

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, October 11, 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 Paul Perry

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 Approve the renewal of the FY 17/18 State Case Registry/Local Customer Service (SCR/LCS) Contract between Ellis County and the State Attorney General's Office beginning September 1, 2016 through August 31, 2018. – *Melanie Reed, District Clerk*
- A3 Accept Official Minutes of the Ellis County Commissioners' Court for September 13, 2016; September 19, 2016; September 27, 2016. – *Cindy Polley, County Clerk*
- A4 Proclamation recognizing Shawnee Cattle Trail.

Financial:

- F1 From 001-0360-50888 Computer Service \$321.00; 001-0360-50601 Travel Reimbursement \$1,800.00; 001-0360-50805 DA-Conference \$2,230.00 To 001-0360-50803 DA-Furn/Fixtures \$314.14; 001-0360-50802 DA- Equipment \$1,330.34; 001-0360-50801 DA-Supplies 859.14; 001-

0360-50819 DA-Computer \$1,847.38. – *Patrick Wilson, County & District Attorney*

- F2 **From** 001-0210-40719 Chapter 19 State Funding \$6,762.86 **To** 001-0210-50800 Chapter 19 State Funding Expenditures \$6,762.86. – *Jana Onyon, Elections Administrator*
- F3 **From** 001-0330-40003 Inmate Reimbursements \$2,000.00; 001-0015-50502 Staff Salary \$50,000.00 **To** 001-0015-50801 Supplies \$3,000.00; 001-0015-50865 Employee Screening \$1,000.00; 001-0015-50701 Utilities \$48,000.00. – *Johnny Brown, Sheriff*
- F4 **From** 001-0010-50884 Auto Insurance \$17,186.00 **To** 001-0010-50812 Radio \$186.00; 001-0010-50809 Auto Repairs \$2,000.00; 001-0010-50810 Auto Tires \$15,000.00. – *Johnny Brown, Sheriff*
- F5 **From** 001-0420-50894 Secure Residential \$3,000.00 **To** 001-0420-50899 Other Programs and Groups \$3,000.00. – *Chatrinia Johnson, Director of Juvenile Services*
- F6 **From** 001-0420-50897 Substance Abuse Services \$1,000.00 **To** 001-0420-50898 Individual/Family Counseling \$1,000.00. – *Chatrinia Johnson, Director of Juvenile Services*
- F7 **From** 012-0755-30302 FM4/Fund Balance Carryover \$17,000.00 **To** 012-0755-50911 FM4/Gravel \$17,000.00. – *Kyle Butler, Commissioner, Pct. 4*
- F8 **From** 005-0703-50807 General Misc. \$5,000.00 **To** 005-0703-50502 Wages \$5,000.00. – *Paul Perry, Commissioner, Pct. 3*
- F9 **From** 010-0653-30302 Fm2 Fund Balance Carryover \$5,225.00 **To** 010-0653-50802 FM2 Equipment \$5,225.00. – *Lane Grayson, Commissioner, Pct. 2*
- F10 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>
Caliber Home Loans	208590	\$3,583.38
Carrington Mortgage	225401	\$29,580.67

Simplified Plat:

- SP1 Simplified plat – Brewer Estates, 1 lot, Honeysuckle Road, Waxahachie, Road & Bridge Pct. 4, requested by Mark Brewer.
- SP2 Simplified plat – Bingham Estates, 3 lots, Honeysuckle Road, Waxahachie, Road & Bridge Pct. 4, requested by JHH Property Acquisition Services, LLC.
- SP3 Simplified plat – Feaster Estates, 2 lots, 2030 Feaster Road, Waxahachie, Road & Bridge Pct. 2, requested by David Wilcher.
- SP4 Simplified plat – Triple T Ranch, 1 lot, Panorama Loop, Waxahachie, Road & Bridge Pct. 4 requested by Dan Gus.

DEPARTMENT OF COUNTY DEVELOPMENT

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

- 1.1 Accept the roads in Plainview Manor as county maintained, including Privet Court West, Duvall Lane, Pergola Court West, Privet Court East, Pergola Court East, and a portion of Ledgestone Lane, Road & Bridge Pct. 4, requested by RVG Investments, LLC.
- 1.2 Preliminary Plat – Henry Estates, 2 lots, Honeysuckle Road, Waxahachie, Road & Bridge Pct. 4, requested by JHH Property Acquisition Services, LLC.
- 1.3 Preliminary Plat – The Sanctuary, 6 lots, Honeysuckle Road, Waxahachie, Road & Bridge Pct. 4, requested by JHH Property Acquisition Services, LLC.
- 1.4 To accept an alternative security for the construction of Oak Vista Estates, Phase II, requested by Jim Strawn, Road and Bridge Pct. 3.

