

**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 11, 2017, 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:

Randy Stinson, Commissioner, Pct. 1
Lane Grayson, Commissioner, Pct. 2
Paul Perry, Commissioner, Pct. 3
Kyle Butler, Commissioner, Pct. 4

Assistant County Attorneys:

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 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 Acceptance of the 2016 Racial Profiling Report for Ellis County Constable, Pct. 1. – *Roy Callender, Constable, Pct. 1*
- A3 Approve official Minutes of the Ellis County Commissioners' Court February 14, 2017 and February 28, 2017
- A4 Act to accept the report of County Judges and Commissioners Association of Texas acknowledging Pct. 3 Commissioner Paul Perry's completion of continuing education provision of article 81.0025 of the Texas Local Government Code. – *Paul Perry, Commissioner, Pct. 3*
- A5 Catherine Gannon and Maurice Osborn as Ellis County representatives to the Regional Aging Advisory Committee.

Financial:

- F1 **From** 001-0210-40964 Contracting Elections \$28,500 **To** 001-0210-50942 Election Expenses \$11,250.00; 001-0210-50848 Holding Salary \$17,000.00; 001-0210-50823 Legal Notices \$250.00. – *Jana Onyon, Elections Administrator*
- F2 **From** 003-0601-50915 RB1 Asphalt \$30,000.00 **To** 003-0601-50911 RB1 Gravel \$30,000.00. – *Randy Stinson, Commissioner, Pct. 1*
- F3 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	139771	\$5,958.87
Caliber Home Loans	149310	\$5,433.93
Rueben Garcia	166052	\$3,484.94
Cari Bowling	189008	\$3,136.75
Old Republic Title	192280	\$6,000.00
Corelogic	230228	\$3,173.09
Nationstar Mortgage	258537	\$5,446.54
Origin Bank	258569	\$8,296.52
Texas Taco Cabana	259276	\$8,191.09

DEPARTMENT OF COUNTY DEVELOPMENT

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

- 1.1 Consider and act upon a request to grant a one-time variance from Section II (H) (Utility Service) of the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes to allow four (4) residential lots from meeting the minimum fire hydrant requirements. Property contains ± 16.387 acres of land in the T.F. McCrary Survey, Abstract No. 1287, located on the north side of FM 916 and ± 360 feet west of Brindley Road, in the extraterritorial jurisdiction (ETJ) of Maypearl, Road & Bridge Precinct No. 3, as requested by Lee Crow.
- 1.2 Consider and act upon a request to grant a one-time variance from Section VIII (A) (Residential Lots) of the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes to allow construction of an additional residential structure without meeting the minimum road frontage requirement. Property contains ± 4.128 acres of land in the J C Paxton Survey, Abstract Nos. 854 & 855, located at 226 Leisure Road, in the extraterritorial jurisdiction (ETJ) of Waxahachie in Road & Bridge Precinct No. 3, as requested by Scott Settlemyer.
- 1.3 Consider and act upon a replat of Lot 94 & 97, Spanish Grant Addition, Phase IV. Property contains ± 2.512 acres of land located at 4030 & 4040 Olvido Road, Waxahachie, Road & Bridge Precinct No. 3, as requested by Jason Williams.
- 1.4 Consider and act upon a replat of Lot 4, Wickcliffe Farm. Property contains ± 3.408 acres of land located at on the north side of FM 780 and ± 1,260 feet south of Mohundro Drive, Ferris, Road & Bridge Precinct No. 1, as requested by Anthony Nagle, Sr.

- 1.5 Consider and act upon a replat of Lots 41-47, Maypearl Hidden Hills and a ± 0.6150-acre portion of DuBose Way. Property contains ± 19.084 acres of land located at on the north side of DuBose Way and ± 1,260 feet west of South Oak Branch Road, Maypearl, Road & Bridge Precinct No. 3, as requested by Mark Chapman.

PURCHASING

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

- 2.1 Approval for Road and Bridge Precinct 3 to purchase from Landmark Equipment Bush hog, Model 3810, mower deck in the amount of \$15,661.00. Funds for this purchase will come from FM General Miscellaneous 011-0704-50807. Landmark Equipment is a Buyboard vendor utilizing contract number 447-14.
- 2.2 Approval to purchase from Taser International as a sole source vendor to Ellis County.
- 2.3 Approval to surplus the following vehicles: 2006 CHEVROLET IMPALA, VIN 2G1WS551269356363, and 2008 FORD CROWN VICTORIA, VIN 2FAFP71V08X139063 according to Local Government Code 263.
- 2.4 Approval for County Judge to sign Lexis Nexis Risk Solutions Schedule A for the District Attorney's Office.
- 2.5 Approval for County Judge to sign Lexis Nexis Upgrade Amendment for the District Attorney's Office.

ADMINISTRATIVE

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

- 3.1 Burn Ban for Ellis County. – *Tim Birdwell, Fire Marshal*
- 3.2 Accept the application of Daniel Ballard as for Emergency Services District (ESD) #3 for a term through 12.31.17.
- 3.3 Approval to exercise the 2 option years of the Everbridge service agreement originally approved on April 24, 2014. –*Stephanie Parker, Emergency Management Coordinator*
- 3.4 Resolution to allow the sale of fireworks by licensed retailers over the San Jacinto Day Holiday, subject to all normal and necessary safety and security measures, including, but not limited to any County Burn Ban. – *Paul Perry, Commissioner, Pct. 3*
- 3.5 Resolution supporting Kaufman County and the dedication of the Trinity River Bridge on Hwy 34 as a memorial bridge in honor of Staff Sergeant Robert E. Cochran.
- 3.6 Appointment of Ellis County Sheriff.
- 3.7 Appointment of the Justice of the Peace, Pct. 1.

RECESS TO CONVENE TO EXECUTIVE SESSION

EXECUTIVE SESSION

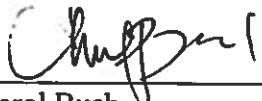
The Commissioners Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code 551, or to seek the advice of its 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 §551.074 of the Government Code, consultation to deliberate the appointment and employment of the Sheriff.
- 4.2 Pursuant to §551.074 of the Government Code, consultation to deliberate the appointment and employment of the Justice of the Peace, Pct. 1.
- 4.3 Pursuant to §551.074 of the Government Code, consultation regarding personnel matters.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 7th day of April 2017.



 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 April, 2017 at 1:28 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.**