

**NOTICE OF MEETING**  
**ELLIS COUNTY COMMISSIONERS COURT**

FILED FOR RECORD  
 CINDY POLLEY  
 ELLIS COUNTY CLERK

Notice is hereby given that a meeting of the Ellis County Commissioners Court will be held on **Tuesday, August 23, 2016, 2:00 P.M., in the Historic Ellis County Courthouse, Commissioners Courtroom (2<sup>nd</sup> flr), 101 W. Main Street, Waxahachie, Texas** at which time the following will be discussed and considered, to-wit:

**County Judge:** Carol Bush

**County Clerk:** Cindy Polley

**Commissioners:**

Dennis Robinson, Commissioner, Pct. 1  
 Lane Grayson, Commissioner, Pct. 2  
 Paul Perry, Commissioner, Pct. 3  
 Kyle Butler, Commissioner, Pct. 4

**Assistant County Attorneys:**

Vance Hinds  
 Ray Rike

**OPENING COURT**

County Judge will call meeting to order, declare quorum if present, and declare notices legally posted pursuant to Open Meetings Act.

Motion to Open Court.

Invocation and Pledge of Allegiance – Commissioner Paul Perry

**PUBLIC COMMENT\*- Members of the public will have the opportunity to make their comments at the time the agenda item is being addressed.**

**CONSENT AGENDA – Consideration and Action:**

**Administrative:**

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 July 2016 Travel Reports of the Texas AgriLife Extension Office
  - Mark Arnold, Agriculture
  - Rita Hodges, Family & Consumer Science
  - Megan Parr, 4H

**Financial:**

- F1 **From** 001-0613-50808 Auto Gas/Oil \$2,900.00 **To** 001-0613-50802 Equipment \$2,900.00. – *Josh Sipes, Chief Deputy, Constable Pct. 3*
- F2 **From** 001-0370-50804 Postage \$2,000.00 **To** 001-0370-50801 Supplies \$2,000.00. – *John Bridges, Tax Assessor/Collector*
- F3 **From** 001-0320-50703 Telephone \$2,000.00; 001-0320-50801 Supplies \$400.00 **To** 001-0320-50873 Maint/Repairs Office Equipment \$2,400.00. – *Cindy Polley, County Clerk*

- F4 **From** 001-0210-40719 Chapter 19 State Funding \$1,397.28 **To** 001-0210-50800 Chapter 19 Expenditures \$1,397.28. – *Jana Onyon, Elections Administrator*
- F5 **From** 001-0010-40950 FEMA/or State Emergency Disaster Funds \$234.00 **To** 001-0430-50815 Uniform Exp (Emergency Management) \$234.00. – *Stephanie Parker, Emergency Management Coordinator*
- F6 **From** 001-0614-50805 Conference \$1,000.00; 001-0614-50808 Auto Gas \$1,800.00; 001-0614-50809 Auto Repairs \$700.00; 001-0614-50810 Auto Tires \$700.00; 001-0614-50812 Radio \$500.00 **To** 001-0614-50802 Equipment \$4,700.00. – *Mike Jones, Constable, Pct. 4*
- F7 **From** 010-0653-50807 FM2 General Expenses \$8,000.00 **To** 010-0653-50909 FM2 Repairs/Parts \$8,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F8 **From** 001-0430-50808 Auto Gas \$1,000.00 **To** 001-0430-50815 Uniform Exp. (Emergency Management) \$1,000.00. – *Stephanie Parker, Emergency Management Coordinator*
- F9 **From** 001-0520-50805 Conference \$1,600.00; 001-0520-50812 Radio \$250.00; 001-0520-50601 Travel Reimb \$1,300.00 **To** 001-0520-50801 Supplies; 001-0520-50803 Furniture \$1,550.00. – *Jackie Miller, Jr., Justice of the Peace, Pct. 2*
- F10 **From** 001-0320-50601 Travel \$600.00; 001-0320-50801 Supplies \$1,000.00 **To** 001-0320-50802 Equipment \$1,600.00. – *Cindy Polley, County Clerk*
- F11 **From** 001-0420-50894 Secure Residential \$10,000.00 **To** 001-0420-50898 Individual Family Counseling 10,000.00. – *Chatrinia Johnson, Juvenile Services*
- F12 **From** 011-0704-30302 Fund Balance \$56,000.00 **To** 011-0704-50802 Purchase of Equipment \$56,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F13 **From** 005-0703-30302 Fund Balance \$85,000 **To** 005-0703-50802 Purchase of Equipment \$85,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F14 **From** 005-0703-40008 Interlocal \$27,928.00 **To** 005-0703-50915 Asphalt \$27,928.00. – *Paul Perry, Commissioner, Pct. 3*
- F15 **From** 001-0380-50805 Conference \$1,100.00; 001-0380-50601 Travel Reimbursement \$450.00; 001-0380-50819 Computer \$1,700.00; 001-0380-50832 Visiting Judge \$470.00 **To** 001-0380-50873 Maint/Rps/Ofc. Equip. \$1,100.00; 001-0380-50801 Supplies \$450.00; 001-0380-50888 Computer Service \$2,170.00. – *Judge Calvert, County Court at Law #2*
- F16 **From** 010-0653-30302 FM2 Fund Balance Carry Over \$35,000.00 **To** 010-0653-50802 FM2 Equipment \$35,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F17 **From** 001-0210-50805 Conference \$400.00; 001-0210-50808 Auto Gas/Oil \$2,500; 001-0210-50809 Auto Repairs \$850.00; 001-0210-50823 Legal Notices \$1,000.00, 001-0210-50849 Recount \$1,000.00; 001-0210-50855 Voting Equipment \$4,000.00 **To** 001-0210-50703 Telephone \$800.00

