

**FILED**

**SEP - 8 2014**

**COUNTY CLERK  
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT  
OFFICIAL MINUTES // AUGUST 25, 2014**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, AUGUST 25, 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:**

CINDY POLLEY, COUNTY CLERK

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

ANN MONTGOMERY-MORAN, ASSISTANT COUNTY ATTORNEY

VANCE HINDS, 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 BROWN CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER DENNIS ROBINSON

**CONSENT AGENDA:**

**MINUTE ORDER NO 316.14 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 JULY 2014 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
  - MARK ARNOLD, AGRICULTURE
  - PAGE BISHOP, 4-H
  - RITA HODGES, FAMILY & CONSUMER SCIENCES
- A3 TO APPROVE TRADE OF 143 USED GLOCK PISTOLS FOR 143 NEW GEN 4 GLOCK PISTOLS AT A COST OF \$15,085.00. FUNDS FOR THIS PURCHASE WILL COME FROM THE SHERIFF'S FEDERAL FORFEITURE FUND – CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE

**FINANCIAL:**

- F1 FROM 001-0210-50848 HOLDING/SALARY \$6,000.00 TO 001-0210-50888 COMPUTER SERVICE/RENTAL \$6,000.00 – BRUCE SHERBET, ELECTIONS
- F2 FROM 001-0613-50808 AUTO GAS/OIL REIMBURSEMENT \$1,500.00, 001-0613-50810 AUTO TIRES \$350.00, 001-0613-50803 FURNITURE/FIXTURES \$200.00, 001-0613-50806 OFFICIAL BOND/DUES \$305.00, 001-0613-50812

- RADIO \$300.00, 001-0613-50820 LEASE TRAINING \$506.80 TO 001-0613-50802 EQUIPMENT \$2,655.00, 001-0613-50805 CONFERENCE \$506.80. – JIMMIE RAY, CONSTABLE, PCT 3
- F3 FROM 001-0330-40065 TRANSPORT REIMBURSEMENT FEES \$6,468.00, 001-0010-50801 SUPPLIES \$10,000.00, 001-0010-50802 EQUIPMENT \$8,000.00, 001-0010-50803 FURNITURE/FIXTURES \$5,000.00, 001-0010-50807 GENERAL MISC \$20,000.00, 001-0010-50812 RADIO \$10,000.00, 001-0010-50868 CONTRACT SERVICES \$18,697.00 TO 001-0010-50503 CERTIFICATION PAY \$9,950.00, 001-0010-50806 OFFICIAL BOND/DUES \$100.00, 001-0010-50808 AUTO GAS & OIL \$60,000.00, 001-0010-50810 AUTO TIRES \$8,000.00, 001-0010-50865 EMPLOYEE SCREENING \$100.00, 001-0010-50885 SALES TAX \$15.00. – JOHNNY BROWN, SHERIFF
- F4 FROM 001-0015-50865 EMPLOYEE SCREENING \$1,500, 001-0015-50801 SUPPLIES \$288.34 TO 001-0015-50835 EMPLOYEE TRAINING \$1,500.00, 001-0015-50806 OFFICIAL BOND/DUES \$288.34. – JOHNNY BROWN, SHERIFF
- F5 FROM 042-0942-30302 FEDERAL FORFEITURE FUND BALANCE \$21,000.00 TO 042-0942-50802 EQUIPMENT \$21,000.00. – CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE
- F6 FROM 003-0601-50915 RB1 ASPHALT \$25,000.00, 009-0602-50915 FM1 ASPHALT \$6,000.00 TO 003-0601-50911 RB1 GRAVEL \$25,000.00, 009-0602-50911 FM1 GRAVEL \$6,000.00. – DENNIS ROBINSON, COMMISSIONER, PCT1
- F7 FROM 001-0430-50502 SALARY \$14,452.24, 001-0430-50976 TRAVEL (CRI) \$1,850.00 TO 001-0430-50802 EQUIPMENT \$14,452.24, 001-0430-50977 SUPPLIES (CRI) \$1,850.00. – JOE STEWART, FIRE MARSHAL/EMERGENCY MANAGEMENT
- F8 FROM 001-0000-30302 FUND BALANCE \$16,527.00 TO 001-0210-50819 COMPUTER \$16,527.00. - BRUCE SHERBET, ELECTIONS ADMINISTRATOR
- F9 FROM 001-0210-40964 CONTRACT ELECTIONS (WISD) \$4,660.00 TO 001-0210-50801 SUPPLIES \$1,900.00, 001-0210-50848 HOLDING/SALARIES \$2,760.00 – BRUCE SHERBET, ELECTIONS ADMINISTRATOR
- F10 FROM 001-0020-50858 CUSTODIAL SUPPLIES \$2,000.00, 001-0020-50705 ELEVATOR \$2,000.00 TO 001-0020-50702 \$2,000.00 REPAIRS. – KEITH ROBERTS, MAINTENANCE

