

**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 9, 2015, 10:00 A.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:**

- Ann Montgomery-Moran
- Vance Hinds

**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 Dennis Robinson

**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 Review and acceptance of the 2014 Racial Profiling Report for the Ellis County Sheriff's Office. – *Chuck Laubach, Ellis County Sheriff's Office*
- A3 Review and acceptance of the 2014 Racial Profiling Report for Ellis County Constable, Precinct 2. – *Terry Nay, Constable, Pct. 2*
- A4 4<sup>th</sup> Quarter 2014 Ellis County Investment Report. – *Cheryl Chambers, Treasurer*
- A5 January 2015 Travel Reports of the Texas AgriLife Extension Office
  - Mark Arnold, Agriculture
  - Rita Hodges, Family & Consumer Science
  - Megan Parr, 4H

**Financial:**

- F1 **From** 001-0010-40659 Insurance Reimbursement \$6,999.40 **To** 001-0015-50702 Repairs \$6,999.40. – *Johnny Brown, Sheriff*
- F2 **From** 010-0653-50915 FM2 Asphalt \$13,000.00 **To** 010-0653-50802 FM2 Equipment \$13,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F3 **From** 001-0140-50868 Contract Services \$2,300.00 **To** 001-0140-50807 Other Expenses \$2,300.00. For expenses related to the relocation of the Treasurer’s Office to the Courts and Administration Building.
- F4 **From** 047-0947-30302 Sheriff Forfeiture \$17,000.00 **To** 047-0947-50807 General Misc. \$5,000.00, 047-0947-50802 Equipment \$12,000.00. – *Chuck Laubach, Ellis County Sheriff’s Office*
- F5 Approve refund of overpayment to the following account for payment in error:
- | <u>Refund to be issued to:</u> | <u>Account</u> | <u>Amount Due</u> |
|--------------------------------|----------------|-------------------|
| Corelogic/PennyMac             | 162211         | \$2,925.64        |
| PHH Mortgage Corp.             | 208185         | \$4,272.87        |
| Bank of Oklahoma               | 228157         | \$3,424.56        |
- F6 **From** 005-0703-30302 Fund Balance \$55,000.00 **To** 005-0703-50911 Gravel \$55,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F7 **From** 012-0755-40008 FM4/Interlocal \$6,000.00 **To** 012-0755-50906 FM4/Culverts \$6,000.00. – *Kyle Butler, Commissioner, Pct. 4*
- F8 **From** 001-0385-50801 Supplies \$1,000.00, 001-0385-50601 Travel Reimb. \$450.00, 001-0385-50802 Equipment \$300.00, 001-0385-50805 Conference \$631.00 **To** 001-0385-50819 Computer \$2,381.00. – *Judge Calvert, CCL#2*

**DEPARTMENT OF COUNTY DEVELOPMENT**

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

- 1.1 Replat – Duvall Place Addition, lots 1R and 4R, Block 1; 3811 Plainview Road and 3841 Ledgestone Lane, Midlothian, Texas; Road and Bridge Pct. 4; requested by Paul Proctor.
- 1.2 Final Plat – Carter Estates, 13 lots; Hwy 77 and Carter Road, Italy, Texas; Road and Bridge Pct. 4; requested by Josh Trees.
- 1.3 Preliminary Plat – Bryson Springs, 86 lots, at the location of Bryson Road and Brooke Blvd., Midlothian, Texas; Road and Bridge Pct. 4; requested by JHDMC Development, LLC.

## **PURCHASING**

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

- 2.1 Discussion and action regarding a resolution authorizing the submission of a Texas Community Development Grant Program application for a grant to assist the South Ellis County Water Supply Corporation with water improvements in the amount of \$265,000.00; the designation of the County Judge as the County's executive officer and authorized representative to act in all matters pertaining to the County's participation in the Texas Community Development Grant Program.

## **ADMINISTRATIVE**

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

- 3.1 Burn Ban Order for Ellis County. – *Joe Stewart, Fire Marshal/EMC*
- 3.2 To add on an additional 20' x 40' metal building to the pre-existing building (shop) for office space. – *Kyle Butler, Commissioner, Pct. 4*
- 3.3 Status report on use of compensatory time. – *Anne Price, Director of Human Resources*
- 3.4 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and City of Bardwell. – *Bruce Sherbet, Elections Administrator*
- 3.5 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and City of Ferris. – *Bruce Sherbet, Elections Administrator*
- 3.6 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and City of Italy. – *Bruce Sherbet, Elections Administrator*
- 3.7 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and City of Mansfield. – *Bruce Sherbet, Elections Administrator*
- 3.8 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and City of Maypearl. – *Bruce Sherbet, Elections Administrator*
- 3.9 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and City of Milford. – *Bruce Sherbet, Elections Administrator*
- 3.10 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and City of Oak Leaf. – *Bruce Sherbet, Elections Administrator*
- 3.11 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and City of Ovilla. – *Bruce Sherbet, Elections Administrator*
- 3.12 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and City of Palmer. – *Bruce Sherbet, Elections Administrator*
- 3.13 Interlocal Cooperation Contract for the lease of voting machines between Ellis County Ferris ISD. – *Bruce Sherbet, Elections Administrator*

- 3.14 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and Maypearl ISD. – *Bruce Sherbet, Elections Administrator*
- 3.15 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and Palmer ISD. – *Bruce Sherbet, Elections Administrator*
- 3.16 Interlocal Cooperation Contract for the lease of voting machines between Ellis County and Red Oak ISD. – *Bruce Sherbet, Elections Administrator*
- 3.17 Discussion regarding East Texas Medical Center d/b/a East Texas Medical Center Emergency Medical Service withdrawal of services from Ellis County, effective March 1, 2015 and discussion regarding assignment of contractual obligation. – *Carol Bush, County Judge*
- 3.18 Approving the contracts and authorizing the County Attorney to finalize the negotiation of the purchase, exchange, lease, or value of personal and real property located in Ennis, Texas consisting of a Radio Tower owned by Region 10 Educational Service Center located on land owned by Ennis, Texas. – *Vance Hinds, Assistant County & District Attorney*
- 3.19 Consideration and action as necessary involving Carol Gillespie and land that she owns on W.W. Road in Ellis County, Texas and the installation of a water line in the county right of way. – *Vance Hinds, Assistant County & District Attorney*

## **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 Section 551.072 of the Government Code, an executive session is necessary to receive legal advice on the final documents and update on the negotiation of the purchase, exchange, lease, or value of personal and real property located in Ennis, Texas consisting of a Radio Tower owned by Region 10 Educational Service Center located on land owned by Ennis, Texas.
- 4.2 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning notice of a potential lawsuit involving Carol Gillespie and land that she owns on W.W. Road in Ellis County, Texas and the installation of a water line in the county right of way.
- 4.3 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning Cause No. 90610, William M. Windsor v. Ellis County, Texas; State of Montana, et al.
- 4.4 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning

contemplated litigation between Ellis County and East Texas Medical Center d/b/a East Texas Medical Center Emergency Medical Service.

- 4.5 Pursuant to §551.074 of the Government Code, consultation to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Purchasing Agent.

## ADJOURNMENT OF EXECUTIVE SESSION

### ADJOURNMENT

Signed this the 6<sup>th</sup> day of February, 2015.



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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 6 day of February, 2015 at 9:11 a.m./p.m.

Cindy Polley, County Clerk

By P. Reita, 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.**