

**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, October 14, 2013, 10:00 A.M., in the Historic Ellis County Courthouse, Commissioners Courtroom (2<sup>nd</sup> 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 Ron Brown, Pct. 4

**PUBLIC COMMENT\***

**CONSENT AGENDA – Consideration and Action:**

**Administrative:**

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Approval of a resolution in support of the Meals-on-Wheels of Johnson & Ellis County applying for a grant from the Texas Department of Agriculture Home –Delivered Meal Grant Program.
- A3 Approval of salary supplement for the County Attorney Office to be paid with funds received from the Texas Comptroller of Public Accounts for discretionary expense for the 2013-2014 budget year effective October 1, 2013: Vance Hinds in the amount of \$4,130.00. No Ellis County revenue is used to pay this supplement.
- A4 Approve a request for funds in the amount of \$15,000 to the Ellis County Child Protective Services as per the budget for FY 2013-14.
- A5 September, 2013 Travel Reports of the Texas AgriLife Extension Office
  - Mark Arnold, Agriculture
  - Page Bishop, 4-H
  - Rita Hodges, Family & Consumer Sciences

- A6 Accept a donation from Indigent Healthcare Solutions in the amount of \$250.00 to be applied toward costs associated with the Ellis County Employee Health and Safety Fair.
- A7 Approval to direct all money that otherwise would be deposited in a salary fund created under this chapter to be deposited in the general fund of the County.
- A8 Approval of the Official Minutes of the Ellis County Commissioners' Court meetings dated August 12, 2013, August 26, 2013, September 9, 2013, September 11, 2013, and September 16, 2013.

**Financial:**

- F1 **From** 005-0703-50807 Gen Misc **To** 005-0703-50910 Gas/Oil – *Paul Perry, Commissioner, Pct. 3*
- F2 **From** 001-0020-50704 Pest Control, 001-0020-50802 Equipment, 001-0020-50858 Custodian Supplies **To** 001-0020-50705 Elevator, 001-0020-50807 General Misc., 001-0020-50702 Repairs. – *Keith Roberts, Maintenance*
- F3 **From** 005-0703-50807 Gen Misc **To** 005-0703-50701 Utilities. – *Paul Perry, Commissioner, Pct. 3*
- F4 **From** 001-0510-50602 Staff Travel, 001-0510-50805 Conference **To** 001-0510-50601 Travel Reimbursement. – *Judge Bill Woody, JP 1*
- F5 **From** 001-0210-40719 Chapter 19 Revenue **To** 001-0210-50800 Chapter 19 Expenditures. – *Jane Anderson, Elections.*
- F6 **From** 010-0653-50807 FM2 Gen Exp **To** 010-0653-50910 FM2 Gas. – *Bill Dodson, Commissioner, Pct. 2*
- F7 **From** 001-0360-50805 DA-Conference **To** 001-0360-50833 DA-Court Reporting, 001-0360-50846 DA-Witness Fee. – *Patrick Wilson, County & District Attorney*
- F8 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>
Holly Waters	148985	\$3,271.28

**RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING**

**PUBLIC HEARING**

In accordance with §251.152 of the Texas Transportation Code, a public hearing to determine and set a maximum reasonable and prudent speed for vehicles traveling on Hughes Cemetery Road pursuant to §251.154 of the Texas Transportation Code. Hughes Cemetery Road is located in the unincorporated area of Ellis County, within Ellis County Road and ridge Precinct No. 2, near the community of Avalon. The proposed speed limit is 35 miles per hour.

## ADJOURNMENT OF PUBLIC HEARING

### RECONVENE TO REGULAR SESSION

- 1.1 Consideration and action to determine and set a maximum reasonable and prudent speed for vehicles traveling on Hughes Cemetery Road at 35 miles per hour pursuant to §251.154 of the Texas Transportation Code and to authorize the installation of all appropriate signs to enforce this order. – *Bill Dodson, Commissioner, Pct.2*

#### **Simplified Plat:**

- SP1 The Oaks at Cedar Glenn, Phase 2, 1 lot, Timothy and Brenda Lions, Pct. 3.

