

**FILED**  
**JUL 14 2014**  
COUNTY CLERK  
ELLIS COUNTY, TEXAS

**ELLIS COUNTY COMMISSIONERS' COURT**  
**OFFICIAL MINUTES // JUNE 23, 2014**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JUNE 23, 2014 AT 3:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2<sup>ND</sup> 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

BILL DODSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

RON BROWN, COMMISSIONER, PCT. 4

**COUNTY CLERK:**

TINA CHAMBERS, ADMINISTRATIVE ASSISTANT

**COUNTY & DISTRICT ATTORNEY'S OFFICE:**

ANN MONTGOMERY-MORAN, 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 DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER PAUL PERRY

**CONSENT AGENDA:**

**MINUTE ORDER NO 254.14 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVAL OF OFFICIAL MINUTES OF THE COMMISSIONERS' COURT:  
MAY 12, 2014 & MAY 27, 2014
- A3 APPROVAL OF AN AGREEMENT ENTITLED TREASURY MANAGEMENT PRODUCT ENROLLMENT WITH ELLIS COUNTY'S SUB-DEPOSITORY, WELLS FARGO, TO AUTHORIZE THE INSTALLATION OF FRAUD CONTROLS WITHOUT A SPECIFIED CHARGE APPLIED TO ELLIS COUNTY— CHERYL CHAMBERS, TREASURER
- A4 ACCEPTANCE OF OATHS OF OFFICE AND STATEMENTS OF APPOINTED OFFICIALS FOR THE FOLLOWING EMERGENCY SERVICE DISTRICT BOARD MEMBERS:
  - ESD #1: WADE NORQUIST, CLIFTON SIMS, AND GARRY HARRIS
  - ESD #2: DANNY LONG, TOM MANNING, RAY REED, AND RICK DAVIS
  - ESD #3: JACKIE CATE AND MURRIE WAINSCOTT
  - ESD #4: RAYMOND BRINDLE, ROBERT MAHLSTEDT, AND DUB NOWELL
  - ESD #5: RAYMOND MINER
  - ESD #6: BILLY GETZENDANER
  - ESD #7: JANIS COLEMAN AND GARY SPORTSMAN

ESD #8: TEANER JOHNSON AND KEVIN MASON  
ESD #9: KENNY CALDWELL.

**FINANCIAL:**

- F1 FROM 010-0653-30302 FM2 FUND BALANCE CARRYOVER FY 2013-2014 BUDGET \$120,000.00 To 010-0653-50915 FM2-ASPHALT \$40,000, 010-0653-50911 FM2-GRAVEL \$60,000.00, 010-0653-50909 FM2 REPAIRS/PARTS \$10,000, 010-0653-50910 FM2-GAS \$10,000 – BILL DODSON, COMMISSIONER, PCT. 2
  - F2 FROM 004-0652-30302 RB2 FUND BALANCE CARRYOVER FY 2013-2014 BUDGET \$160,000.00 To 004-0652-50911 RB2-GRAVEL \$160,000.00 – BILL DODSON, COMMISSIONER, PCT. 2
  - F3 FROM 009-0602-50908 FM1 LUMBER \$12,000.00, 009-0602-50912 FM1 BRIDGE REPAIRS \$20,000.00, 009-0602-50868 FM1 CONTRACT LABOR \$33,500.00 To 009-0602-50909 FM1 REPAIRS/PARTS \$10,500, 009-0602-50962 FM1 LUBRICANTS \$1,500, 009-0602-50807 FM1 GEN Misc \$5,000.00, 009-0602-50911 FM1 GRAVEL \$48,500 – DENNIS ROBINSON, COMMISSIONER PCT. 1
  - F4 FROM 042-0942-30302 FEDERAL FORFEITURE FUND BALANCE \$8,893.25 To 042-0942-50807 GENERAL EXPENSES \$4,250.00. 042-0942-50802 EQUIPMENT \$4,643.25 - CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE
  - F5 FROM 001-0140-50560 COMPENSATORY/FRINGE LIABILITY \$3,272.00 To 001-0020-50502 WAGES \$2758.00, 001-0020-50553 FICA/SOCIAL SECURITY \$211.00, 001-0020-50554 RETIREMENT – CAROL BUSH, COUNTY JUDGE
  - F6 FROM 001-0520-50873 MAINTENANCE/REPAIRS \$1,029.71 To 001-0520-50802 EQUIPMENT \$379.71, 001-0520-50801 SUPPLIES \$650.00 - JACKIE MILLER JR., JUSTICE OF THE PEACE, PCT. 2
  - F7 FROM 011-0704-30301 FUND BALANCE \$150,000.00 To 001-0704-50915 ASPHALT \$150,000.00 – PAUL PERRY, COMMISSIONER, PCT. 3
  - F8 FROM 005-0703-50930 ROW PURCHASE \$5,000.00, 005-0703-50807 Misc. \$1,000.00 To 005-0703-50907 TIRES \$6,000.00 – PAUL PERRY, COMMISSIONER, PCT. 3
  - F9 FROM 001-0050-50819 COMPUTER \$290.00 To 001-0050-50802 EQUIPMENT \$180.00, 001-0050-50801 SUPPLIES \$110.00 – MARK ARNOLD, TEXAS A & M AGRILIFE EXTENSION
  - F10 FROM 004-0652-40004 RB2 – SALE OF MATERIAL \$2,728.00 To 004-0652-50701 RB2 UTILITIES \$2,728.00 - BILL DODSON, COMMISSIONER, PCT. 2
  - F11 FROM 001-0140-50560 COMP/FRINGE/WAGES \$1,378.00 To 001-0380-50502 WAGES \$1,280.00, 001-0380-50553 FICA/SOCIAL SECURITY – CAROL BUSH, COUNTY JUDGE
- MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**DEPARTMENT OF COUNTY DEVELOPMENT**