PURCHASING

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

- 2.1 Approval to purchase Bomag Jumping Jack Tamper, Model BT65, from Rental One in the amount of \$2,800.00.
- 2.2 Approval to purchase lift gate from Knapheide in the amount of \$2,425.00.
- 2.3 Consideration to declare the following as surplus to be disposed of in accordance with the Local Government Code 263: From Road and Bridge 1 – 1990 Chevrolet Water Truck , VIN 1GBM7D1F6LV104706, 1999 Ford F-150, VIN 1FTRF17W6XKA71918, 1978 Case Rubber Tire Roller, Serial Number 9128764, 2002 Gradall XL3100, Serial Number G03169312328, Rhino Mower, From Road and Bridge 2 - Brush clipper, 2 weed eaters, 11 gas cans, Vermeer Wood Chipper, 2 water tanks for a Rubber tire loader, Chip Spreader for a dump truck, lights, fall restraint, 2 trash water pumps, dry box, 1993 Chevrolet C1500 Pickup, VIN 1GCEC14W4TZ193061, From Engineering, HP DesignJet 1055cm, S/N SG47Q1311X, HP Design Jet 430, S/N SG55J1101P, From County Clerk's Office, HP DesignJet 500, S/N SG1402103W, From Sheriff's Office, 2008 Ford Crown Victoria, VIN 2FAFP71V88X139028, 2010 Dodge Charger, VIN 2B3CA4CV3AH203519, 2010 Dodge Charger, VIN 2B3CA4CV6AH203546, 2008 Ford Crown Victoria, VIN 2FAFP71V48X139043.
- 2.4 Authorize County Judge to sign contract for RFP-2016-002, Comprehensive Inmate Medical.
- 2.5 Approve to renew Contract #2013-011 Food Service for Ellis County Detention Center, in accordance with Local Government Code.
- 2.6 Approve procedure when no bid submissions are received after a bid closes following Local Government Code 262.0225.
- 2.7 Approve moving forward with Public Surplus as an option for online surplus auctions in compliance

with Local Government Code 263.152.

- 2.8 Approval for County Judge to sign annual renewal agreement with Kodak Alaris in the amount of \$781.00 for the District Attorney's Office.
- 2.9 Approval for County Judge to sign annual renewal agreement with ESRI in the amount of \$4,750.00 for the Engineering Department.
- 2.10 Approval to rescind the Department of Development Xerox Agreement from August 23, 2016, Agenda Item 2.3. Pricing has changed from \$280.42 to \$295.30.
- 2.11 Approval for County Judge to sign annual Xerox lease agreement with new pricing for Department of Development in the amount of \$295.30.
- 2.12 Approval to purchase desks and seating for the Courts and Administration Building and the Historic Courthouse.
- 2.13 Approval to renew service contract with Garratt Callahan for Sheriff's Office. Term will be October 1, 2016 to September 30, 2017.

ADMINISTRATIVE

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

- 3.1 Extension Interpretative Event for Commissioners Court presented by Donald Kelm, District Extension Administrator and Extension Staff.
- 3.2 Burn Ban for Ellis County. – *Tim Birdwell, Fire Marshal*
- 3.3 Employee recognition. – *Carol Bush, County Judge*
- 3.4 Approve the Italy Independent School District request to designate the allocation of QCEB (Qualified Energy Conservation Bond) volume cap from Ellis County in an amount not to exceed \$600,000.
- 3.5 Approval of the 2016-2017 Law Library service fees as follows:

Printing and copying fees – black and white .25 cents per page; color .50 cents per page.
Fax fees – incoming \$1.50 per page; outgoing \$2.00 first page, \$1.50 per additional page.
Notary Fees - \$6.00 per document and \$1.00 per additional signature per document.
Board Room Rental Fee - \$25.00 per hour. – *Carla Cates, Law Librarian*
- 3.6 Compensatory time analysis. – *Theresa Taylor, Director of Human Resources*
- 3.7 Authorize the County Attorney to offer and settle a claim on behalf of Ellis County concerning property damage to Ken Rash's mailbox located at 144 Howe Circle, Italy, Texas by an employee of the County.
- 3.8 Authorize the County Attorney to assert two separate claims in the class action lawsuit involving

- 3.9 Authorize and ratify the County Attorney to file suit against Attorney General Ken Paxton to seek declaratory relief from the ruling OR2016-21572.

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 §551.071 of the Government Code, consultation with counsel concerning a claim involving Ken Rash concerning property damage to his mailbox located at 144 Howe Circle, Italy, Texas by an employee of the County.
- 4.2 Pursuant to §551.071 of the Government Code, consultation with counsel concerning authority to assert two separate claims in the class action lawsuit involving AT&T Repair Billing Litigation Cause No. 3:13-CV-29-J-32JRK.
- 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 §551.071 of the Government Code, consultation with counsel regarding pending or contemplated litigation, with the Attorney General Ken Paxton.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 7th day of October 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 7th day of October, 2016 at 4:04 a.m./p.m.

Cindy Polley, County Clerk

By *Gina 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.**