

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – NOVEMBER 19, 2019

Minute Order 504.19
December 3, 2019
Consent Agenda A2

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, NOVEMBER 19, 2019 AT 2:05 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2ND 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 – *ARRIVED DURING EXECUTIVE SESSION*

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, MOTION CARRIES

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 495.19 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVING COMMISSIONERS' COURT MINUTES FROM NOVEMBER 5, 2019. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND THE CITY OF PECAN HILL BEGINNING JANUARY 1, 2020 THROUGH DECEMBER 31, 2020. – *RANDY STINSON, COMMISSIONER, PRECINCT 1*
- A4 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND FERRIS ISD BEGINNING JANUARY 1, 2020 THROUGH DECEMBER 31, 2020. – *RANDY STINSON, COMMISSIONER, PRECINCT 1*

- A5 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND PALMER ISD BEGINNING JANUARY 1, 2020 THROUGH DECEMBER 31, 2020. – *RANDY STINSON, COMMISSIONER, PRECINCT 1*
- A6 ACCEPTING THE 3RD QUARTER 2019 ELLIS COUNTY INVESTMENT REPORT. – *CHERYL CHAMBERS, TREASURER*
- A7 APPROVING AN AMENDED INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND THE CITY OF VENUS, TEXAS, REGARDING PLATTING AUTHORITY IN THEIR EXTRATERRITORIAL JURISDICTION (ETJ) AND AMEND MINUTE ORDER NO 474.19 TO REFLECT MINOR CHANGES WITHIN THE UPDATED INTERLOCAL AGREEMENT.

FINANCIAL:

- F1 ACCEPTING A TABULATED REPORT OF THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM OCTOBER 26, 2019 – NOVEMBER 12, 2019, PURSUANT TO LOCAL GOVERNMENT CODE §114.024 – *JANET MARTIN, AUDITOR*
- F2 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 024-0924-508020 EQUIPMENT BY \$2,000.00; INCREASE 024-0924-508310 UNIFORM EXP BY \$2,000.00 – *TIM BIRDWELL, FIRE MARSHAL*
- F3 **FY 2019-20 BUDGET AMENDMENT:** INCREASE 001-0145-509270 MOTOROLA PRINCIPAL PAYMENT BY \$1,000,000.00; INCREASE 001-000-303010 LESS: FUND BUDGETED BY \$1,000,000.00. – *K.W. WINKLES, AUDIT*
- F4 **FY2019-20 BUDGET AMENDMENT:** INCREASE 042-0942-303020 BUDGETED FUND BALANCE BY \$19,081.17; INCREASE 042-0942-508020 EQUIPMENT BY \$19,081.17– *CHUCK EDGE, SHERIFF*
- F5 **FY2019-20 BUDGET AMENDMENT:** INCREASE 001-0210-407190 CHAPTER 19 STATE FUNDING BY \$849.00; INCREASE 001-0210-508000 CHAPTER 19 EXPENDITURES BY \$849.00– *JANA ONYON, ELECTIONS*
- F6 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0030-508620 FISCAL SERVICE FEE BY \$705.00; INCREASE 001-0030-508190 COMPUTER BY \$705.00– *K.W. WINKLES, AUDIT*
- F7 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0010-509470 DISPATCH SUPPLIES BY \$153.84; INCREASE 001-0010-509460 DISPATCH EQUIPMENT BY \$153.84– *CHUCK EDGE, SHERIFF*
- F8 APPROVING THE ELLIS COUNTY TAX ASSESSOR COLLECTOR TO ISSUE A TAX REFUND TO MR. COOPER, ACCOUNT NUMBER 227727 IN THE AMOUNT OF \$17,923.86 – *JANET MARTIN, AUDITOR*

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

DEPARTMENT OF DEVELOPMENT

NO ACTION (1.1) CONSIDERATION AND ACTION ON A REQUEST TO RELEASE A PERFORMANCE BOND AND ACCEPT A MAINTENANCE BOND FOR OXFORD RANCH TWO, PHASE 2. THE PROPERTY CONTAINS ± 69.645 ACRES OF LAND IN THE T. CASSIDY SURVEY, ABSTRACT NO. 255 AND THE H.G. HURST SURVEY, ABSTRACT NO. 458 LOCATED AT THE NORTHEAST CORNER OF CARDIFF LANE AND SOUTH WESTMORELAND ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4

MINUTE ORDER 496.19 (1.2) APPROVING A FINAL PLAT OF SILVER ADDITION. THE PROPERTY CONTAINS ± 16.096 ACRES OF LAND IN THE JOSEPH STEWART SURVEY, ABSTRACT NO. 961, LOCATED AT THE SOUTHWEST CORNER AT THE INTERSECTION OF BUFFALO STREET AND OLD FORT WORTH ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF GRAND PRAIRIE, ROAD AND BRIDGE PRECINCT NO. 4

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

MINUTE ORDER 497.19 (1.3) APPROVING A FINAL PLAT OF MURRAY ESTATES. THE PROPERTY CONTAINS A TOTAL OF ± 39.60 ACRES OF LAND IN THE F.M. WOODWARD SURVEY, ABSTRACT NO. 1120 LOCATED ON THE NORTH SIDE OF FM 879 ± 1,120 FEET WEST OF BOYCE FIRST STREET IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 1.

