

**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 27, 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 August 2016 Travel Reports of the Texas AgriLife Extension Office
 - Mark Arnold, Agriculture
 - Rita Hodges, Family & Consumer Science
 - Megan Parr, 4H
- A3 Record Order of District Court concerning the County Auditor Salary. – *Mike Navarro, Auditor*

Financial:

- F1 **From** 001-0520-50874 Docket Books/Printing \$1,200.00; 001-0520-50873 Maintenance/Repairs \$1,000.00 **To** 001-0520-50801 Supplies \$2,200.00. – *Jackie Miller, Jr., Justice of the Peace, Pct. 2*
- F2 **From** 001-0425-50852 Prescriptions \$143,300.00 **To** 001-0425-50851 Hospital \$143,300.00. – *Theresa Taylor, Human Resources Director*

- F3 **From** 001-0370-50805 Conference \$558.19; 001-0370-50802 Equipment \$500.00; 001-0370-50803 Furniture/Fixtures \$200.00; 001-0370-50806 Bonds/Dues \$1,263.57; 001-0370-50804 Postage \$1,611.82 **To** 001-0370-50801 Supplies \$4,133.58. – *John Bridges, Tax Assessor/Collector*
- F4 **From** 001-0210-40719 Chapter 19 State Funding \$28.04 **To** 001-0210-50800 Chapter 19 Expenditures \$28.04. – *Jana Onyon, Elections Administrator*
- F5 **From** 001-0010-50602 Staff Travel and Expense \$1,000.00 **To** 001-0010-50834 Crime Scene \$1,000.00. – *Chuck Laubach, Ellis County Sheriff's Office*
- F6 **From** 001-0360-50808 DA-Auto Gas \$2,000.00; 001-0360-50833 DA-Court Reporting \$2,000.00 **To** 001-0360-50801 DA-Supplies \$2,000.00; 001-0360-50807 DA-Gen Misc \$1,000.00; 001-0360-50853 DA-Legal Research \$1,000. – *Patrick Wilson, County & District Attorney*
- F7 **From** 010-0653-50807 FM2 General Expenses \$10,000.00 **To** 010-0653-50802 FM2 Equipment \$10,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F8 **From** 010-0653-50807 FM2 General Expenses \$10,000.00 **To** 010-0653-50907 FM2 Tires \$5,000.00; 010-0653-50909 FM2 Repairs Parts \$5,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F9 **From** 001-0612-50808 Auto Gas/Oil \$1,200.00 **To** 001-0612-50802 Equipment \$1,200.00. – *Terry Nay, Constable, Pct. 2*
- F10 **From** 003-0601-30302 RB1 Fund Balance \$45,000.00 **To** 003-0601-50906 RB1 Culverts \$20,000.00; 003-0601-50911 RB1 Gravel \$25,000.00. – *Dennis Robinson, Commissioner, Pct. 1*
- F11 **From** 011-0704-50807 FM3 Gen. Misc. \$5,000.00 **To** 011-0704-50802 FM3 Purchase of Equipment \$5,000.00. – *Paul Perry, Commissioner, Pct.3*
- F12 **From** 011-0704-50807 FM3 Gen. Misc. \$5,000.00 **To** 011-0704-50915 FM3 Asphalt \$5,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F13 **From** 012-0755-30302 FM4/Fund Balance Carryover \$85,000.00; 012-0755-40008 FM4/Interlocal Revenue \$85,000.00; 012-0755-50910 FM4 Gas & Oil \$5,000.00 **To** 012-0755-50802 FM4 Purchase of Equipment \$170,000.00; 012-0755-50914 FM4 Signs \$5,000.00. – *Kyle Butler, Commissioner, Pct. 4*
- F14 **From** 001-0390-50805 Conference \$2,000.00; 001-0390-50601 Travel Reimbursement \$1,000.00; 001-0390-50801 Supplies \$1,300.00 **To** 001-0390-50803 Furn/Fixtures \$4,000.00; 001-0390-50873 Maint/RSP Ofc Equip \$300.00. – *Carol Bush, County Judge*
- F15 **From** 006-0754-40092 Subdivision Percentage Fee \$23,263.34; 006-0754-50900 RB4 Youth Expo Funding \$5,000.00; 006-0754-30302 RB4 Fund Balance Carryover \$74,892.00 **To** 006-0754-50807 RB4 General Misc. \$103,155.34. – *Kyle Butler, Commissioner, Pct. 4*
- F16 **From** 001-0210-40719 Chapter 19 State Funding \$83.34 **To** 001-0210-50800 Chapter 19 Expenditures \$83.34. – *Jana Onyon, Elections Administrator*

