

**COMMISSIONERS COURT
REGULAR SESSION
August 26, 2013**

BE IT REMEMBERED that on this day, the Commissioners Court of Kaufman County, Texas met in Regular Session with the following members present to wit: **Bruce Wood**, County Judge; **Jimmy Joe Vrzalik**, Commissioner Precinct No. 1; **Ray Clark**, Commissioner Precinct No. 2; **Kenneth Schoen**, Commissioner Precinct No. 3; **Tom Manning**, Commissioner Precinct No. 4; **Lanra Hughes**, County Clerk.

INVOCATION;

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG;

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG;

REMARKS FROM VISITORS;

Several members from the public spoke. *See Attachment.*

ITEM 1.

ROUTINE CORRESPONDENCE

ITEM 2.

CONSENT AGENDA

There came on to be considered a motion to approve the Consent Agenda.

- A. Acceptance of Minutes for August 12, August 13 and August 20, 2013. See Attachments.
- B. Approval of Project Agreement with Post Oak Bend for road repair on County Road 281 and County Road 280. See Attachment.
- C. Acceptance of the Accounting Report for Kaufman County Emergency Services District #1. See Attachment.
- D. Approval of Deputations of Carla Cook and Brandon Wells for the Tax Assessor-Collector's Office. See Attachments.

A motion was made by Commissioner Jimmy Joe Vrzalik and seconded by Commissioner Kenneth Schoen.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 3.

MOTION TO APPROVE BOND ELECTION ORDER

There came on to be considered a motion to approve an Order by the Commissioners' Court of Kaufman County, Texas, calling a Bond Election to be held within said county, making provision for the conduct of the election and resolving other matters incident and related to the holding of such election. *See Attachment.*

Proposition 1: The Issuance of \$56,000,000 Road Tax Bonds for Road Construction and Improvements within Kaufman County.

Proposition 2: The Issuance of General Obligation Bonds not to exceed \$19,850,000 to pay for the Construction of a New Justice Center.

A motion was made by Commissioner Tom Manning and seconded by Commissioner Jimmy Joe Vrzalik.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 4.

**MOTION TO APPROVE LOCATION AND
NAME OF PROPOSED NEW JUSTICE CENTER**

There came on to be considered a motion to approve locating the new Justice Center adjacent to the Kaufman County Law Enforcement Center with a connection the Law Enforcement Center and, in honor of Mark Hasse, Mike McLelland and his wife, Cynthia, that it be named the Hasse McLelland Justice Center of Kaufman County. A motion was made by County Judge Bruce Wood and seconded by Commissioner Ray Clark. Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 5.

MOTION TO APPROVE REQUEST

There came on to be considered a motion to approve a Request to increase Engineering Services Fee for the County's 2011 Texas Community Development Block Grant (TxCDBG) #711290 (Elmo Water Supply Corporation). *See Attachment.*

A motion was made by Commissioner Kenneth Schoen and seconded by Commissioner Tom Manning. Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 6.

**MOTION TO APPROVE EXITING REGULAR MEETING
AND ENTERING INTO PUBLIC HEARING**

There came on to be considered a motion to approve exiting the Regular Meeting and entering into Public Hearing to discuss the County Clerk's Records Archive Plan, as required by Local Government Code 118.025.

A motion was made by Commissioner Tom Manning and seconded by Commissioner Ray Clark. Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

PUBLIC HEARING

There came on to be a Public Hearing. No-one from the public spoke on this issue.

ITEM 6.

**MOTION TO APPROVE EXITING PUBLIC HEARING
AND ENTER INTO REGULAR MEETING**

There came on to be considered a motion to approve exiting the Public Hearing and entering into Regular Meeting. A motion was made by Commissioner Kenneth Schoen and seconded by Commissioner Tom Manning. Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 7.

MOTION TO APPROVE PLAN AND ORDER

There came on to be considered a motion to approve and adopt County Clerk's Record Archival Plan and sign Order approving same, as presented by Laura Hughes, County Clerk. *See Attachment.*

A motion was made by Commissioner Tom Manning and seconded by Commissioner Jimmy Joe Vrzalik. Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 8.

MOTION TO TABLE ADOPTION OF TEXAS

LOCAL GOVERNMENT CODE 262.0276

There came on to be considered a motion to table adoption of Texas Local Government Code 262.0276, restriction on future County transactions or contracts with persons indebted to the County at the time of the transaction or contract.

A motion was made by Commissioner Tom Manning and seconded by Commissioner Kenneth Schoen.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 9.

MOTION TO APPROVE EXITING REGULAR MEETING

AND ENTERING INTO EXECUTIVE SESSION

There came on to be considered a motion to approve exiting the Regular Meeting and entering into Executive Session, pursuant to Texas Government Code 551.087 (1) and 551.087 (2). RE: Deliberation Regarding Economic Development Negotiations.

A motion was made by Commissioner Tom Manning and seconded by Commissioner Jimmy Joe Vrzalik.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 9.

