

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 9, 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

Financial:

F1 **From** 001-0020-50705 Elevator \$1,500.00; 001-0020-50807 Gen. Misc. \$2,400.00 **To** 001-0020-50703 Telephone \$200.00; 001-0020-50704 Pest Control \$300.00; 001-0020-50702 Repairs \$3,400.00. – *Keith Roberts, Maintenance*

F2 **From** 001-0015-50807 General Misc. \$3,000.00 **To** 001-0015-50803 Furniture/Fixtures \$3,000.00. – *Chuck Laubach, Ellis County Sheriff's Office*

F3 **From** 001-0420-50894 Secure Residential \$10,000.00 **To** 001-0420-50896 Sex Offender Services \$10,000.00. – *Chatrinia Johnson, Juvenile Services*

F4 **From** 001-0210-50801 Supplies \$6,000.00 **To** 001-0210-50802 Equipment \$6,000.00. – *Jana Onyon, Elections*

- F5 **From** 001-0210-40719 Chapter 19 State Funding \$200.00 **To** 001-0210-50800 Chapter 19 Expenditures \$200.00. – *Jana Onyon, Elections*
- F6 **From** 005-0703-40950 FEMA \$20,000.00 **To** 005-0703-50915 Asphalt \$20,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F7 **From** 005-0703-40950 FEMA \$20,000.00 **To** 005-0703-50911 Gravel \$20,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F8 **From** 001-0010-40950 FEMA \$8,569.98 **To** 001-0430-50802 Equipment (Emergency Management) \$7,454.76; 001-0010-50802 Equipment (Sheriff's Office) \$1,115.22. – *Stephanie Parker, Emergency Management Coordinator*
- F9 **From** 001-0430-50819 Computer \$9.00 **To** 001-0430-50809 Auto Repairs \$9.00 – *Stephanie Parker, Emergency Management Coordinator*
- F10 **From** 001-0450-50689 GSA Software Contract \$450.00 **To** 001-0450-50802 Equipment \$450.00. – *Tim Birdwell, Fire Marshal*
- F11 **From** 001-0450-50819 Computer \$300.00 **To** 001-0450-50809 Auto Repair \$300.00. – *Tim Birdwell, Fire Marshal*
- F12 **From** 001-0450-50819 Computer \$600.00 **To** 001-0450-50801 Supplies \$600.00. – *Tim Birdwell, Fire Marshal*
- F13 **From** 003-0601-50807 RB1 Gen. Misc. \$17,900.00; 009-0602-50807 FM1 Gen. Misc. \$20,000.00; 009-0602-50868 FM1 Contract Labor \$33,500.00 **To** 003-0601-50911 RB1 Gravel \$17,900.00; 009-0602-50911 FM1 Gravel \$50,000.00; 009-0602-50907 FM1 Tires \$3,500.00. – *Dennis Robinson, Commissioner, Pct. 1*
- F14 **From** 010-0653-30302 FM2 Fund Balance Carry Over \$2,000.00 **To** 010-0653-50918 FM2 Hardware/Tools \$2,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F15 **From** 001-0450-50689 GSA Software Contract \$400.00 **To** 001-0450-50805 Conference \$400.00. – *Tim Birdwell, Fire Marshal*
- F16 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>
Waxahachie Ford, LLC	244886	\$2,903.39

Simplified Plat:

SP1 Prachyl's Boyce Road Addition, 1 lot, Road & Bridge Pct. 1, requested by Al Prachyl.

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 fire hydrant requirement, Curtis Ray Road, Midlothian, Road and Bridge Pct. 3, requested by George Kent.
- 1.2 Preliminary Plat – Owens Ranch, 1 lot, Curtis Ray Road, Midlothian, Road & Bridge Pct. 3, requested by George Kent.
- 1.3 Preliminary Plat – Oak Vista Estates, Phase 2, 30 lots, Oak Vista Rd., Waxahachie, Road & Bridge Pct. 3, requested by Jim Strawn.

PURCHASING

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

- 2.1 Award of RFP-2016-004, Bridge and Headwall Repair.
- 2.2 Award of RB-2016-004, Miscellaneous Concrete Repair.
- 2.3 Approval to proceed into negotiations with selected vendor for RFP-2016-007 for Comprehensive Inmate Medical Services.
- 2.4 Approve monthly rental agreement for a nine wheel roller for Road and Bridge Precinct 4.