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

PURCHASING

MINUTE ORDER 498.19 (2.1) APPROVING A FINDING THAT HDR ARCHITECTURE, INC. IS THE MOST HIGHLY QUALIFIED PROVIDER OF ARCHITECTURAL SERVICES ON THE BASIS OF DEMONSTRATED COMPETENCE AND QUALIFICATIONS UNDER SECTION 2254.004 OF THE TEXAS LOCAL GOVERNMENT CODE.

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

MINUTE ORDER 499.19 (2.2) AUTHORIZING TO NEGOTIATE A CONTRACT AT A FAIR AND REASONABLE PRICE WITH HDR ARCHITECTURE, INC. BASED ON THE FINDING THAT HDR ARCHITECTURE, INC. IS THE MOST HIGHLY QUALIFIED PROVIDER OF ARCHITECTURAL SERVICES UNDER SECTION 2254.004 OF THE TEXAS LOCAL GOVERNMENT CODE.

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

MINUTE ORDER 500.19 (2.3) APPROVING THE USE OF OMNIA COOPERATIVE CONTRACT NUMBER R-TC-17006 WITH AMAZON SERVICES, LLC FOR AN AMOUNT UP TO \$60,000.00 ANNUALLY IN ACCORDANCE WITH THE COOPERATIVE PURCHASING PROGRAM, CHAPTER 271 OF THE TEXAS GOVERNMENT CODE.

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

ADMINISTRATIVE

NO ACTION (3.1) ELLIS COUNTY BURN BAN REMAINS LIFTED. – *TIM BIRDWELL, FIRE MARSHALL*

MINUTE ORDER 501.19 (3.2) APPROVING THE CREATION OF AN *ACTING DEPUTY SERGEANT* POSITION FOR THE SHERIFF'S OFFICE EFFECTIVE 11-3-19 DUE TO A TEMPORARY STAFFING NEED. REFERENCE §152.071 OF THE LOCAL GOVERNMENT CODE. NO ADDITIONAL FUNDING IS NECESSARY TO MEET THE REQUIREMENT. – *THERESA TAYLOR, HUMAN RESOURCES*

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

MINUTE ORDER 502.19 (3.3) APPROVING THE FUNDING OF EXPENSES FOR EMPLOYEES FROM NON-TAX AND NON-FEE RELATED COUNTY REVENUE AS ALLOWED IN AG LETTER OPINION 96-136. FUNDING COULD BE FROM VENDING MACHINE COMMISSIONS AND OTHER SIMILAR SOURCES. MONEY COULD NOT BE USED FOR SALARY OR BONUS. – *JANET MARTIN, AUDITOR*

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

MINUTE ORDER 503.19 (3.4) APPROVING A FINDING THAT THE DELIBERATION OF THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON. – *TODD LITTLE, COUNTY JUDGE*

PUBLIC PARTICIPATION: JAMES PARKS - WAXAHACHIE

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

RECESS TO CONVENE TO EXECUTIVE SESSION **2:29 P.M.**

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIES

COMMISSIONER PERRY ARRIVED

Ellis County Commissioner's Court Minutes – November 19, 2019

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 §551.072 OF THE GOVERNMENT CODE, TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE 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.
- 4.3 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION REGARDING PENDING OR CONTEMPLATED LITIGATION INVOLVING THE OPIOID LITIGATION AGAINST PURDUE PHARMA, L.P., PURDUE PHARMA, INC., AND OTHER CORPORATIONS AND ENTITIES RESPONSIBLE FOR VIOLATIONS OF LAW IN THE FRAUDULENT MARKETING AND SALES OF CERTAIN HIGHLY ADDICTIVE, OPIATE-DERIVED PAINKILLERS.

ADJOURNMENT OF EXECUTIVE SESSION AND RECONVENE TO REGULAR SESSION 4:25 P.M.

MOTION TO ADJOURN BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON, MOTION CARRIES

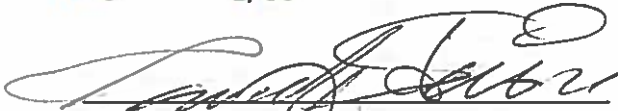
ADJOURNMENT 4:26 P.M.

MOTION TO ADJOURN BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON, MOTION CARRIES

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF NOVEMBER 19, 2019 ARE HEREBY APPROVED.

PRESIDING OFFICER:


TODD LITTLE, 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 3RD DAY OF DECEMBER 2019.


KRYSTAL VALDEZ, COUNTY CLERK

