

**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, September 13, 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 Kyle Butler

**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 Accept Official Minutes of the Ellis County Commissioners' Court for July 26, 2016; August 9, 2016; and August 23, 2016. – *Cindy Polley, County Clerk*

**Financial:**

- F1 **From** 001-0340-50835 Employee Training \$1,000.00; 001-0340-50602 Staff Travel Reimbursement \$500.00 **To** 001-0340-50801 Supplies \$1,500.00. – *Eliseo Lee Coronado, DPS Highway Patrol*
- F2 **From** 001-0180-50801 Supplies \$150.00 **To** 001-0180-50802 Equipment \$150.00. – *Judge Bob Carroll, 40<sup>th</sup> District Court*
- F3 **From** 001-0015-50502 Staff Salaries \$25,000.00; 001-0015-50813 Inmate Medical \$60,000.00 **To** 001-0015-50814 Feeding Prisoners \$85,000.00. – *Brad Norman, Ellis County Sheriff's Office*
- F4 **From** 001-0612-50808 Gas/Oil \$600.00; 001-0612-50801 Supplies \$1,000.00; 001-0612-50805

- Conference \$1,300.00; 001-0612-50803 Furniture/Fixtures \$500.00 To 001-0612-50809 Auto Repairs \$800.00; 001-0612-50812 Radio \$300.00; 001-0612-50802 Equipment \$2,300.00. – *Terry Nay, Constable, Pct. 2*
- F5 **From** 001-0050-50805 Conference \$500.00; 001-0050-50802 Equipment \$124.00; 001-0050-50803 Furniture / Fixtures \$450.00 **To** 001-0050-50703 Telephone \$124.00; 001-0050-50801 Supplies \$450.00; 001-0050-50843 4-H Travel \$500.00. – *Mark Arnold, AgriLife Extension Office*
- F6 **From** 001-0210-40719 Chapter 19 State Funding \$205.24 **To** 001-0210-50800 Chapter 19 Expenditures \$205.24. – *Jana Onyon, Elections Administrator*
- F7 **From** 001-0210-40719 Chapter 19 State Funding \$149.84 **To** 001-0210-50800 Chapter 19 Expenditures \$149.84. – *Jana Onyon, Elections Administrator*
- F8 **From** 001-0210-40719 Chapter 19 State Funding \$134.52 **To** 001-0210-50800 Chapter 19 Expenditures \$134.52. – *Jana Onyon, Elections Administrator*
- F9 **From** 001-0210-40719 Chapter 19 State Funding \$6,144.00 **To** 001-0210-50800 Chapter 19 Expenditures \$6,144.00. – *Jana Onyon, Elections Administrator*
- F10 **From** 011-0704-50807 General Misc. \$10,000.00 **To** 011-0704-50802 Purchase of Equipment \$10,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F11 **From** 010-0653-30302 FM2 Fund Balance Carry Over \$50,000.00 **To** 010-0653-50911 FM2 Gravel \$50,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F12 **From** 001-0425-50805 Conference \$1,000.00; 001-0425-50835 Safety/Training \$2,200.00 **To** 001-0425-50819 Computer \$1,000.00; 001-0425-50801 Supplies \$2,200.00. – *Theresa Taylor, Human Resources*
- F13 **From** 001-0420-50807 General Misc. \$6,500.00 **To** 001-0420-50802 Equipment \$6,500.00. – *Chatrinia Johnson, Juvenile Services*
- F14 **From** 001-0010-50889 Transport Expenses \$7,000.00; 001-0010-50870 Estray \$5,200.00; 001-0010-50808 Auto Gas & Oil \$3,000.00 **To** 001-0010-50702 Repairs \$3,000.00; 001-0010-50810 Auto Tires \$4,000.00; 001-0010-50803 Furniture Fixtures \$5,200.00; 001-0010-50809 Auto Repairs \$3,000.00. – *Brad Norman, Ellis County Sheriff's Office*
- F15 **From** 001-0614-50805 Conference \$1,000.00; 001-0614-50808 Auto Gas \$2,800.00; 001-0614-50809 Auto Repairs \$700.00; 001-0614-50810 Auto Tires \$900.00 **To** 001-0614-50819 Computer \$2,000.00; 001-0614-50802 Equipment \$1,000.00; 001-0614-50812 Radio \$2,000.00; 001-0614-50801 Supplies \$400.00. – *Mike Jones, Constable, Pct. 4*
- F16 **From** 001-0230-50808 Auto Gas/Oil \$600.00; 001-0230-50810 Auto Tires \$500.00; 001-0230-50601 Travel Reimbursement \$1,200.00; 001-0230-50819 Computer \$200.00; 001-0230-50874 Printing \$100.00 **To** 001-0230-50805 Conference \$1,900.00; 001-0230-50801 Supplies \$700.00. – *Jodi Platt, Purchasing Agent*

