION AND RECONVENE TO REGULAR SESSION 4:50 P.M.**

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

**MINUTE ORDER 303.19**      (3.14) APPROVING THE COUNTY JUDGE TO BEGIN THE APPOINTMENT OF EMMETT J. HARBIN FOR THE ELLIS COUNTY PURCHASING AGENT POSITION. – *TODD LITTLE, COUNTY JUDGE*

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

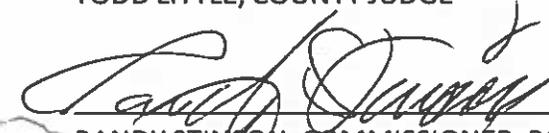
**ADJOURNMENT      4:56 P.M.**

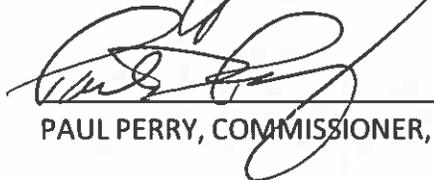
MOTION TO ADJOURN BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER, CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF JULY 2, 2019 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
TODD LITTLE, COUNTY JUDGE

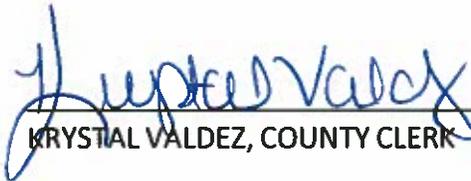
  
RANDY STINSON, COMMISSIONER, PCT 1

  
PAUL PERRY, COMMISSIONER, PCT 3

  
LANE GRAYSON, COMMISSIONER, PCT 2

  
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 16TH DAY OF JULY 2019.

  
KRYSTAL VALDEZ, COUNTY CLERK