**SIMPLIFIED PLAT:**

- SP1 PACE ROAD ESTATES, 4 LOTS, REQUESTED BY MARGARET BALDRIDGE AND TONYA BONE, LOCATED IN ROAD AND BRIDGE PCT 1
- SP2 JAHNKE ADDITION, 2 LOTS, REQUESTED BY KENNETH JAHNKE AND DEBORAH GROSS, LOCATED IN ROAD AND BRIDGE PCT. 3
- MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

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

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**PUBLIC HEARING**

PUBLIC HEARING ON THE PROPOSED FY 2014-15 ELLIS COUNTY BUDGET, PURSUANT TO LOCAL GOVERNMENT CODE §111.007  
 JUDGE BUSH PRESENTED A BRIEF EXPLANATION OF PROPOSED BUDGET FOR FISCAL YEAR 2014-2015

*PUBLIC PARTICIPANTS: (ALL SPEAKING IN FAVOR OF FUNDING THE POSITION HELD BY BRAD ELLIOTT)*

- |                 |                                |
|-----------------|--------------------------------|
| BRENDA BENTON   | RYAN HALL                      |
| DEAN SETTLEMYER | BRAD ELLIOTT                   |
| DAVID GOSS      | TERRY NAY                      |
| JOHN BRIDGES    | CLAY SCHOOLFIELD DID NOT SPEAK |
| CRAIG RUDOLPH   |                                |

FIRST PUBLIC HEARING ON THE PROPOSED ELLIS COUNTY TAX RATE FOR BUDGET FISCAL YEAR 2014-2015 PURSUANT TO COMMISSIONERS' COURT ANNOUNCEMENT ON AUGUST 11, 2014, MINUTE ORDER NUMBER 314.14.  
PROPOSED TAX RATE WAS NOT DISCUSSED IN PUBLIC HEARING

**ADJOURNMENT OF PUBLIC HEARING AND RECONVENE TO REGULAR SESSION**

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**ADMINISTRATIVE:**

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

PRESENTATION 3.1 AN INTERPRETIVE EVENT PRESENTED BY DONALD KELM DISTRICT EXTENSION ADMINISTRATOR. – MARK ARNOLD, ELLIS COUNTY TEXAS A&M AGRILIFE EXTENSION SERVICE

**DEPARTMENT OF COUNTY DEVELOPMENT**

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

**MINUTE ORDER NO 317.14** APPROVING REPLAT MISSION HILLS, PHASES III AND IV, LOTS 15 AND 73, BRADS WAY AND TIMBER ROCK LANE, LOCATED IN ROAD AND BRIDGE PCT 4, REQUESTED BY KERRY ROULSTON  
MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 318.14** APPROVING PRELIMINARY PLAT, CARTER ESTATES, 13 LOTS, CARTER ROAD AND HWY 77, LOCATED IN ROAD AND BRIDGE PCT 3, REQUESTED BY JOSH TREES  
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

**ADMINISTRATIVE:**

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

**MINUTE ORDER NO 319.14** APPROVING PAY OUT TO EMPLOYEES THAT HAVE ACCRUED COMP TIME FOR HOURS PRIOR TO THE EXPIRATION OF THE 2013/14 FISCAL YEAR AND APPROVING THE NECESSARY TRANSFER FROM FUND BALANCE TO COVER THE EXPENDITURE  
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 320.14** ADOPTING THE INDIGENT HEALTH CARE PROGRAM EFFECTIVE SEPTEMBER 1, 2014 THROUGH AUGUST 31, 2015 (ANNE PRICE, HUMAN RESOURCES/INDIGENT HEALTH CARE DIRECTOR)  
MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**PURCHASING:**

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

**MINUTE ORDER NO 321.14** APPROVING RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BANCORPSOUTH BANK, AND DESIGNATING THE AGREEMENT AS A QUALIFIED TAX-EXEMPT OBLIGATION  
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 322.14** AUTHORIZING COUNTY JUDGE TO SIGN CUSTOMER SERVICE AGREEMENT WITH *SHRED-IT* FOR THE ELLIS COUNTY CLERK'S OFFICE IN ACCORDANCE WITH LOCAL GOVERNMENT CODE  
*PENDING LEGAL REVISION*

