

**COMMISSIONERS COURT  
REGULAR MEETING  
JULY 14, 2020**

BE IT REMEMBERED that on this day, the Commissioners Court of Kaufman County, Texas met in a Regular Meeting in the Commissioners Court Meeting Room, Kaufman Texas with the following members present: **Hal Richards**, County Judge; **Mike Hunt**, Commissioner Precinct 1; **Skeet Phillips**, Commissioner Precinct 2; **Terry Barber**, Commissioner Precinct 3, Absent; **Ken Cates**, Commissioner Precinct 4; **Bobbie Bartlett**, Chief Deputy.

**INVOCATION;  
PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG;  
PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG;  
REMARKS FROM VISITORS;**

**ROUTINE CORRESPONDENCE**

**CONSENT AGENDA**

2. There came on to be a motion to approve the Consent Agenda.
  - A. Accept Star Transit Ridership Reports for June 2020.
  - B. Approve Commissioners Court Meeting Minutes for June 9, 2020 and June 23, 2020.
  - C. Accept Audited Financial Statements for Kaufman County Emergency Services District #6 for year ending September 30, 2019.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Mike Hunt.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO TABLE RESOLUTION**

3. There came on to be a motion to approve taking all appropriate action on a Resolution designating a reinvestment zone for property tax abatement under the property redevelopment and tax abatement act, Chapter 312 of the Texas Tax Code.

Motion was made by Commissioner Skeet Phillips seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE AGREEMENT**

4. There came on to be a motion to approve an Interlocal Agreement between the City of Terrell and Kaufman County regarding Maintenance Agreement for Cedar Creek Watershed in Kaufman County Texas for Rehabilitated Floodwater Retarding Structure 87A.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Mike Hunt.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE AGREEMENT**

5. There came on to be a motion to approve the Operation and Maintenance Agreement Cedar Creek Watershed Kaufman County Texas for Rehabilitated Floodwater Retarding Structure 87A.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE BOND ISSUANCE**

6. There came on to be a motion to approve the 2019 Road Bond Program's initial issuance priorities and any appropriate action.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Mike Hunt.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE RATIFICATION**

7. There came on to be a motion to approve ratification of the location of Helms Trail consistent with the current Kaufman County Thoroughfare Plan, adopted by Kaufman County on August 22, 2016, and any appropriate action.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Mike Hunt.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE REVIEW**

8. There came on to be a motion to approve authorizing Freeze and Nichols to review City of Crandall's request to revise the county's Thoroughfare Plan by extending an arterial from the intersection of FM 741 and US 175 as proposed by their Thoroughfare Plan.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO ACCEPT DONATION**

9. There came on to be a motion to accept a donation from Windmill Farms to Kaufman County Precinct #2 Constables Office, for one (1) 2020 Gray Chevrolet Tahoe Police Inceptor VIN #1GNLCDEC6LR187699.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE TRANSFER**

10. There came on to be a motion to approve the transfer of Aaron Ross from a Reserve Deputy Constable to a full time Deputy Constable position with the Kaufman County Precinct #2 Constables Office that is currently vacant due to attrition.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE PAY INCREASE**

11. There came on to be a motion to approve the supplemental pay increase for Precinct #2 Constable Sergeant Guadalupe Frias for supervisor pay from Windmill Farms Patrol Contract 010-7999-564, in the amount of \$865.35 for the remainder of Fiscal Year (FY) 2020 or \$2.16 per hour starting on July 19, 2020 and applying to the remaining 400 hours in Fiscal Year (FY) 2020 from the date, and subsequent contract years, then equaling a supplemental supervisor pay increase of \$4,500 per year.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE DEPUTATION**

12. There came on to be a motion to approve the Deputation of Deputy Constable Anthony Rae Manriquez to fill a contract deputy position vacant due to attrition.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Mike Hunt.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO ACCEPT REPORT**

13. There came on to be a motion to accept the Collections Department Quarterly Report.

Motion was made by Commissioner Mike Hunt and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO ACCEPT REPORT**

14. There came on to be a motion to accept Development Services Quarterly Report for April 1, 2020 through June 30, 2020.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE AGREEMENT**

17. There came on to be a motion to approve an updated Interlocal Agreement for Tax Collections.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE JURISDICTION**

15. There came on to be a motion to approve a new jurisdiction for 2020 for Kaufman County to collect taxes for Municipal Utility District #3, which is part of Devonshire Development.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE PURCHASE OF EQUIPMENT**

16. There came on to be a motion to approve the purchase of a refurbished DS450 high speed digital image scanner with steel table, reports printer, audit printer, startup kit, dust cover, battery backup, two (2) USB cables, and two (2) standard 8GB memory devices-version 6.0.4.0, to be paid utilizing the HAVA Funds received.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE AWARD OF CONTRACT**

18. There came on to be a motion to approve Award of Contract for RFP 20-19: County Road Right of Way (ROW) Maintenance to D & M Contractors, LLC and Jericho Land Resources.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE AWARD OF CONTRACT**

19. There came on to be a motion to approve Award of Contract for RFP 20-20: Kaufman County IP Surveillance/Camera System – Equipment, Installation, and Maintenance to Terrell Alarm System.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Terry Barber.