- F17 **From** 001-0015-50502 Staff Salary \$58,000.00 **To** 001-0015-50802 Equipment \$58,000.00. – *Brad Norman, Ellis County Sheriff's Office*
- F18 **From** 001-0450-50802 Equipment \$300.00 **To** 001-0450-50805 Conference \$300.00. – *Tim Birdwell, Fire Marshal*
- F19 **From** 001-0375-50502 Salaries \$9,500.00 **To** 001-0375-50802 Equipment \$9,500.00. – *Ted Kantor, County Engineer*
- F20 **From** 009-0602-50910 FM1 Fuel \$33,000.00; 009-0602-50913 FM1 Chemicals \$3,000.00; 009-0602-50909 FM1 Repairs/Parts \$6,000.00; 009-0602-50908 FM1 Lumber \$6,000.00; 009-0602-50807 FM1 Gen. Misc. \$10,000.00 **To** 009-0602-50911 FM1 Gravel \$48,000.00; 009-0602-50915 FM1 Asphalt \$10,000.00. – *Dennis Robinson, Commissioner, Pct. 1*
- F21 **From** 011-0704-50807 Gen Misc \$4,000.00 **To** 011-0704-50915 Asphalt \$4,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F22 **From** 005-0703-30302 Fund Balance \$100,000.00 **To** 005-0703-50802 Purchase of Equipment. – *Paul Perry, Commissioner, Pct. 3*

**Simplified Plat:**

- SP1 Simplified plat – M & M Acres, 2 lots, located 400 block of Greathouse Circle, Waxahachie, Road & Bridge Pct. 3, requested by David Muirhead.

**DEPARTMENT OF COUNTY DEVELOPMENT**

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

- 1.1 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to fire hydrant requirement, Wickliffe Farm, lot 4, located in the 2400 block of FM 780, Ferris, Road & Bridge Pct. 1, requested by Anthony Nagle, Sr.
- 1.2 Re-plat- Greathouse Circle Estates, lots 5 and 2A, block A, located at 353 Greathouse Road, Waxahachie, Road & Bridge Pct. 3, requested by Jeffery Hess.
- 1.3 Amended Plat- Bryson Springs Phase 1, located on Bryson Road, Midlothian, Road & Bridge Pct. 4, requested by John Houston.
- 1.4 Final Plat -Bryson Springs Phase 2, 63 lots, located on Bryson Road, Midlothian, Road & Bridge Pct. 4, requested by John Houston.
- 1.5 Release subdivision Maintenance Bond # 1089466 to Lexon Insurance Company in the amount of One Hundred Six Thousand Four Hundred Forty Four & No/100 Dollars (\$106,444.00) for Jordan Run, Phase II, Road & Bridge Pct. 3.

- 1.6 Accept Extended Maintenance Bond #1089466 from Lexon Insurance Company in the amount of Fifty three Thousand & No/100 Dollars (\$53,000.00) which will expire on August 29, 2017 for the continuing maintenance of Jordan Run, Phase II, Road & Bridge Pct. 3.
- 1.7 Accept the infrastructure for Jordan Run, Phase III, including a portion of Drew Lane, Makala Drive and Kynleigh Lane, Road & Bridge Pct. 3, requested by Encore Land, LLC.
- 1.8 Release subdivision Construction Bond #1111840 to Lexon Insurance Company in the amount of Four Hundred Ninety Three Thousand Four Hundred Two Dollars and No/100 Dollars (\$493,402.00) for the completed infrastructure of Jordan Run III, Road & Bridge Pct. 3.
- 1.9 Accept subdivision Maintenance Bond # 1117997 from Lexon Insurance Company in the amount of One Hundred and Eighty Two Thousand and No/100 Dollars (\$182,000.00) for Jordan Run III, Road & Bridge Pct. 3.
- 1.10 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to 150' road frontage requirement, 434 Tightwad Road, Grandview, Road & Bridge Pct. 3, requested by Robert & Paula Briggs.

