

**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 **Monday, September 23, 2013, 3:00 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
- Bill Dodson, Commissioner, Pct. 2
- Paul Perry, Commissioner, Pct. 3
- Ron Brown, Commissioner, Pct. 4

Assistant County Attorneys:

- Ann Montgomery-Moran
- Lee Auvenshine

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, Pct. 3

PUBLIC COMMENT*

CONSENT AGENDA – Consideration and Action:

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Consideration and action to amend Ellis County Juror pay from \$30 a day to \$34 a day for each day following the first day of service, and to grant the County Judge authority to amend and execute the Juror Pay Order to that effect effective September 1, 2013. – *Cheryl Chambers, County Treasurer*
- A3 Consideration and action to approve revision of Ellis County 2013-2014 Payroll Schedule. Specifically revising payday from April 18, 2013 to April 17, 2013 due to Good Friday Holiday. – *Cheryl Chambers, Treasurer*
- A4 Consideration and action to approve three (3) Part Time Clerk I within the Ellis County and District Attorney’s Office for budget year 2013-2014. These positions will pay \$9.00 per hour for 20 hours per week and be funded from line items as follows:

District Attorney – Check Processing – Salary 030-0930-50502, in an amount of \$11,000.00.

District Attorney – Drug Forfeiture – Salary 031-0931-50502, in an amount of \$25,000.00.

No Ellis County tax revenue is used to pay these items. – *Patrick Wilson, County & District Attorney*

- A5 Approval of salary supplements for the County Attorney’s Office to be paid with funds received from the Texas Comptroller of Public Accounts for discretionary expenses for the 2013-2014 budget year. No Ellis County tax revenue is used to pay these supplements – *Patrick Wilson, County & District Attorney*

Sandy Fisher	\$5,818.00
Stacy M. Auvenshine	\$3,130.00
Darin Jackson	\$3,350.00

- A6 Pursuant to Minute Order 197.13, Commissioners’ Court dated June 10, 2013, consideration to approve the purchase of 4-Channel Security System and replace or repair security glass window within Ellis County Courts Buildings.

Financial:

- F1 **From** 001-0420-50845 Juvenile Detention, 001-0420-50894 Secure Residential **To** 001-0420-50802 Equipment, 001-0420-50892 Facilities Operations, 001-0420-50891 Fleet Operations, 001-0420-50878 Juvenile Residential, 001-0420-50873 Maint/RPS Equip/Copier, 001-0420-50897 Substance Abuse Services, 001-0420-50896 Sex Offender Services, 001-0420-50703 Telephone, 001-0420-50899 Other Programs and Services, 001-0420-50601 Travel Reimbursement. – *Darrin Ray, Juvenile Services*
- F2 **From** 001-0360-50846 DA-Witness Fee, 030-0930-50502 CK Processing – Salary, 001-0360-50805 DA-Conference **To** 001-0360-50799 DA-Copier, 030-0930-50807 CK Processing – Gen Misc., 001-0360-50853 DA-Legal Research, 001-0360-50808 DA-Gas Auto. – *Patrick Wilson, County & District Attorney*
- F3 **From** 010-0653-50807 FM2 Gen Exp **To** 010-0653-50906 FM2 Culvert – *Bill Dodson, Commissioner, Pct. 2*
- F4 **From** 001-0310-50801 Supplies **To** 001-0310-50805 Conference, 001-0310-50802 Equipment. – *Melanie Reed, District Clerk*
- F5 **From** 003-0601-50807 RB1 Gen Misc., 009-0602-50807 FM1 Gen. Misc., 009-0602-50802 FM1 Purchase of Equipment **To** 003-0601-50915 RB1 Asphalt, 009-0602-50915 FM1 Asphalt, 009-0602-50911 FM1 Gravel. – *Dennis Robinson, Commissioner, Pct. 1*
- F6 **From** 001-0400-50801 Supplies **To** 001-0400-50802 Equipment. – *Cheryl Chambers, Treasurer*
- F7 **From** 001-0310-40041 Fines **To** 001-0310-50885 Sales Tax – *Melanie Reed, District Clerk*
- F8 **From** 001-0530-50602 Staff Travel, 001-0530-50805 Conference, 001-0530-50874 Docket Bk **To**