Commissioner Mike Hunt abstained from vote.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE DISPOSAL OF COUNTY ASSETS**

20. There came on to be a motion to approve receipt, transfer, and disposal of County owned assets.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE CONTRACT**

21. There came on to be a motion to approve TexasBit contract for Frierson Road in the amount of \$138,840.80; utilizing RFP 20-03 for Precinct #1.

Motion was made by Commissioner Mike Hunt and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE CONTRACT**

22. There came on to be a motion to approve Contract for 2019 Kaufman County Bond Program – Construction Manager-Agent Services (RFQ 20-16) between Gallagher Construction and Kaufman County for construction of the Animal Shelter.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO ACCEPT REPORT**

23. There came on to be a motion to accept the Sheriff's Office Monthly Report for May 2020. Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber. Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE PURCHASE**

24. There came on to be a motion to approve the purchase of a 2019 Carlson CP-130 Paver, Serial # CP130/15DB9X, in the amount of \$261,806.65 utilizing Buyboard Contract #594-19. Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Ken Cates. Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO ACCEPT ROAD REPORT**

25. There came on to be a motion to approve the 2020-2021 Annual Road Report for Road and Bridge Precinct #3.

Motion was made by Commissioner Terry Barber and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO ACCEPT ROAD REPORT**

26. There came on to be a motion to approve the 2020-2021 Annual Road Report for Road and Bridge Precinct #4.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE AGREEMENT**

27. There came on to be a motion to approve an Interlocal Agreement with the Texas Department of Transportation (TxDOT) for the County Transportation Infrastructure Fund Grant Program and make the county engineer the administrator of the grant.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE ALLOCATION FORMULA**

28. There came on to be a motion to approve an allocation formula for the Road and Bridge Department. The distribution of Road and Bridge Dollar will be Precinct #1 – 25.5%, Precinct #2 – 13.4%, Precinct #3 – 25.5%, and Precinct #4 – 35.6%.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE LINE ITEM TRANSFERS**

29. There came on to be a motion to approve Line Item Transfers.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber.

Motion was put to a vote. Motion carried and is so ordered.



**MOTION TO APPROVE CLAIMS FOR PAYMENT**

30. There came on to be a motion to approve Claims for Payment in the amount of \$5,697,466.55.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Mike Hunt.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE APPOINTMENT**

1. Addendum – There came on to be a motion to approve the appointment of a Monument Citizens Commission.

Motion was made by Judge Richards and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO APPROVE EXITING REGULAR MEETING**

**AND ENTER INTO EXECUTIVE SESSION**

31. There came on to be a motion to approve exiting Regular Meeting and enter into Executive Session.

32. Pursuant to Section 551.071 of the Texas Government Code, the Commissioners Court will meet in closed session to consider pending or contemplated litigation subjects or settlement offers. The following cases/subjects may be discussed:

Kaufman County v. Purdue Pharma, et. al – Civil Action No. 3:18-cv-02270

John Sullivan v. Kaufman County, tbd;

Mott v. Grimes – Cause No. 3:20-CV-1160-M-BN

Todd Michael Tomasella v Division of Child Support, et al – Case No. 3:20-CV-00476

Potential claims involving civil rights and county contracts

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

**EXECUTIVE SESSION**

31-32. Executive Session was held. County Judge has Certified Agenda.

**MOTION TO APPROVE EXITING EXECUTIVE SESSION**

**AND ENTER INTO REGULAR MEETING**

33. There came on to be a motion to approve exiting Executive Session and enter into Regular Meeting.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

**NO ACTION TAKEN DURING EXECUTIVE SESSION**

**MOTION TO APPROVE AUTHORIZATION**

32. There came on to be a motion to approve appointing County Judge Hal Richards to sign any documents prepared and submitted by the District Attorney's Office regarding resolution of the Sullivan employment matter.

Motion was made by Commissioner Ken Cates and seconded by Commissioner Skeet Phillips.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO ADJOURN REGULAR MEETING**

34. There came on to be a motion to adjourn Regular Meeting and enter into Workshop.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

**MOTION TO ADJOURN**

There came on to be a motion to Adjourn.

Motion was made by Commissioner Skeet Phillips and seconded by Commissioner Ken Cates.

Motion was put to a vote. Motion carried and is so ordered.

I, Laura Hughes, County Clerk of Kaufman County, Texas, do hereby certify that the above Commissioner Court Minutes are a true and correct record of the proceedings from the Commissioners Court Meeting.

ATTEST:

*Laura Hughes*

Laura Hughes, County Clerk