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

**MINUTE ORDER NO 323.14** AUTHORIZING THE COUNTY JUDGE TO SIGN A STATEMENT OF WORK FROM GENERAL DATATECH FOR ELLIS COUNTY JUVENILE SERVICES CISCO 2960X INSTALL PROJECT, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE

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

**MINUTE ORDER NO 324.14** AUTHORIZING THE COUNTY JUDGE TO SIGN A LEASE AGREEMENT WITH XEROX FOR UPGRADED COPIERS, WITH NO INCREASES, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE. THE FOLLOWING OFFICES WILL BE UPGRADED:

ELLIS COUNTY 378<sup>TH</sup> DISTRICT COURT – CURRENT MONTHLY COST \$205.30. NEW MONTHLY COST \$203.25.

ELLIS COUNTY 40<sup>TH</sup> DISTRICT COURT – CURRENT MONTHLY COST \$309.48; NEW MONTHLY COST \$284.22.

ELLIS COUNTY COURT AT LAW #2 – CURRENTLY MONTHLY COST \$234.82; NEW MONTHLY COST \$227.34.

ELLIS COUNTY JAIL – CURRENT MONTHLY COST \$235.34; NEW MONTHLY COST \$216.60.

ELLIS COUNTY LEC – CURRENT MONTHLY COST \$331.99; NEW MONTHLY COST \$254.89.

ELLIS COUNTY SHERIFF'S OFFICE HOYT ROAD – CURRENT MONTHLY COST \$205.30; NEW MONTHLY COST \$158.10.

ELLIS COUNTY JUVENILE PROBATION, 3 MACHINES - CURRENT MONTHLY COST \$736.58; NEW MONTHLY COST \$578.99.

ELLIS COUNTY COMMUNITY SUPERVISION AND CORRECTIONS – CURRENT MONTHLY COST \$129.10; NEW MONTHLY COST \$95.63.

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**ADMINISTRATIVE:**

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

**MINUTE ORDER NO 325.14** APPROVING THE FY 2014-2015 HOLIDAY SCHEDULE

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**MINUTE ORDER NO 326.14** APPROVING THE FY 2014-15 PAYROLL SCHEDULE

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

**MINUTE ORDER NO 327.14** APPROVING THE FY 2014-15 COMMISSIONERS' COURT SCHEDULE

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**No ACTION:** 3.6 TO APPROVE THE COMPENSATORY TIME POLICY & PROCEDURES EFFECTIVE OCTOBER 1, 2014. – ANNE PRICE, ANNE PRICE, HUMAN RESOURCES/INDIGENT HEALTH CARE DIRECTOR

**MINUTE ORDER NO 328.14** ACCEPTING DONATION FOR MATERIAL COST FROM DAVE LINDAUER FOR CHIP SEAL ON 1200 FT OF ISOM ROAD FROM HWY 34 TO DRIVEWAY TOTALING \$3,725.01.

(BILL DODSON, COMMISSIONER, PCT 2)

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**MINUTE ORDER NO 329.14** APPROVAL TO PURSUE *LIRAP* FUNDING  
MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 330.14** APPROVING SELECTION OF ELECTION JUDGES/ALTERNATE JUDGES FOR 2014-2016 TERM (BRUCE SHERBET, ELECTIONS ADMINISTRATOR)  
MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

3.11 **DISCUSSION** OF THE COUNTY FARM LEASE AGREEMENT. – BILL DODSON, COMMISSIONER, PCT 2

**RECESS TO CONVENE TO EXECUTIVE SESSION (5:10 PM)**

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON 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 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**

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

**ADJOURNMENT**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF AUGUST 25, 2014 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
\_\_\_\_\_  
CAROL BUSH, COUNTY JUDGE

  
\_\_\_\_\_  
DENNIS ROBINSON, COMMISSIONER, PCT 1

  
\_\_\_\_\_  
BILL DODSON, COMMISSIONER, PCT 2

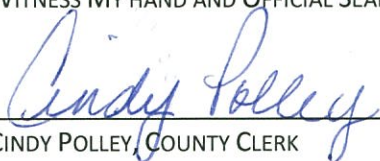


PAUL PERRY, COMMISSIONER, PCT 3



RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS SEPTEMBER 8, 2014



CINDY POLLEY, COUNTY CLERK