001-0530-50601 Travel, 001-0530-50802 Equipment, 001-0530-50873 Maint/Rep – *Curtis Polk, Justice of the Peace, Pct. 3*

- F9 **From** 001-0320-50801 Supplies **To** 001-0320-50805 Conference, 001-0320-50806 Official Bond/Dues, 001-0320-50873 Main/RPS Office Equip. – *Cindy Polley, County Clerk*
- F10 **From** 001-0611-50703 Telephone, 001-0611-50806 Official Bond/Dues, 001-0611-50809 Auto Repairs, 001-0611-50810 Auto Tires, 001-0611-50821 Uniform Exp. **To** 001-0611-50808 Auto Gas/Oil Reimb., 001-0611-50801 Supplies – *Roy Callender, Constable, Pct. 1*
- F11 **From** 001-0140-50708 Comp Ins, 001-0140-50710 Tax App Fee, 001-0140-50724 Lease Facility, 001-0140-50556 Unemp Fee, 001-0140-50866 Com Support **To** 001-0140-50706 Insurance Deductable, 001-0140-50802 Equipment, 001-0140-50822 Legal Fees, 001-0140-50823 Legal Notices, 001-0140-50859 System Administration Fees, 001-0140-50868 Contract Services, 001-0140-50887 – *Carol Bush, County Judge*
- F12 **From** 001-0150-50828 Gen Exp **To** 001-0150-50827 Phy/Medicare, 001-0150-50829 Hospital/Burial 001-0150-50959 328th Appt. Attorneys – *Carol Bush, County Judge*
- F13 **From** 001-0140-50558 Contingencies **To** 001-0080-50703 Telephone – *Carol Bush, County Judge*
- F14 **From** 001-0520-50601 Travel Reimbursement, 001-0520-50602 Staff Travel, 001-0520-50873 Main/RPS Ofc. Equip., 001-0520-50703 Telephone **To** 001-0520-50803 Office Fixture/Furniture, 001-0520-50802 Equipment, 001-0520-50801 Supplies. – *Jackie Miller Jr., Justice of the Peace, Pct. 2*
- F15 **From** 001-0035-50601 Travel Reimbursement, 001-0035-50801 Supplies, 001-0035-50802 Equipment, 001-0035-50805 Conference **To** 001-0035-50819 Computer. – *Teral Crawford, IT Director*
- F16 **From** 001-0612-50808 Auto Gas/Oil, 001-0612-50812 Radio, 001-0612-50805 Conference, 001-0612-50809 Auto Repairs, 001-0612-50806 Bond/Dues **To** 001-0612-50802 Equipment, 001-0612-50810 Auto Tires. – *Terry Nay, Constable, Pct. 2*
- F17 **From** 001-0614-50703 Telephone, 001-0614-50811 Auto Insurance, 001-0614-50812 Radio, 001-0614-50805 Conference, 001-0614-50806 Bond/Dues, 001-0614-50819 Computer **To** 001-0614-50803 Furn/Fixtures, 001-0614-50808 Auto Gas/Oil, 001-0614-50801 Supplies, 001-0614-50821 Uniform Exp. – *Mike Jones, Constable, Pct. 4*
- F18 **From** 001-0425-50502 Salaries **To** 001-0425-50835 Safety/Training. – *Anne Price, Director HR/IHC*
- F19 Approve refund of overpayment to the following accounts for payment in error:

<u>Refund to be issued to:</u>	<u>Account</u>	<u>Amount Due</u>
Industry Consulting Group c/o Celink Reverse Mortgage	167138	\$3,194.07
Chase	222299	\$6,076.83

RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING

PUBLIC HEARING

Public hearing on the proposed FY 2013-14 Ellis County Budget, pursuant to Local Government Code §111.007.

Public Hearing to consider a plan for the County Clerk Archive Fund pursuant to Local Government Code §118.025, for the preservation and restoration of the County Clerk's records.