F17 From 009-0602-50910 FM1 Fuel \$9,000.00 To 009-0602-50807 FM1 Gen Misc \$4,000.00; 009-0602-50909 FM1 Repairs/Parts \$5,000.00. – *Dennis Robinson, Commissioner, Pct. 1*

F18 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>
Nationstar Mortgage	150661	\$3,533.93

Simplified Plat:

- SP1 C.S. Morris Addition, 1 lot, Ennis, Road & Bridge Pct. 1, requested by Nancy Morris.
- SP2 Bakersfield Addition, 2 lots, Maypearl, Road & Bridge Pct. 3, requested by Charlie Baker II.
- SP3 LeBlanc’s Subdivision, 3 lots, Ennis, Road & Bridge Pct. 1, requested by Scott LeBlanc.

DEPARTMENT OF COUNTY DEVELOPMENT

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

- 1.1 Release Maintenance Bond #SUR6032305, to State Automobile Mutual Insurance Company, in the amount of three hundred eighty nine thousand one hundred and twenty one dollars and sixty cents (\$389,121.60) for Plainview Manor Estates, Road & Bridge Pct. 4, requested by RVG Investments, LLC.
- 1.2 Final – Bob White Estates, Phase 2, 69 lots, Bob White Rd & Black Champ Rd, Waxahachie, and accept the infrastructure including Davenport Drive, Reese Drive, Cross Creek Court and East Drive, Road & Bridge Pct. 4, requested by RVG Investments, LLC.
- 1.3 Release the Construction Bond # 305928 to NGM Insurance Company, in the amount of nine hundred fifty nine thousand eight hundred and eighty four dollars (\$959,884.00), Bob White Phase 2 and Accept the Maintenance Bond #305945 from NGM Insurance Company in the amount of three hundred eighty three thousand nine hundred fifty three and sixty cents (\$383,953.60) that will expire on September 27, 2018 for the continuing maintenance of Bob White Estates, Phase 2, Road & Bridge Pct 4., RVG Investments, LLC.

PURCHASING

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

- 2.1 Authorize County Judge to sign contract for RFP-2016-002, Comprehensive Inmate Medical.
- 2.2 Approval to purchase HH60C Hydraulic Hammer in the amount of \$9,409.09 and a PA30 Planetary Drive Auger in the amount of \$2,837.70 from John Deere for Road and Bridge Precinct 4. John Deere participates in the NLPA Cooperative Program.

- 2.3 Approval to purchase Caterpillar CW16 roller from Holt Cat in the amount of \$80,780.78. HoltCAT participates in the Buyboard co-op program.
- 2.4 Approval to purchase John Deere Flat deck trailer with generator, Rammer, concrete saw, not to exceed \$15,000. Austin Turf and Tractor participates in the Buyboard co-op program.
- 2.5 Approval to purchase 2002 International 4400 Series truck from East Texas Truck Systems.
- 2.6 Approval for County Judge to sign service agreement with Flashback Data.

ADMINISTRATIVE

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

- 3.1 To adopt a General Maintenance and Operations tax rate of 0.380091 (consisting of an Interest and Sinking rate of 0.053039 and an Operations rate of 0.327052), and to adopt a Farm to Market tax rate of 0.033508 for Ellis County FY 2016-2017, pursuant to Texas Local Government Code §81.006 and Texas Tax Code §26.05. This will make the total tax rate 0.413599 per \$100 of taxable value.
- 3.2 To ratify the property tax increase reflected in the 2016-2017 Ellis County Budget that was adopted by the Commissioners Court on September 19, 2016, as required by Local Government Code 111.008(c). This budget will raise more total property taxes than last year's budget by \$3,635,160 (7.70%). The total tax rate is 0.413599 per \$100 valuation.
- 3.3 4-H Proclamation for 2016 National 4-H Week October 2-8, 2016.
- 3.4 Resolution to convey the following struck off properties to Steven L. Santos:
 - 3804 Ward St. Ennis, TX 75119
 - Walker Creek Road, Ennis, TX 75119
 - 1302 N. Sherman St. Ennis, TX 75119
- 3.5 Authorize submission of a State Antiquities Landmark Nomination Form to the Texas Historical Commission for the statue on the west lawn of the Historic Courthouse.
- 3.6 Approve renewal of the judicial funding supplements for the justices on the Tenth Court of Appeals in the amount of \$1,940.00 for FY 2016-2017.
- 3.7 Review of request by Landco Investments, Inc. to refund their overpayment of 2009 property taxes in the amount of \$398.99. Landco check number 010974 was posted February 5, 2010, creating an overpayment. Applications for this refund were mailed to Landco February 8, 2010, February 6, 2012; August 9, 2012; and September 13, 2012. None were returned. The refund was issued to the Ellis County Treasurer as a three-year write-off September 20, 2013, check number 2001022468. – *John Bridges, Tax Assessor/Collector*
- 3.8 To approve transfer of administration duties and administration fee from the Ellis Prairie Soil and Water Conservation District to the Ellis County Assistant Engineer for the structural repair project on Chambers Creek Flood Prevention Site No. 5. – *Ted Kantor, Engineer*
- 3.9 Acceptance of the National Economic Development (NED) plan proposed work for dams #10 and