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

**MINUTE ORDER NO 255.14** RELEASING THE IRREVOCABLE LETTER OF CREDIT TO CITIZENS NATIONAL BANK OF TEXAS IN THE AMOUNT OF \$515,758.00 FOR THE COMPLETED INFRASTRUCTURE OF SPRINGFIELD LAKES, PHASE ONE, LOCATED IN ROAD AND BRIDGE PCT. 4

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

**PURCHASING:**

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

**No ACTION:** 2.1 THE PURCHASE OF A NEW 2015 KENWORTH T300 SERIES DUMP TRUCK FROM MHC KENWORTH-DALLAS FOR ROAD & BRIDGE PRECINCT 3 IN ACCORDANCE WITH LOCAL GOVERNMENT CODE.

**MINUTE ORDER NO 256.14** AWARDING BID RFQ-HAMPTON BRIDGE AT OAK CREEK FOR ENGINEERING SERVICES TO BRIDGE FARMER

MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**ADMINISTRATIVE:**

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

**MINUTE ORDER NO 257.14** AUTHORIZING SHERIFF JOHNNY BROWN TO PRESENT TO A DEPUTY THE DEPUTY'S ISSUED BADGE UPON THEIR RETIREMENT (CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)

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

**MINUTE ORDER NO 258.14** PLACING THE FOLLOWING VEHICLES ON THE LIST OF AUTHORIZED VEHICLES THAT ARE ALLOWED TO DISPLAY REGULAR LICENSE PLATES ON EXEMPT VEHICLES: 2008 FORD CROWN VICTORIA VIN# 2FAPF71V48X139043; 2013 CHEVY TAHOE VIN# 1GNSCAE00DR266240; 2010 DODGE CHALLENGER VIN# 2B3CJ5DT9AH169587; AND REMOVING THE FOLLOWING VEHICLES FROM THE LIST: 2008 FORD C/V VIN# 2FAPF71VX8X146516; 1999 CHEVY PICKUP VIN # 2GCEK19T1X1142567; AND 200 FORD EXCURSION VIN # 1FMNU41S9YEB39734 (CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)

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

**MINUTE ORDER NO 259.14** APPROVING A SECURITY ADDENDUM TO THE CONTRACT BETWEEN JUSTICE SOLUTIONS (GSA) AND ELLIS COUNTY AS REQUIRED TO COMPLY WITH THE RECENT CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS) AUDIT. (CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)

MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

**MINUTE ORDER NO 260.14** EXECUTING THE 2012 GRANT ADJUSTMENT NOTICE REGARDING THE STATE HOMELAND SECURITY PROGRAM (SHSP), AWARD NUMBER 12-GA 48139-03F FOR THE PURPOSE OF A GRANT REDUCTION IN THE AMOUNT OF \$21.27 (JOE STEWART, FIRE MARSHAL/EMC)

MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 261.14** APPROVING A COUNTY MATCH NOT TO EXCEED \$1,859.00 IN REGARD TO FUNDING GRANT (2014-045402) CONTRACT (\$18,798.00) WITH DEPARTMENT OF STATE HEALTH SERVICES FOR EMERGENCY COMMUNICATION AND NOTIFICATION ORIGINALLY APPROVED IN COMMISSIONERS' COURT DATED FEBRUARY 24, 2014. LINE ITEM ADJUSTMENT FROM 001-0430-50502 SALARY TO 001-0430-50986 OTHER BP2-LHD-73. (JOE STEWART, FIRE MARSHAL/EMC)

MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 262.14** APPOINTING PATSY WERNER - RED OAK, CRAIG ANDERSON – WAXAHACHIE, KEN REEVES, JR – WAXAHACHIE AND JOHN HARRELL – WAXAHACHIE AS ALTERNATE TO THE SALARY GRIEVANCE COMMITTEE FOR FY 2014/15 (CINDY POLLEY, COUNTY CLERK)

MOTION COMMISSIONER PERRY TO APPOINT IN ORDER DRAWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**RECESS TO CONVENE TO EXECUTIVE SESSION (3:25 PM)**

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY 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 TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE FIRE MARSHAL.

**ADJOURNMENT OF EXECUTIVE SESSION AND RECONVENE (4:08 PM)**

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 263.14 APPOINTING JOE STEWART AS FIRE MARSHAL POSITION FOR A PERIOD OF 1 YEAR, AND ACCEPTING BOND**

MOTION BY COMMISSIONER DODSON *TO APPOINT JOE STEWART FOR 1 YEAR*, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**ADJOURNMENT (4:08 PM)**

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

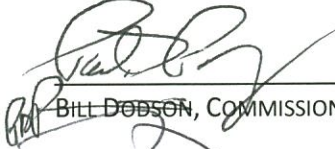
THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JUNE 23, 2014 ARE HEREBY APPROVED.


PRESIDING OFFICER:

  
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CAROL BUSH, COUNTY JUDGE

  
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DENNIS ROBINSON, COMMISSIONER, PCT 1

  
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PAUL PERRY, COMMISSIONER, PCT 3

  
\_\_\_\_\_  
BILL DODSON, COMMISSIONER, PCT 3

  
\_\_\_\_\_  
RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS JULY 14, 2014

  
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CINDY POLLEY, COUNTY CLERK