Public Hearing to consider a plan for the District Clerk Archive Fund pursuant to Government Code § 51.305, for the preservation and restoration of the District Clerk's records.

ADJOURNMENT OF PUBLIC HEARING

RECONVENE TO REGULAR SESSION

- 1.1 Consideration and action to adopt the Ellis County Budget FY 2013-14 pursuant to Local Government Code §111.008.
- 1.2 Consideration and action to adopt a General Maintenance and Operations tax rate of 0.380091 (consisting of an Interest and Sinking rate of 0.058783 and an Operations rate of 0.321308), and to adopt a Farm to Market tax rate of 0.033508 for Ellis County FY 2013-14, 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.
- 1.3 Consideration and action to ratify the property tax increase reflected in the 2013-2014 Ellis County Budget that was adopted by the Commissioners Court on September 23, 2013, as required by Local Government Code 111.008(c). This budget will raise more total property taxes than last year's budget by \$1,211,215 (2.74%). The total tax rate is 0.413599 per \$100 valuation.
- 1.4 Consideration and approval of a plan for the County Clerk Archive Fund for the preservation and restoration of County Clerk's records, pursuant to Local Government Code §118.025. – *Cindy Polley, County Clerk*
- 1.5 Consideration and approval of a plan for the District Clerk Archive Fund for the preservation and restoration of the District Clerk's records, pursuant to Government Code §51.305. – *Melanie Reed, District Clerk*

DEPARTMENT OF COUNTY DEVELOPMENT

Consideration and action regarding the following:

- 2.1 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the requirement of a maximum of 1000' spacing between county roads in a subdivision, at the request of Clyde Hargrove. This property is located off Shawnee Road, Waxahachie, Texas, within the unincorporated area of Ellis County, Texas, specifically within Ellis County Road and Bridge Pct. 4.

- 2.2 Preliminary Plat- Springfield Lakes, Phases One and Two, 105 lots, Clyde Hargrove, Pct. 4.
- 2.3 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the requirement of a minimum of 150' road frontage per lot, at the request of Tommy Shaw and Linda Brezavar. This property is located off of Walker Creek Road, Ennis, Texas, within the unincorporated area of Ellis County Texas, specifically within Ellis County Road and Bridge Pct. 2.
- 2.4 Accept the infrastructure of McGregor Estates, Phase 3, including Stone Field Court, Ivan Brigman, Pct. 3.
- 2.5 Preliminary Plat- Taylor Ridge, Phase 2, 10 lots, Ivan Brigman, Pct. 3.

PURCHASING

Consideration and action regarding the following:

- 3.1 Consideration and action as may be appropriate to declare the following vehicles/equipment/parts as surplus and dispose of according to Local Government Code § 263.12 and place on online auction:
 - (1) Salvaged parts from Bush Hog Batwing Mower – Model 2610 DL 1999 – VIN # 1200411
 - (2) Bush Hog Batwing Mower Model 2610 DL 1999 – Vin # 1200445
 - (3) 3 Point Hitch Digger/Post Hole Digger/Danuser.
- 3.2 Consideration to declare the following items as surplus and to be disposed of in accordance with the Local Government Code 263 – 1993 Ferguson SP912 Pneumatic Roller, 1985 International S1600 Flatbed Truck, 1996 Ferguson SP912 Pneumatic Roller for Precinct 3.
- 3.3 Consideration to renew Comprehensive Inmate Medical contract between CHC and Ellis County effective 10/01/2013 – 09/30/2013.
- 3.4 Consideration to award Bid #G-2013-012 to Janitorial Supplies for Ellis County.
- 3.5 Consideration to declare the following item as surplus to be disposed of in accordance with Local Government Code 263 – 2008 Ford Crown Victoria VIN #2FAFP71V68X103855 for the Sheriff's Office.
- 3.6 Authorization to solicit an RFP for a consultant to administer a Community Development Fund Program award for the County of Ellis to benefit South Ellis Water District.