001-0210-50801 Supplies \$8,950.00. – *Jana Onyon, Elections Administrator*

F18 **From** 001-0450-50802 Equipment \$632.79; 001-0450-50806 Official Bonds/Dues \$363.38; 001-0450-50819 Computer \$83.83 **To** 001-0450-50808 Gas \$1,080.00. – *Tim Birdwell, Fire Marshal*

F19 **From** 001-0060-50808 Auto Gas \$1,800.00; 001-0060-50805 Conference \$1,000.00 **To** 001-0060-50819 Computer \$1,800.00; 001-0060-50801 Supplies \$1,000.00. – *Judy Armstrong, Department of Development*

F20 **From** 001-0180-50805 Conference \$1,486.00; 001-0180-50819 Computer \$1,700.00; 001-0180-50832 Visiting Judge \$1,000.00; 001-0180-50873 Main/RPS Ofc Equip \$2500.00; 001-0180-50888 Computer Service \$900.00 **To** 001-0180-50803 Furniture/Fixtures \$5,740.00; 001-0180-50802 Equipment \$1,846.00. – *Judge Carroll, 40<sup>th</sup> District Court*

## **DEPARTMENT OF COUNTY DEVELOPMENT**

**Consideration and action as may be appropriate regarding the following matters:**

- 1.1 Replat - Hidden Lake Estates, lots 7-9, at the location of 5060 Hidden Lake Road, Midlothian, Road and Bridge Pct. 4, requested by Gary Smith.
- 1.2 Replat - Sanjeev Farms, lot 14, at the location of 575 Curry Road, Waxahachie, Road and Bridge Pct. 3, requested by Jimmie Bristow.
- 1.3 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufacture Home Parks as it relates to the fire hydrant requirement at the location of 619 Andrews Road, Ferris, Road and Bridge Pct. 1, requested by Scott Leblanc.
- 1.4 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Mobil Home Parks as it relates to the front building set-back requirement at the location of 1116 Wilbrook, Palmer, Road and Bridge 1, requested by Chris Fowler.
- 1.5 Abandon a portion of New Country Estates, Phase 1, lot 6, at the location of 3981 F.M. 876, Waxahachie, Road and Bridge Pct. 3, requested by David Bittle.
- 1.6 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Mobil Home Parks as it relates to the side building set-back line requirement at the location of 8610 Mary Court, Waxahachie, Road and Bridge Pct.4, requested by Robert Watson.
- 1.7 Final Plat – Owens Ranch, one lot, Curtis Ray Road, Midlothian, Road and Bridge Pct. 3, requested by George Kent.

## **PURCHASING**

**Consideration and action as may be appropriate regarding the following matters:**

- 2.1 Approve preventative maintenance inspection agreement for Cummins-Allison check scanner for the Ellis County Treasurer.
- 2.2 Approval to purchase tractor-mower combination in the amount of \$125,377.00. \$67,445.00 for the New Holland TS and Machete II 22' mower \$57,932.00 from Landmark Equipment for Road and Bridge Precinct 3. Landmark Equipment and this tractor participate in the HGAC co-op program.
- 2.3 Approval for County Judge to sign lease agreement with Xerox for a multipurpose copy machine for the Department of Development.
- 2.4 Approve the departmental transfer of a 2007 Kenworth T60, VIN 3WKADB9X97F176370, from the Sheriff's Office forfeiture and seizure items to Road and Bridge Precinct 2.
- 2.5 The purchase of a DSR0G0-CO 60" Diamond Side Rotary with cutter with Combo Fit in the amount of \$33,891 for Ellis County Precinct 2.
- 2.6 Approval to purchase 2017 International 7300 dump truck from Southwest International Trucks in the amount of \$74,595.34 for Road and Bridge Precinct 3. Southwest International Trucks participates in the Buyboard co-op program.
- 2.7 To declare the Ferguson Roller Model SP912, Serial Number 12419, as surplus to be disposed of in accordance with the Local Government Code.
- 2.8 Ellis County Vehicle and Equipment Policy.