### DEPARTMENT OF COUNTY DEVELOPMENT

- 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 150' of county road frontage per lot in a subdivision, at the request of Geoffrey Simpson. This property is located in Sugar Ridge Estates, No. 2, on Sugar Ridge Road, Ennis, Texas, specifically within Ellis County Road and Bridge Pct. 1.
- 2.2 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 fire hydrant spaced every 450' in a subdivision, at the request of Geoffrey Simpson. This property is located in Sugar Ridge Estates, No.2, on Sugar Ridge Road, Ennis, Texas, specifically within Ellis County Road and Bridge Pct. 1.
- 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 30' building set-back on the front of a lot in a subdivision, at the request of Karl Kacerek. This property is located in Shiloh Forest Phase 2, lot 1, block G, with the address of 3310 Shiloh Trail, Midlothian, Texas, specifically within Ellis County Road and Bridge Pct. 4.
- 2.4 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 cul-de-sac of 1000' spacing, at the request of Beorn Leger. This property is located on North Armstrong Road, Venus Texas, specifically within Ellis County Road and Bridge Pct. 3.
- 2.5 Preliminary plat, Red Baron Estates, 10 lots, at the request of Beorn Leger, Pct. 3.
- 2.6 Final plat, Allison Addition, Phase Two, 6 lots, at the request of Stephen Allison, Pct.3.

## PURCHASING

- 3.1 Consideration and action to accept payment in the amount of \$7,126.00 from Texas Farm Bureau as a reimbursement for property damage to Cosby Road, located within Ellis County Road and Bridge Precinct No. 3, which occurred on or about August 31, 2013, and to authorize the execution of a settlement and release agreement forever discharging Josh and Lisa Perry and Texas Farm Bureau from any liability regarding said property damage.
- 3.2 Consideration to declare the following items as salvage to be disposed of in accordance with Local Government Code 263: 2000 Dodge Intrepid VIN 2B3HD46R4YH146365 from Human Resources.
- 3.3 Consideration and action to award G-2013-012 Janitorial Supplies for Ellis County to IJS-EJS, Inc. Ennis Janitorial.

## ADMINISTRATIVE

- 4.1 Presentation of a proclamation declaring October, 2013 as Domestic Violence Awareness Month in Ellis County.
- 4.2 Consideration and approval of Interlocal Cooperation Contract between City of Italy and Ellis County, Pct. 3. – *Paul Perry, Commissioner, Pct. 3*
- 4.3 Consideration and approval of Interlocal Cooperation Contract between Maypearl ISD and Ellis County, Pct. 3. – *Paul Perry, Commissioner, Pct. 3*
- 4.4 Consideration and action to nominate candidates for the Board of Directors of the Ellis Central Appraisal District for the term of 2013-14, according to the Texas Tax Code, Title 1, Subtitle B, Chapter 6, Subchapter A, Section 6.03.
- 4.5 Consideration and action to discuss and approve funding on the proposal from Swagit Productions to provide streaming audio and video for the Commissioners' Court meetings not to exceed \$16,000. – *Paul Perry, Commissioner, Pct. 3*
- 4.6 Consideration and action to Appoint William Vansyckle to the Ellis County Emergency Service District #6 Board of Directors. – *Paul Perry, Commissioner, Pct. 3*
- 4.7 Consideration and possible action to rescind the County Burn Ban Order 251.13. – *Joe Stewart, Fire Marshal*

## 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

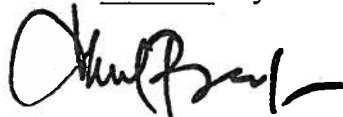
Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551.

- 5.1 Pursuant to Section 551.071 of the Texas Government Code, consultation with legal counsel regarding Cause No. 3:12-cv-02458-M-BD; *Floyd Rogers, III v. Johnny Brown, et. al.*; pending in the United States District Court for the Northern District of Texas, Dallas Division.
- 5.2 Pursuant to Section 551.071 of the Texas Government Code, consultation with legal counsel regarding Cause No. 3:12-cv-02673-N; *Christian A. Keith v. Johnny Brown, et. al.*; pending in the United States District Court for the Northern District of Texas, Dallas Division.”

### ADJOURNMENT OF EXECUTIVE SESSION

### ADJOURNMENT

Signed this the 10<sup>th</sup> day of October, 2013.



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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 10 day of October, 2013 at 1:40 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.