ADMINISTRATIVE

- 4.1 Consideration and action to designate October 6-12, 2013 as National 4-H Week in Texas and commend the 4-H Youth Development Program of the Texas A&M AgriLife Extension Services and the many men and women who have made the program a success. – *Page Bishop, Extension*

- 4.2 Consideration and action regarding the following financial transfer **from** 001-0015-50502 Jail Salaries - \$500,000 **To** 001-0010-50802 Equipment - \$285,000, 001-0010-50811 Auto Purchase - \$190,000, 001-0010-50812 Radio - \$25,000. – *Dennis Brearley, Ellis County Sheriff's Office*
- 4.3 Consideration and action regarding the following financial transfer **from** 001-0010-50502 Salaries - \$70,767 **To** 001-0010-50503 Certification Pay - \$4,800, 001-0010-50808 Auto Gas - \$50,000, 001-0010-50702 Repairs - \$2,000, 001-0010-50809 Auto Repairs - \$4,000, 001-0010-50819 Computer - \$200, 001-0010-50884 Auto Insurance - \$9,667, 001-0010-50885 Sales Tax - \$100. – *Dennis Brearley, Ellis County Sheriff's Office*
- 4.4 Consideration and action regarding the following financial transfer **from** 001-0015-50814 Inmate Feeding - \$84,300, **To** 001-0015-50702 Repairs - \$12,000, 001-0015-50813 Inmate Medical - \$65,000, 001-0015-50807 General Misc - \$5,000., 001-0015-50808 Auto Gas - \$2,000, 001-0015-50809 Auto Repairs - \$300. – *Dennis Brearley, Ellis County Sheriff's Office*
- 4.5 Consideration and action as required to approve the purchase of 7 Chevy Tahoe PPV from Caldwell County Chevrolet for a total cost of \$189,252.00 plus Buyboard fee of \$400. – *Johnny Brown, Sheriff*
- 4.6 Consideration and action as required to purchase emergency equipment for 7 Tahoes from John Wright & Assoc. for a total of \$114,178.67. – *Johnny Brown, Sheriff*
- 4.7 Consideration and action as required to purchase 13 Kenwood TK-5220K-LHKP portable radios and associated batteries, chargers, antennas, and mic's from Huffman Communications for a total price of \$11,471.46. – *Johnny Brown, Sheriff*
- 4.8 Consideration and action as required to purchase 5 Bushmaster Texas M4 patrol carbine .223 cal. from GT Distributors for a cost of \$4,249.75. – *Johnny Brown, Sheriff*
- 4.9 Consideration and action as required to purchase 8 Motorola XPR6550 handheld radios from DFW Communications for a cost of \$5,327.92. – *Johnny Brown, Sheriff*
- 4.10 Consideration and action as required to purchase 8 Kenwood TK-5720K mobile radios and associated antennas, coax and install labor from Huffman Communications for a total of \$8,224.16. – *Johnny Brown, Sheriff*
- 4.11 Consideration and action as required to purchase multiple calibers of ammunition from GT Distributors for a total of \$105,034.24. – *Johnny Brown, Sheriff*
- 4.12 Consideration and action as required to purchase 8 WF-DPS3PC three drawer lockable weapon cabinets from CAP Fleet Outfitters for a total price of \$17,496. – *Johnny Brown, Sheriff*
- 4.13 Consideration and action as required to purchase 25 Second Chance Tac Assault Carriers and 25 Second Chance prism spike 1 vests for the jail from GT Distributors for a total of \$13,468.75. – *Johnny Brown, Sheriff*
- 4.14 Consideration and action as required to purchase 2 POF-USA R308-16-11M .308 cal. rifles from POF-USA for a total cost of \$4,000. – *Johnny Brown, Sheriff*