## **ADMINISTRATIVE**

### **Consideration and action as may be appropriate regarding the following matters:**

- 3.1 Burn Ban notice for Ellis County. – *Tim Birdwell, Fire Marshal*
- 3.2 To approve the purchase of a laser training extinguisher. If approved, funds to be transferred from 024-0924-40975 Fire Code Fees \$10,000.00 to 024-0924-50802 Equipment \$10,000.00. – *Tim Birdwell, Fire Marshal*
- 3.3 Due to vandalism and minimal use, TxDOT is in the process of closing the existing southbound picnic area on US 77 between Forrester and Chambers Creek. TxDOT is requesting a letter of concurrence from the County Judge.
- 3.4 To approve the FY 2016-17 holiday schedule.
- 3.5 To approve the FY 2016-17 payroll schedule.
- 3.6 To approve the FY 2016-17 Commissioners Court schedule.
- 3.7 Recognition of Stephanie Parker for receiving an award by North Central Texas Council of Governments for service excellence in North Central Texas. - *Carol Bush, County Judge*
- 3.8 Approval of a work order under interlocal agreement between Ellis County Road and Bridge Pct. 1

and the City of Palmer. – *Dennis Robinson, Commissioner, Pct. 1*

- 3.9 Approval of a resolution in support of the Meals-on-Wheels of Johnson & Ellis County applying for a grant from the Texas Department of Agriculture Home –Delivered Meal Grant Program.
- 3.10 Approve the appointment of the Presiding, Alternate Judges, and Central Counting Station Personnel for the upcoming two year term (September 1, 2016 through August 31, 2018) as submitted by the Democratic and Republican Parties. – *Jana Onyon, Elections Administrator*
- 3.11 Compensatory Time Analysis. – *Theresa Taylor, Director of Human Resources*
- 3.12 Allow County Judge to sign lease agreement for County facilities.
- 3.13 To move residual funds from this fiscal year to next fiscal year permanent improvements and approve related budget amendments earmarked for jail roof repair. From 001-0015-50702 Repairs \$300,000.00 to 001-0140-50860 TSF Funds (to permanent improvements) \$300,000.00.

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

### **PUBLIC HEARING**

- P1 Public hearing on the proposed FY 2016-17 Ellis County Budget, pursuant to Local Government Code §111.007.
- P2 First public hearing on the proposed Ellis County Tax Rate for Budget Fiscal Year 2016-2017 pursuant to Commissioners Court announcement on August 10, 2016, Minute Order Number 313.16.
- P3 Public Hearing on the proposed increase of the following expenses of elected officials for Budget FY 2016-17, pursuant to Texas Local Government Code §152.013.

Constable, Pct. 1, Roy Callender, Jr.

-Proposed increase of \$1,711 to salary. Increase from \$57,048 to \$58,759

Constable, Pct.2, Terry Nay

-Proposed increase of \$1,711 to salary. Increase from \$57,048 to \$58,759

Constable, Pct. 3

-Proposed increase of \$1,711 to salary. Increase from \$57,048 to \$58,759

Constable, Pct. 4, Mike Jones

-Proposed increase of \$1,711 to salary. Increase from \$57,048 to \$58,759

Justice of the Peace, Pct.1, Bill Woody

-Proposed increase of \$1,884 to salary. Increase from \$62,810 to \$64,694

Justice of the Peace, Pct.2, Jackie Miller, Jr.

-Proposed increase of \$1,884 to salary. Increase from \$62,810 to \$64,694

Justice of the Peace, Pct. 3, Curtis Polk

-Proposed increase of \$1,884 to salary. Increase from \$62,810 to \$64,694

Justice of the Peace, Pct. 4, Steve Eagan

-Proposed increase of \$1,884 to salary. Increase from \$62,810 to \$64,694

County Clerk, Cindy Polley

-Proposed increase of \$2,069 to salary. Increase from \$68,967 to \$71,036

County District Clerk, Melanie Reed

-Proposed increase of \$2,069 to salary. Increase from \$68,967 to \$71,036

County Tax Assessor/Collector, John Bridges

-Proposed increase of \$2,069 to salary. Increase from \$68,967 to \$71,036

County Treasurer, Cheryl Chambers

-Proposed increase of \$2,069 to salary. Increase from \$68,967 to \$71,036

Commissioner, Pct. 1, Dennis Robinson

-Proposed increase of \$2,355 to salary. Increase from \$78,513 to \$80,868.

Commissioner, Pct.2, Lane Grayson

-Proposed increase of \$2,355 to salary. Increase from \$78,513 to \$80,868.

Commissioner, Pct. 3, Paul Perry

-Proposed increase of \$4,642 to salary. Increase from \$76,226 to \$80,868.