#11. – *Ted Cantor, Engineer*

- 3.10 Approval of Agreement Cooperation between County of Ellis and Ennis Garden Club (represented by Chairman of the Bluebonnet Trail Annual Event) Pursuant to Local Govt. Code §319.003 (a) and 319.004. Terms of this agreement shall be from FY October 1, 2016 to September 30, 2017. - Lane Grayson, Ellis County Commissioner, Pct. 2
- 3.11 Work Order Under Agreement Cooperation between County of Ellis and Ennis Garden Club (represented by Chairman of the Bluebonnet Trail Annual Event) for FY October 1, 2016 to September 30, 2017. Description of project is placement of directional signs that are provided by Ennis Garden Club on Ellis County Precincts 1 and 2 county easements only (as designated by Ennis Garden Club representatives) for the Bluebonnet Trail annual event. Work Order services will be provided before, during and after the Bluebonnet Trail annual event (approximately the end of February, March, April and of middle of May, 2017). – *Lane Grayson, Commissioner, Pct. 2*
- 3.12 Approval of Interlocal Cooperation Contract between County of Ellis and City of Garrett beginning October 1, 2016 to September 30, 2017. – *Lane Grayson, Commissioner, Pct. 2*
- 3.13 Approval of Interlocal Cooperation Contract between County of Ellis and Avalon ISD beginning October 1, 2016 to September 30, 2017. – *Lane Grayson, Commissioner, Pct. 2*
- 3.14 Approval of Interlocal Cooperation Contract between County of Ellis and City of Ennis beginning October 1, 2016 to September 30, 2017. – *Lane Grayson, Commissioner, Pct. 2*
- 3.15 Approval of Interlocal Cooperation Contract between County of Ellis and Ennis ISD beginning October 1, 2016 to September 30, 2017. – *Lane Grayson, Commissioner, Pct. 2*
- 3.16 Approval of Interlocal Cooperation Contract between County of Ellis and City of Bardwell beginning October 1, 2016 to September 30, 2017. – *Lane Grayson, Commissioner, Pct. 2*
- 3.17 Approval of Interlocal Cooperation Contract between County of Ellis and City of Alma beginning October 1, 2016 to September 30, 2017. – *Lane Grayson, Commissioner, Pct. 2*
- 3.18 Approval of Interlocal Cooperation Contract between County of Ellis and City of Maypearl. – *Paul Perry, Commissioner, Pct. 3*
- 3.19 Consider the applications of Clay Schoolfield, Phillip Gilbert, and Alex Smith to ESD (Emergency Services District) #6 Board. One candidate will be selected to fill the vacancy of an unexpired term through December 31, 2016.
- 3.20 Authorize County Judge to sign Memorandum of Understanding (MOU) between Ellis County and Indigent Healthcare Solutions. – *Terri Klein, Indigent Care Coordinator*
- 3.21 Approval of 2017 Sheriffs' and Constables' Fees as required under Texas Local Government Code §118.131 requiring each commissioners court to set fees charged for civil services by the sheriffs and constables to be reported to the Comptroller. Effective January 1, 2017 through December 31, 2017. – *Cindy Polley, County Clerk*

- 3.22 Approve payment from 001-0140-50558 Contingencies/Reserves in an amount not to exceed \$7,500.00 for required election supplies for the upcoming general election. – *Jana Onyon, Elections Administrator*

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 §551.076 of the Government Code, consultation to deliberate the deployment, or specific occasions for implementation, of security personnel or devices.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 23rd day of September 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 23rd day of September, 2016 at 3:15 a.m./p.m.

Cindy Polley, County Clerk



By Jim 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.**