# COMMISSIONERS COURT REGULAR MEETING MAY 8, 2017

BE IT REMEMBERED that on this day, the Commissioners Court of Kaufman County, Texas met in a Regular Meeting with the following members present to wit: Bruce Wood, County Judge; Mike Hunt, Commissioner Precinct No. 1; Skeet Phillips, Commissioner Precinct No. 2; Terry Barber, Commissioner Precinct No. 3; Jakie Allen, Commissioner Precinct No. 4; Jamie Swagerty, Deputy County Clerk.

INVOCATION;

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG;

REMARKS FROM VISITORS:

ITEM 1.

ROUTINE CORRESPONDENCE

ITEM 2.

CONSENT AGENDA

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

- A. Acceptance of resignation of Stephen Davis from the Kaufman County Historical Commission. See Attachment.
- B. Approve deputation of Mathew C. Ewaskiw as Deputy Fire Marshal.
- C. Acceptance of Commissioners Court Minutes for April 10, 2017 and April 24, 2017. See Attachments.

A motion was made by Commissioner Jakie Allen and seconded by Commissioner Skeet Phillips.

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

### AND IT IS SO ORDERED.

#### ITEM 3.

# MOTION TO APPROVE ORDER

There came on to be considered a motion to approve an order for retirement and donation of K9 Nurmo, due to health reasons, and allow his handler, Felipe Sauceda, to take ownership of him. See Attachment.

A motion was made by Commissioner Terry Barber and seconded by Commissioner Mike Hunt.

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

#### AND IT IS SO ORDERED.

### ITEM 4.

# 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 a Public hearing regarding the proposed dissolution of Kaufman County Development District No. 1 and transferring district funds and property. See Attachment.

A motion was made by Commissioner Skeet Phillips and seconded by Commissioner Jakie Allen.

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

# AND IT IS SO ORDERED.

ITEM 5.

# PUBLIC HEARING

A public hearing was held. Several people spoke on topic.

ITEM 6.

# MOTION TO APPROVE EXITING PUBLIC HEARING

# AND ENTERING INTO REGULAR MEETING

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

A motion was made by Commissioner Skeet Phillips and seconded by Commissioner Mike Hunt.

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

### AND IT IS SO ORDERED.

#### ITEM 7.

# MOTION TO APPROVE ORDER

There came on to be considered a motion to approve an Order upon Hearing and Granting Petition for the Dissolution of Kaufman County Development District No. 1 and Transferring District Funds and Property. See Attachment.

A motion was made by Commissioner Skeet Phillips and seconded by Commissioner Jakie Allen.

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

# AND IT IS SO ORDERED.

#### ITEM 8.

# PRESENTATION

There came on to be a presentation of Monthly Reports for the Fire Marshal's Office, Public Works Department, and Environmental Enforcement Department. See Attachments.

### ITEM 9.

# MOTION TO APPROVE ORDER

There came on to be considered a motion to approve an Order authorizing Memorial Day Fireworks Sales under Occupations Code Section 2154.202(h)(1) for one year. See Attachment.

A motion was made by Commissioner Jakie Allen and seconded by Commissioner Terry Barber.

Whereupon said motion was put to a vote with Commissioner Mike Hunt, Commissioner Terry Barber and Commissioner Jakie Allen voting 'for' and Commissioner Skeet Phillips and County Judge Bruce Wood voting 'against'. Motion carried.

# AND IT IS SO ORDERED.

### **ITEM 10.**

# MOTION TO APPROVE CONTRACT

There came on to be considered a motion to approve the Edgewater Addition Phase 1 Improvements Contract. See Attachment.

A motion was made by Commissioner Jakie Allen and seconded by Commissioner Terry Barber.

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

### AND IT IS SO ORDERED.

#### **ITEM 11.**

### MOTION TO TABLE FINAL PLAT

There came on to be considered a motion to table Final Plat for Edgewater Edition Phase 1, located in Kaufman County Precinct 4.

A motion was made by Commissioner Jakie Allen and seconded by Commissioner Terry Barber.

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

# AND IT IS SO ORDERED.

# **ITEM 12.**

## MOTION TO ACCEPT GRANT & AUTHORIZE RESOLUTION

There came on to be considered a motion to accept a Homeland Security Transfer Grant from the North Central Texas Council of Governments (NCTCOG) for an Emergency Operations Center (EOC) Support Trailer with equipment, in the amount of \$100,000 and authorize the signing of a Resolution for the acceptance. See Attachment.