Commissioner, Pct.4, Kyle Butler

-Proposed increase of \$2,355 to salary. Increase from \$78,513 to \$80,868.

Sheriff, Johnny Brown

-Proposed increase of \$2,567 to salary. Increase from \$85,569 to \$88,136.

County and District Attorney, Patrick Wilson

-Proposed increase of \$336 to salary. Increase from \$11,212 to \$11,548 as follows:

State Funded Base Salary: \$140,000

Juvenile Board Supplement: \$ 11,548

Total Salary: \$151,548

40th District Judge, Bob Carroll

-Proposed increase of \$336 to salary. Increase from \$11,212 to \$11,548 as follows:

State Funded Base Salary: \$140,000

Juvenile Board Supplement: \$ 11,548

Total Salary: \$151,548

443rd District Judge, Cindy Ermatinger

-Proposed increase of \$336 to salary. Increase from \$11,212 to \$11,548 as follows:

State Funded Base Salary: \$140,000

Juvenile Board Supplement: \$ 11,548  
Total Salary: \$151,548

378th District Judge, Joe Grubbs

-Proposed increase of \$336 to salary. Increase from \$11,212 to \$11,548 as follows:

State Funded Base Salary: \$140,000  
Juvenile Board Supplement: \$ 11,548  
Total Salary: \$151,548

County Court at Law #2, Judge Gene Calvert

-Proposed increase of \$4,631 to salary. Increase from \$154,382 to \$159,013 as follows:

County Funded Base Salary: \$147,465  
Juvenile Board Supplement: \$ 11,548  
Total Salary \$159,013

County Court at Law #1, Judge Jim Chapman

-Proposed increase of \$4,631 to salary. Increase from \$154,382 to \$159,013 as follows:

County Funded Base Salary: \$147,465  
Juvenile Board Supplement: \$ 11,548  
Total Salary \$159,013

County Judge, Carol Bush

-Proposed increase of \$3,018 to salary. Increase from \$100,603 to \$103,621 as follows:

County Funded Base Salary: \$92,073  
Juvenile Board Supplement: \$11,548  
Total Salary: \$103,621

## **ADJOURNMENT OF PUBLIC HEARING**

## **RECONVENE TO REGULAR SESSION**

- 3.14 To approve the salaries, expenses and allowances of elected officials for Budget FY 2016-17, pursuant to Texas Local Government Code §152.01.

## **RECESS TO CONVENE TO EXECUTIVE SESSION**

## **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.

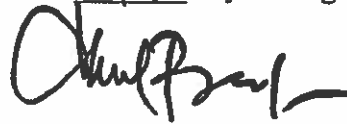
- 4.1 Pursuant to §551.076 of the Government Code, consultation to deliberate the deployment, or specific occasions for implementation, of security personnel or devices.

- 4.2 Pursuant to §551.074 of the Government Code, consultation with counsel regarding personnel matters.
- 4.3 Pursuant to §551.071 of the Texas Government Code where the duty of the Ellis County Attorney to the Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with chapter 551 of the Texas Government Code – legal advice regarding Chapter 251 of the Texas Transportation Code and its possible use as regulatory authority.
- 4.4 Pursuant to §551.071 of the Texas Government Code where the duty of the Ellis County Attorney to the Commissioners Court under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with chapter 551 of the Texas Government Code - legal Advice regarding 14 CFR Parts 21, 43, 61, 91, 101, 107, 119, 133, and 183, Operation and Certification of Small Unmanned Aircraft Systems, adopted June 21, 2016 as part of the Ellis County Motor Vehicle Policy.
- 4.5 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.
- 4.6 Pursuant to §551.071 of the Government Code, consultation with counsel concerning lawsuit Cause No. 93563, Webster v. Bates, 40th District Court of Ellis County.

**ADJOURNMENT OF EXECUTIVE SESSION**

**ADJOURNMENT**

Signed this the 19<sup>th</sup> day of August 2016.



\_\_\_\_\_  
 Carol Bush  
 Ellis County Judge

I, the undersigned, County Clerk of the Ellis County Commissioners Court do hereby certify that the above Notice of Meeting of the Ellis County Commissioners Court is a true and correct copy of said Notice, that I received said Notice, and it was posted at the doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the 19 day of August, 2016 at 4:21 a.m./p.m.

Cindy Polley, County Clerk

By Gina Chambers, Deputy





- **\*Public Comment – This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must present a completed public participation form to the County Clerk at least 10 minutes prior to the beginning of the meeting.**
- **The Commissioners Court reserves the right to consider and take action on the above agenda items in any particular order.**
- **If you or your representative, have a disability that requires special arrangements and you plan to attend this public meeting, please contact the County Judge's Office at (972) 825-5011 within 72 hours of the meeting. Reasonable accommodations will be made to meet your needs at the meeting.**