ADMINISTRATIVE

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

- 3.1 Setting the date, time and location of the public hearing on the proposed budget for Budget FY 2016-17, pursuant to Texas Local Government Code §111.007, as follows:

Tuesday, August 23, 2016 at 2:00 P.M.
Ellis County Commissioners' Courtroom
101 W. Main St., Waxahachie, TX 75165

- 3.2 Discuss the tax rate for Budget FY 2016-17 and take record vote to place the proposal to adopt the rate at a future meeting, pursuant to Texas Tax Code §26.05(d) to be held on the following:

Tuesday, September 27, 2016 at 2:00 P.M.
Ellis County Commissioners' Courtroom
101 W. Main St., Waxahachie, TX 75165

- 3.3 Schedule two (2) public hearings to discuss the proposed tax rate for the Budget FY 2016-2017, and setting time and location of such public hearings, pursuant to §26.06 Texas Tax Code, as follows:

Tuesday, August 23, 2016, 2:00 P.M.
Ellis County Commissioners Courtroom
101 W. Main St., Waxahachie, TX 75165

And

Tuesday, September 13, 2016, 2:00 P.M.
Ellis County Commissioners Courtroom
101 W. Main St.
Waxahachie, TX 75165

- 3.4 TAC (Texas Association of Counties) 2016 Risk Control Reimbursement Program application update. – *Carol Bush, County Judge*
- 3.5 Approval of Work Order under Interlocal Agreement between the County of Ellis and City of Alma to reclaim 9/10 of a mile on Section House Rd. in City of Alma, for an estimated cost of \$2,800.00. – *Lane Grayson, Commissioner, Pct. 2*
- 3.6 Accept petition to abandon a portion of Barker Rd, authorized Commissioner of Pct. 2 to post public notice of the proposed abandonment and schedule a public hearing on proposed abandonment. – *Lane Grayson, Commissioner, Pct. 2*
- 3.7 FY 2016-2017 Budget Discussion.
- 3.8 Authorize the County Judge to order the General Election to be held on November 8, 2016 for the purpose of electing county and precinct officers as required by Article XVI, §65 of the Texas Constitution; for approval of the Early Voting Schedule. – *Jana Onyon, Elections Administrator*
- 3.9 Approve renewing the application for the TEXAS 1033 SURPLUS PROPERTY PROGRAM. This is a yearly requirement of the program. – *Chuck Laubach, Ellis County Sheriff's Office*
- 3.10 Renew the designation of primary and alternate representatives to the Regional Transportation Council.
- 3.11 RVG Investments, LLC's request to replace Performance Bond No. 462793P with Performance Bond No. 305928 for the completion of the roads, streets and drainage requirements for Bob White Estates in the amount of \$959,884.00. RVG Investments, LLC originally submitted Performance Bond 462793P with Developers Surety and Investment Company as surety in the amount of \$959,884.00 dated March 28, 2016. RVG Investments, LLC now wishes to replace Performance Bond No. 462793P with Performance Bond No. 305928 with NGM Insurance Company as surety in the amount of \$959,884.00 dated July 12, 2016.
- 3.12 West Order Form – Supplement to prior approved documents. – *Carla Knepper, Law Library*
- 3.13 Authorization for Randy Montgomery to file suit, if necessary, against CHM and Evanston Insurance Company on behalf of Ellis County and Trident Insurance.
- 3.14 Burn Ban Order for Ellis County. – *Tim Birdwell, Fire Marshal*
- 3.15 Approve the fee structure for Texas Department of Motor Vehicles for calendar year 2017.

RECESS TO CONVENE TO EXECUTIVE SESSION

EXECUTIVE SESSION

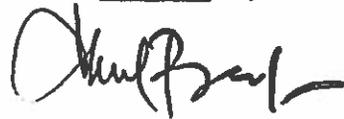
The Commissioners Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code 551, or to seek the advice of its 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 §551.072 of the Texas Government Code deliberation regarding the purchase, exchange, lease, or value of real property.
- 4.2 Pursuant to §551.071 of the Government Code, consultation with counsel concerning Cause No. 3:24-CV-04397-M, Trevino v. Ellis County, et al.
- 4.3 Pursuant to §551.076 of the Government Code, consultation to deliberate the deployment, or specific occasions for implementation, of security personnel or devices.
- 4.4 Pursuant to §551.074 of the Government Code, consultation with counsel regarding personnel matters.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 5th 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 5 day of August, 2016 at 3:31 PM a.m./p.m.

Cindy Polley, County Clerk

By Cindy Polley, 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.**