

**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 **Monday, February 25, 2013 at 6:00 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
- Bill Dodson, Commissioner, Pct. 2
- Paul Perry, Commissioner, Pct. 3
- Ron Brown, Commissioner, Pct. 4

**Assistant County Attorneys:**

- Ann Montgomery-Moran
- Lee Auvenshine

**OPENING COURT**

- 1.1 County Judge will call meeting to order, declare quorum if present, and declare notices legally posted pursuant to Open Meetings Act.
- 1.2 Motion to Open Court.
- 1.3 Invocation and Pledge of Allegiance – Commissioner Ron Brown, Pct. 4

**CONSENT AGENDA – Consideration and action to approve:**

**Administrative:**

- A1 Regular Bills, Payroll, and Officers' Reports
- A2 Approval of invoice #0029838-IN from RCC Consultants, Inc. in the amount of \$8,345 (Radio Tower Project) for December 1, 2012 – December 31, 2012 as per the Consultant Services Agreement effective June 27, 2011 (Minute order 243.11) between RCC and Ellis County.
- A3 January, 2013 Travel Reports of the Texas AgriLife Extension Office
  - Mark Arnold, Agriculture
  - Page Bishop, 4-H
  - Rita Hodges, Family & Consumer Sciences
- A4 Acceptance of the necessary bond renewals for the following ESD Board of Directors:
  - ESD #2 Position Bonds
  - ESD # 3 Jackie Dwayne Cate, Vicente Guerrero, Howard Morgan, James Steele, Murrie Wainscott
  - ESD #9 Kenny Caldwell, Mike Greenlee, John Hancock, Douglas Young

A5 Certification of the minutes from the Commissioners' Court Agendas dated:

January 14, 2013

January 28, 2013

A6 Acceptance of 2012 Racial Profile Report from Constable Pct. 4, Mike Jones.

A7 The Statements of Elected/Appointed Officials and Oaths of Office for the following Emergency Service District Board Members:

Janis Coleman, ESD #7

Allen Lane, ESD #8

Michael Greenlee, ESD #9

John Hancock, ESD #9

**Financial:**

F1 **From** 011-0704-50802, Purchase of Equipment **To** 011-0704-50909, Repair / Parts. – Paul Perry, Commissioner, Pct. 3

F2 Approve refund of overpayment to the following accounts for payment in error:

<u>Refund to be issued to:</u>	<u>Account</u>	<u>Amount Due</u>
Midland Mortgage	140368	\$3,135.12
PNC Mortgage	155119	\$2,987.15
Green Planet Servicing	210936	\$3,630.28
Mortgage Service Center	217950	\$3,306.62
Wells Fargo Home Mortgage	222543	\$4,714.77
Wells Fargo Home Mortgage	224497	\$4,830.94
Jon V. Johnson	230697	\$6,525.12
Waste Management	65143508510020000	\$65,674.64

**Simplified Plat:**

SP1 Webb Acres, 1 lot, F.M. 1181, Richard Webb, Pct. 2.