MOTION TO APPROVE EXITING EXECUTIVE SESSION

AND ENTERING INTO REGULAR MEETING

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

A motion was made by Commissioner Kenneth Schoen and seconded by Commissioner Tom Manning.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 10.

MOTION TO APPROVE AGREEMENT

There came on to be considered a motion to approve an Economic Development Agreement with the City of Terrell, excluding Roll Back taxes provision – page 2, Section 2, of the Agreement, strike “but including Roll Back taxes” from the Power Center Agreement with the City of Terrell. *See Attachment.*

A motion was made by Commissioner Kenneth Schoen and seconded by Commissioner Jimmy Joe Vrzalik.

There came on to be considered a motion to amend Commissioner Kenneth Schoen’s original motion “to approve this item pending a public meeting to get public input into it and rewording the agenda item to let the public know that this is 100% Tax Agreement with the City of Terrell”.

A motion was made by Commissioner Ray Clark and seconded by Commissioner Tom Manning.

Whereupon said amended motion was put to a vote with Commissioner Ray Clark and Commissioner Tom Manning voting ‘for’ and Commissioner Kenneth Schoen, Commissioner Jimmy Joe Vrzalik and County Judge Bruce Wood voting ‘against’. Amended motion failed.

Whereupon said original motion was put to a vote with Commissioner Jimmy Joe Vrzalik, Commissioner Kenneth Schoen, Commissioner Tom Manning and County Judge Bruce Wood voting ‘for’ and Commissioner Ray Clark voting ‘against’ stating that “I don’t like the wording on the Agenda, it does not really give the public enough information about what the notice is all about.” Motion carried.

AND IT IS SO ORDERED.

ITEM 11.

DISCUSSION

There came on to be a discussion pertaining to the Commissioners Court Agenda process.

ITEM 12.

MOTION TO APPROVE POLLING LOCATIONS

There came on to be considered a motion to approve the Consolidated Polling Locations for November 2013 Election, with a change in Precinct 4 – moving election day voting from First Baptist Church in Kemp to Mabank City Hall, presented by Tonya Rateliff, Tax Assessor-Collector. *See Attachment.*

A motion was made by Commissioner Tom Manning and seconded by Commissioner Kenneth Schoen.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 13.

MOTION TO APPROVE APPOINTMENTS

There came on to be considered a motion to approve appointing Election Judges and Alternate Judges for all Elections through July 2014, as presented by Tonya Rateliff, Tax Assessor-Collector. *See Attachments.*

A motion was made by Commissioner Tom Manning and seconded by Commissioner Kenneth Schoen.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 14.

MOTION TO APPROVE CONTRACT

There came on to be considered a motion to approve the Title IV-E Child Welfare Services (Non-Financial) Purchased Client Services Contract #23939075, Amendment #13-01. *See Attachments*

A motion was made by Commissioner Ray Clark and seconded by Commissioner Tom Manning.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 15.

MOTION TO APPROVE ADVERTISING FOR BID

There came on to be considered a motion to approve advertising a bid for a used Skid Loader for Precinct 1, as presented by Jack Sebastian, Purchasing Agent. *See Attachment.*

A motion was made by Commissioner Jimmy Joe Vrzalik and seconded by Commissioner Kenneth Schoen.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 16.

MOTION TO APPROVE PURCHASE

There came on to be considered a motion to approve purchasing a truck for Juvenile Probation through the Buy Board Cooperative Purchasing Program for \$24,928.00, using State funds, as presented by Jack Schastian, Purchasing Agent. *See Attachment.*

A motion was made by Commissioner Tom Manning and seconded by Commissioner Kenneth Schoen.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 17.

MOTION TO APPROVE ADVERTISING FOR BID

There came on to be considered a motion to approve advertising a bid for Chemical Brush Control Services for the various Precincts, as presented by Jack Sebastian, Purchasing Agent. *See Attachment.*

A motion was made by Commissioner Tom Manning and seconded by Commissioner Jimmy Joe Vrzalik.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 18.

LINE ITEM TRANSFERS

There came on to be considered a motion to approve Line-Item transfers, as presented by Karen Cooper, Auditor. *See Attachment*

A motion was made by Commissioner Kenneth Schoen and seconded by Commissioner Tom Manning.

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 19.

MOTION TO APPROVE CLAIMS FOR PAYMENT

There came on to be considered a motion to approve claims for payment.

A motion was made by Commissioner Kenneth Schoen and seconded by Commissioner Tom Manning

Whereupon said motion was put to a vote and motion carried.

AND IT IS SO ORDERED.

ITEM 20.

MOTION TO ADJOURN

There came on to be considered a motion to adjourn Regular Meeting.

A motion was made by Commissioner Tom Manning and seconded by Commissioner Ray Clark.

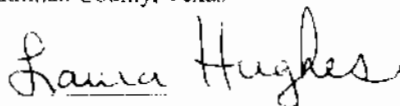
Whereupon said motion was put to a vote and motion carried.

AND IT 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, County Clerk
and Ex-Officio Clerk of the
Commissioners Court of
Kaufman County, Texas



Laura Hughes
County Clerk