- 4.15 Consideration and action as required to purchase 8 X26 tasers with taser cam and holsters from Taser International for a total of \$10,482.15. – *Johnny Brown, Sheriff*
- 4.16 Consideration and action to approve the Ellis County Sheriff's and Constables' Fees, effective January 1, 2014, as required under Local Government Code §118.131. This law requires Commissioners' Courts to set fees charged for civil services by the offices of the sheriff and constables and directs that these fees be reported to the Texas Comptroller.
- 4.17 Consideration and action as may be appropriate regarding approval of Interlocal Cooperation Contract between County of Ellis and City of Garrett beginning October 1, 2013 to September 30, 2014. – *Bill Dodson, Commissioner, Pct. 2*
- 4.18 Consideration and action as may be appropriate regarding approval of Interlocal Cooperation Contract between County of Ellis and Avalon ISD beginning October 1, 2013 to September 30, 2014. – *Bill Dodson, Commissioner, Pct. 2*
- 4.19 Consideration and action as may be appropriate regarding approval of Interlocal Cooperation Contract between County of Ellis and City of Ennis beginning October 1, 2013 to September 30, 2014. – *Bill Dodson, Commissioner, Pct. 2*
- 4.20 Consideration and action as may be appropriate regarding approval of Interlocal Cooperation Contract between County of Ellis and Ennis ISD beginning October 1, 2013 to September 30, 2014. – *Bill Dodson, Commissioner, Pct. 2*
- 4.21 Consideration and action as may be appropriate regarding approval of Interlocal Cooperation Contract between County of Ellis and City of Bardwell beginning October 1, 2013 to September 30, 2014. – *Bill Dodson, Commissioner, Pct. 2*
- 4.22 Consideration and action as may be appropriate regarding approval of Interlocal Cooperation Contract between County of Ellis and City of Alma beginning October 1, 2013 to September 30, 2014. – *Bill Dodson, Commissioner, Pct. 2*
- 4.23 Consideration and action to approve the renewal of a contract with the SPCA for animal services with contracted monthly payments of \$4,700 from October 1, 2013 through September 30, 2014. This is a renewal of an annual contract which was approved by Minute Order No. 288.12 on September 28, 2012.
- 4.24 Consideration and action to reappointment Debra Wakeland to continue serving as an Ellis County representative on the North Central Texas Workforce Development Board for a term beginning on 10/01/2013 through September 30, 2016.
- 4.25 Discuss and take action on proposed options to install audio and video system in Commissioners' Courtroom that will allow internet feed of Commissioners' Court meetings. – *Paul Perry, Commissioner, Pct. 3*
- 4.26 Consideration and action as may be appropriate regarding approval of Agreement Cooperation between County of Ellis and Ennis Garden Club (represented by Chairman of the Bluebonnet

Trail Annual Event) pursuant to Local Government Code §319.003 (a) and 319.004. Terms of this agreement shall be from FY October 1, 2013 to September 30, 2014. – *Bill Dodson, Commissioner, Pct. 2*

- 4.27 Consideration and action as may be appropriate regarding 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, 2013 to September 30, 2014. 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 middle of May, 2014. – *Bill Dodson, Commissioner, Pct. 2*
- 4.28 Consideration and approval of Interlocal Cooperation Contract between City of Waxahachie and Ellis County, Pct 3. – *Paul Perry, Commissioner, Pct. 3*
- 4.29 Consideration and approval of Interlocal Cooperation Contract between City of Milford and Ellis County, Pct. 3. – *Paul Perry, Commissioner, Pct. 3*
- 4.30 Consideration and approval of Interlocal Cooperation Contract between Milford ISD and Ellis County, Pct. 3. – *Paul Perry, Commissioner, Pct. 3*
- 4.31 Consideration and approval of Interlocal Cooperation Contract between Waxahachie ISD and Ellis County, Pct. 3. *Paul Perry, Commissioner, Pct. 3*
- 4.32 Consideration and approval of Interlocal Cooperation Contract between City of Maypearl and Ellis County, Pct. 3. – *Paul Perry, Commissioner, Pct. 3*

RECESS TO CONVENE TO EXECUTIVE SESSION

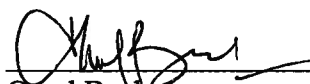
EXECUTIVE SESSION

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.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 20th day of September, 2013.



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 20 day of September, 2013 at 2:06 ~~a.m.~~/p.m.

Cindy Polley, County Clerk

By *P. Reiter*, 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.**