

**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, April 26, 2016, 2:00 P.M., in the Historic Ellis County Courthouse, Commissioners Courtroom (2nd 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 Lane Grayson

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 March 2016 Travel Reports of the Texas AgriLife Extension Office
 - Mark Arnold, Agriculture
 - Rita Hodges, Family & Consumer Science
 - Megan Parr, 4H
- A3 Appoint Misty Gardner to the Ellis County Children's Welfare Board.
- A4 Appoint Sharan Farmer to The Ellis County Historical Commission.
- A5 Ellis County 1st Qtr. 2016 Investment Report. – *Cheryl Chambers, Treasurer*

Financial:

- F1 **From** 001-0360-40096 State LEOSE Payments \$1,032.70 **To** 001-0360-50820 DA -- LEOSE Training \$1,032.70. – *Patrick Wilson, County & District Attorney*

- F2 **From** 010-0653-30302 FM2 Fund Balance Carry Over \$15,000.00 **To** 010-0653-50802 FM2 Equipment \$15,000.00. – *Lane Grayson, Commissioner, Pct.2*
- F3 **From** 001-0375-50888 Engineering-GIS Service \$1,950.00 **To** 001-0375-50801 Engineering – Supplies \$1,950.00. – *Joe White, Engineer*
- F4 **From** 012-0755-30302 FM4/Fund Bal. Carryover \$430,000.00 **To** 012-0755-50802 FM4/Purchase of Equipment \$400,000.00, 012-0755-50868 FM4/Contract Labor \$30,000.00. – *Kyle Butler, Commissioner, Pct. 4*
- F5 Approve refund of overpayment to the following accounts for payment in error:

<u>Refund Issued to:</u>	<u>Account</u>	<u>Refund Amount</u>
Corelogic	154923	\$2,937.62
Corelogic	162826	\$2,696.90

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 the building set-back line requirement, 138 Hurst Circle, Ferris, Road and Bridge Pct. 1, requested by Saul Reyes.
- 1.2 Re-plat, Tanglewood Hollow, Lots 8 – 13, Slippery Creek Ct., Red Oak, Road and Bridge Pct. 4, requested by Horace Reeder.
- 1.3 Grant a one-time variance from County of Ellis Rules, Regulations for Subdivisions and Manufactured Home as it relates to the separation distance between roads, 1800 Block of FM 66, Road and Bridge Pct. 3, requested by Lance Rust.
- 1.4 Grant a one-time variance from County of Ellis Rules, Regulations for Subdivisions and Manufactured Home as it relates to the separation distance between roads, 700 Block of Old Maypearl Road, Road and Bridge Pct. 3, requested by Lance Rust.
- 1.5 Final Plat, Summit Estates Phase 2, Blackchamp and Marshall Road, Waxahachie, Road and Bridge Pct. 3, requested by John Houston Homes.
- 1.6 Accept the infrastructure of Summit Estates Phase 2, including Everest Lane, Vail Ln., Rainer St., and portions of Denali Way, Road and Bridge Pct. 3, requested by John Houston.
- 1.7 Final Plat, Aday Estates, FM 66, Waxahachie, Road and Bridge Pct. 3, requested by Steve Donosky.
- 1.8 Accept the infrastructure for Aday Estates, including Yukon Blvd., Seline Lane and portions of Colorado Drive, Waxahachie, Road and Bridge Pct. 3, requested by Steve Donosky.

- 1.9 Release Subdivision Construction Bond #1117991 to Lexon Surety Group in the amount of Seven Hundred Twenty Two Thousand Eight Hundred Twenty Eight dollars for the completed construction of the infrastructure of Aday Estates, Road and Bridge Pct. 3.
- 1.10 Accept Maintenance Bond #1117994 from Lexon Insurance Company in the amount of One Hundred Eighty Two Thousand dollars that will expire on April 26, 2018 for the Maintenance of Aday Estates, Road and Bridge Pct. 3.
- 1.11 Preliminary Plat, Taylor Ridge Estates Phase 4, Oak Vista Rd, Waxahachie, Road and Bridge Pct. 3, requested by Ivan Brigman.

PURCHASING

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

- 2.1 Approve the lease purchase agreement from Caterpillar Financial 2016 140M3 Motor Grader for Road and Bridge Precinct 4, in accordance with Local Government Code. If Commissioners Court by voting for this transaction determines that the trade in is in the best interests of Ellis County.
- 2.2 Approve the lease purchase agreement from Bancorp South for a 2017 Mack Dump truck for Road and Bridge Precinct 3, in accordance with Local Government Code. If Commissioners Court by voting for this transaction determines that the trade in is in the best interests of Ellis County.
- 2.3 Approval to purchase 911 recording software for the Sheriff's Office dispatch in accordance with the Local Government Code.
- 2.4 Approval for the award of Bid Number RB-2016-010, Contract for Pit Run Gravel.
- 2.5 Approval for the award of Bid Number RB-2016-009, Contract for Contract for Washed Pea Gravel, Type A, Grade 1 and 2.
- 2.6 Approval for the award of Bid Number RB-2016-008, Contract for Recycled Concrete Flex Base, Type D, Grade 1 and 2.
- 2.7 Approval for the award of Bid Number RB-2016-006, Contract for Light Weight Surface Aggregate, Type L, Grade 3, 4, 5.
- 2.8 Approval for the award of Bid Number RB-2016-005, Contract for Limestone Flex Base, Type A, Grade 1 and Grade 4.
- 2.9 Approval for the award of Bid Number RB-2016-003, Contract for Hauling Road Materials.
- 2.10 Approval for the award of Bid Number RB-2016-002, Contract for Emulsified Asphalt.
- 2.11 Approval for the award of Bid Number RB-2016-007, Contract for Crushed Limestone Chip Seal, Type D, Grade 1, 2, 3, and Fine D.

- 2.12 Approval to ratify cooperative agreement with Ergon Asphalt and Emulsion and Heartland Asphalt Materials to purchase CRS-2 in cooperation with Tarrant County bid number 2014-134 until Ellis County Bid is awarded.
- 2.13 Approve monthly rental agreement of a Pneumatic Roller for Road & Bridge 3, in accordance with Local Government Code.

ADMINISTRATIVE

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

- 3.1 Proclamation recognizing the month of April as Sexual Assault Awareness Month.
- 3.2 Motorcycle Safety & Awareness Proclamation
- 3.3 Vehicle pursuit policy.
- 3.4 To enter into a contract with the Department of the Army Corp of Engineers to provide law enforcement services to the Lake Bardwell Project. – *Chuck Laubach, Ellis County Sheriff's Office*
- 3.5 Approve the Ferris Independent School District request to designate the allocation of QCEB (Qualified Energy Conservation Bond) volume cap from Ellis County in the amount of \$900,000.

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 551.071 of the Government Code, consultation with counsel concerning Cause No. 91288 Felipe Pineda and Israel Lozano v. Ellis County, Texas, a suit involving Precinct 2 Constable, Terry Nay.
- 4.2 Pursuant to §551.074 of the Government Code, consultation regarding personnel matters.
- 4.3 Pursuant to §551.071 of the Government Code, consultation with counsel regarding pending or contemplated litigation with Professional Coating Technologies.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 22nd day of April 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 26th day of April, 2016 at 3:43 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.