## **PURCHASING**

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

- 2.1 To reallocate or surplus the 2009 Dodge Charger, VIN 2B3KA43T99H569118 from Constable Precinct 2 and a 2006 Chevrolet Impala, VIN 2G1WS551269356363, from Constable Precinct 4.
- 2.2 Award of RB-2016-013, Pavement Rehabilitation and Resurfacing.
- 2.3 Request to reject bid number RB-2016-001, Hourly rates for concrete repair.
- 2.4 Approval of the 2016-2017 comprehensive insurance renewal policy with Hibbs-Hallmark and Company.
- 2.5 Discussion and update regarding Ellis County Purchasing Policy and Procedures Manual and Fleet Policy.
- 2.6 Authorize County Judge to sign contract for RFP-2015-002, Embankment and Approach Repair of Bardwell Dam Road Bridge between Ellis County and Hunter Excavation.

## **ADMINISTRATIVE**

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

- 3.1 Burn Ban for Ellis County. – *Tim Birdwell, Fire Marshal*

- 3.2 Approval of Work Order under Interlocal Agreement between the County of Ellis and City of Alma to improve drainage, trim trees, reclaim, spot base (as needed with gravel), and perform a 2 Course Chip Seal Surface for 1 mile estimating \$72,800.00. – *Lane Grayson, Commissioner, Pct. 2*

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

### **PUBLIC HEARING**

Second public hearing on the proposed Ellis County Tax Rate for Budget Fiscal Year 2016-2017 pursuant to Commissioners' Court announcement on August 9, 2016, Minute Order Number 313.16.

Public hearing regarding on the proposed abandonment of a portion of Barker Road, located in Road & Bridge Precinct 2.

### **ADJOURNMENT OF PUBLIC HEARING**

### **RECONVENE TO REGULAR SESSION**

- 3.3 To adopt the Ellis County Budget FY 2016-17 pursuant to Local Government Code §111.008.
- 3.4 To abandon a portion of Barker Road, located in Road & Bridge Precinct 2. – *Lane Grayson, Commissioner, Pct. 2*
- 3.5 Approve allocation of \$37,883.62 to Regional Public Defender for Capital Cases for FY 2016-17.
- 3.6 Approve the reappointment of Lisa Heine to the Lakes Regional Community Center's Ellis County Board
- 3.7 Authorize County Judge to sign lease agreement for County facilities.
- 3.8 Proclamation designating September 2016 as Preparedness Month in Ellis County. – *Stephanie Parker, Emergency Management Coordinator*
- 3.9 Authorize County Judge to sign agreement with Election System & Software, LLC for ballot processing, printing, and mailing services. – *Jana Onyon, Elections Administrator.*
- 3.10 Appoint Timberlie Purdue to Emergency Services District #7 Board to fill a vacancy through December 21, 2016. – *Dennis Robinson, Commissioner, Pct. 1*
- 3.11 Acceptance of Fiscal year 2015 surplus distribution from TAC (Texas Association of Counties) Health and Employee Benefits Pool. – *Carol Bush, Ellis County Judge*
- 3.12 Renewal of TAC (Texas Association of Counties) Risk Management Pools Workers' Compensation Program. – *Theresa Taylor, Director of Human Resources*
- 3.13 To approve supplies for Elections Office open house, not to exceed \$300.00.
- 3.14 Authorize County Judge to sign contract for services between Ellis County and The Gingerbread

House.

## 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 §551.071 of the Government Code, consultation with counsel concerning lawsuit Cause No. 93563, Webster v. Bates, 40th District Court of Ellis County.
- 4.2 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.

### ADJOURNMENT OF EXECUTIVE SESSION

#### ADJOURNMENT

Signed this the 9<sup>th</sup> day of September 2016.

  
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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 9<sup>th</sup> day of September, 2016 at 4:40 ~~a.m.~~/p.m.



Cindy Polley, County Clerk

By Jina 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.