**DEPARTMENT OF COUNTY DEVELOPMENT**

**Consideration and action regarding the following presented by Judy Armstrong, Director Department of Development:**

2.1 Final plat McGregor Estates, Phase 3, 13 lots, Ivan Brigman, Pct. 3.

**PURCHASING**

**Consideration and action regarding the following presented by Kim Gould, Purchasing Agent:**

3.1 To approve Interlocal Contract between Harris County Department of Education and Ellis County.

- 3.2 Receive presentation and approve fleet card program that provides the opportunity to procure fuel on the ExxonMobil – Universal Wright Express Card with rebates sponsored through the Harris County Department of Education.
- 3.3 Approve the renewal of bids -2012-003 #2, 2012-003 #5, 2012-003 #7, 2012-003#9, 2012-003 #11, 2012-003 #12, and 2012-003 # 13 with TXI. Limestone Flex base Type A, Grade 2, Crushed Limestone Chip Seal Type D, Grade 4, 3/8” Rock, Crushed Limestone Chip seal Type D, Grade 4, ½” Rock, Crushed Limestone Chip Seal Type D, Grade 3, 5/8” Rock, Light Weight Surface Aggregate Type L, Grade 3, Light Weight Surface Aggregate Type L, Grade 4, Light Weight Surface Aggregate Type L, Grade 5. Renewal Effective Dates March 15, 2013 through March 14, 2014.
- 3.4 Approve the renewal of bids -2012-003 #14, 2012-003 #15 with Trinity Materials. Washed Pea Gravel Type A, Grade 5, 3/8”, Washed Pea Gravel Type A, Grade 4, ½” Renewal Effective Dates March 15, 2013 through March 14, 2014.
- 3.5 Approve the renewal of bids -2012-003 #3, 2012-003 #4 with CJ & Sons and Big City. Recycled Concrete Flex Base Type D, Grade 1 or 2, Flexphalt Type D, Grade 1. Renewal Effective Dates March 15, 2013 through March 14, 2014.
- 3.6 Approve the renewal of bids -2012-003 #17, 2012-003 #18 with Central Sand and Gravel. Natural Graded Gravel, Pit Run Gravel. Renewal Effective Dates March 15, 2013 through March 14, 2014.
- 3.7 Approve the renewal of bid -2012-003 #19, with Hanson Aggregates. Limestone Pot Hole Patch Material Type A, ¼” to #10. Renewal Effective Dates March 15, 2013 through March 14, 2014.
- 3.8 Approve the renewal of bid -2012-007 A #1, Limestone Flex Base Type A, Grade1, with J & K Excavations, LLC. Limestone Flex Base Type A, Grade 1. Renewal Effective Dates April 10, 2013 through April 9, 2014.
- 3.9 Approve the renewal of bid -2012-007 B #1, with CJ & Sons. Limestone Flex Base Type A, Grade 1 & 4. Renewal Effective Dates April 10, 2013 through April 9, 2014.
- 3.10 Approve the renewal of bid -2012-007 C, with Lone Star Aggregates. Limestone Flex Base Type A, Grade 1 & 4. Renewal Effective Dates April 23, 2013 through April 22, 2014.

## ADMINISTRATIVE

- 4.1 Consideration and action to appoint Rick Davis to the Emergency Services District #9 Board for a term effective immediately through December 31, 2013.
  - *Dennis Robinson Commissioner Pct 1*
- 4.2 Consideration and action as needed to purchase two 2013 Chevrolet Tahoes and one 2013 Chevy Avalanche for the Sheriff’s Office using funds from the state seizure account. All vehicles will be purchased pursuant to Chapter 262 of the Texas Local Government Code.
  - *Chuck Laubach, Sheriff’s Office*

- 4.3 Consideration and action as required to authorize the Sheriff to sign an Interagency Agreement for continued participation in the Tri-County Auto Theft Task Force for period September 1, 2012 thru August 31, 2013.

- *Dennis Brearley, Sheriff's Office*

- 4.4 Consideration and action as required to authorize the County Judge to sign the National Data Exchange (N-Dex) User/Equipment Agreement between Texas Department of Public Safety and the Ellis County Sheriff's Office.

- *Dennis Brearley, Sheriff's Office*

- 4.5 Consideration and action to approve an agreement with HPN Publishing regarding the publication of an Ellis County pictorial book at no cost to the County.

- *Carol Bush, County Judge*

## EXECUTIVE SESSION

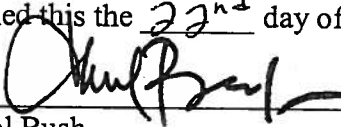
"The Commissioners' Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code 551, or to seek the advice of its 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."

- 5.1 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 22<sup>nd</sup> day of February, 2013.

  
\_\_\_\_\_  
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 South doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the 22<sup>nd</sup> day of February, 2013, at 10:36 a.m./p.m.

Cindy Polley, County Clerk

By Ana Chambers, Deputy

- The Commissioners Court reserves the right to consider and take action on the above agenda items in any particular order.
- Anyone wishing to address the Commissioners Court concerning a posted agenda item must make a formal request by presenting a "Participation Form" to the County Clerk at least 10 minutes prior to the beginning of the meeting.
- 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.