A motion was made by Commissioner Terry Barber and seconded by Commissioner Mike Hunt.

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

### AND IT IS SO ORDERED.

## ITEM 13.

# MOTION TO APPROVE RESOLUTION

There came on to be considered a motion to approve a Resolution for applying for funding through the Governor's Office /

Criminal Justice Division to cover cost for the Brownlow Capital Murder Trial appeal. See Attachment.

A motion was made by Commissioner Jimmy Jakie Allen and seconded by Commissioner Skeet Phillips.

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

### AND IT IS SO ORDERED.

#### **ITEM 14.**

# MOTION APPROVE AGREEMENT

There came on to be considered a motion to approve an Interlocal Agreement between Rockwall County, Texas and Kaufman County, Texas to coordinate and execute Law Enforcement Operations targeting fraudulent or improper motor vehicle inspections. See Attachment.

A motion was made by Commissioner Skeet Phillips and seconded by Commissioner Jakie Allen.

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

### AND IT IS SO ORDERED.

#### **ITEM 15.**

# MOTION TO APPROVE PURCHASE

There came on to be considered a motion to approve purchase of four (4) 2018 Mack GU713 m-drive tandem axle dump-trucks from East Texas Mack for \$128,400.00 each for Precinct 4 Road & Bridge, utilizing the Interlocal Purchasing System (TIPS) contract #02-102314. See Attachment.

A motion was made by Commissioner Jakie Allen and seconded by Commissioner Terry Barber.

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

#### AND IT IS SO ORDERED.

#### ITEM 16.

# MOTION TO APPROVE PURCHASE

There came to be considered a motion to approve purchase of refurbished Dura Patcher for Pct. 4 for the amount of \$39,500.00 from Texas Patcher. See Attachment,

A motion was made by Commissioner Jakie Allen and seconded by Commissioner Terry Barber.

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

### AND IT IS SO ORDERED.

#### ITEM 17.

### MOTION TO APPROVE SERVICES

There came to be considered a motion to approve using Alliance Protective Services (APS) for Alarm Monitoring at the Precinct 3 Road & Bridge Barn (at cost). Company owned by Kalena Barber. See Attachment.

A motion was made by Commissioner Mike Hunt and seconded by County Judge Bruce Wood.

Whereupon said motion was put to a vote with Commissioner Terry Barber abstaining, Commissioner Mike Hunt, Commissioner Skeet Phillips and County Judge Bruce Wood voting 'for' and Commissioner Jakie Allen voting 'against'. Motion carried.

# AND IT IS SO ORDERED.

### **ITEM 18.**

# 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 Government Code §551.071; Consultation with attorney regarding pending litigation; update regarding litigation between Kaufman County and Seaway Crude Pipeline (Cause no. 94270-422).

A motion was made by Commissioner Jakie Allen and seconded by Commissioner Skeet Phillips.

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

# AND IT IS SO ORDERED.

# ITEM 19.

# EXECUTIVE SESSION

Executive Session held. County Judge has Certified Agenda.

### **ITEM 20.**

# MOTION TO APPROVE EXITING EXECUTIVE SESSION

# AND ENTERING INTO REGULAR MEETING

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

A motion was made by Commissioner Terry Barber and seconded by Commissioner Skeet Phillips.

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

### AND IT IS SO ORDERED.

#### **ITEM 21.**

# NO ACTION TAKEN FROM EXECUTIVE SESSION

There came on to be considered a motion to take no action as a result of Executive Session.

A motion was made by Commissioner Skeet Phillips and seconded by Commissioner Terry Barber.

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

### AND IT IS SO ORDERED.

### **ITEM 23.**

### MOTION TO APPROVE LINE ITEMS TRANSFERS

There came on to be considered a motion to approve Line Item Transfers. See Attachment.

A motion was made by Commissioner Skeet Phillips and seconded by Commissioner Jakie Allen.

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

#### AND IT IS SO ORDERED.

# **ITEM 24.**

### 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 Skeet Phillips and seconded by Commissioner Jakie Allen.

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

### AND IT IS SO ORDERED.

### ITEM 25.

# MOTION TO ADJOURN

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

A motion was made by Commissioner Skeet Phillips and seconded by Commissioner Jakie Allen.

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