

FILED

OCT 14 2013

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // AUGUST 26, 2013

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, AUGUST 26, 2013 AT 3:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2ND FLOOR), WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED TO WIT:

PRESENT WERE:

COUNTY JUDGE:

JUDGE CAROL BUSH

COMMISSIONERS:

DENNIS ROBINSON, COMMISSIONER, PCT. 1

BILL DODSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

RON BROWN, COMMISSIONER, PCT. 4

COUNTY CLERK:

CINDY POLLEY, COUNTY CLERK

COUNTY & DISTRICT ATTORNEY'S OFFICE:

ANN MONTGOMERY-MORAN, ASSISTANT COUNTY ATTORNEY

LEE AUVENSHINE, ASSISTANT COUNTY ATTORNEY

OPENING COURT:

THE COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO THE OPEN MEETINGS ACT

MOTION TO OPEN COURT BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN; MOTION CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER PAUL PERRY, PCT. 3

CONSENT AGENDA:

MINUTE ORDER NO 279.13 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 CONSIDERATION AND ACTION TO DECLARE THE FOLLOWING FORFEITED VEHICLES AS SURPLUS AND ALLOW SALE THROUGH AN INTERNET AUCTION SITE: 1) 2002 CADILLAC VIN# 3GYEK63N42G240820, 2) 2000 CADILLAC VIN# 1G6KD54Y1YU289844, 3) 1999 MITSUBISHI VIN# 6MMP47P2XT004351, 4) 1995 SUBURBAN VIN# 1GDEC16K2S724860, 5) 2000 FORD F-150 VIN# 1FTRX17L7YNB61226, 6) 2000 FORD EXPLORER VIN# 1FMZU63P6YZB64010 7) 2000 CHEVY TAHOE VIN# 1GNEC13T5YJ105459, 8) 1995 ACURA VIN# 1JH4DB7651SS01422, 9) 2003 CHEVY TAHOE VIN# 1GNEC13Z43R198991, 10) 1999 FORD F-150 VIN# 1FTZF1721XKB59675 – CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE
- A3 CONSIDERATION AND ACTION TO RENEW A ONE YEAR INTERLOCAL AGREEMENT WITH DPS, REPROGRAPHICS AND DISTRIBUTION SERVICES TO ALLOW THE ELLIS COUNTY SHERIFF'S OFFICE TO PURCHASE VARIOUS DWI TEST KITS REQUIRED FOR EVIDENCE PROCESSING – CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE
- A4 APPROVAL OF THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETINGS DATED JULY 22, 2013, JULY 26, 2013, JULY 29, 2013, & AUGUST 8, 2013

FINANCIAL:

- F1 FROM 001-0611-50809 AUTO REPAIRS TO 001-0611-50805 CONFERENCE – ROY CALLENDER, CONSTABLE, PCT. 1
- F2 FROM 001-0360-50703 DA-TELEPHONE, 001-0360-50799 DA-COPIER, 001-0360-50802 DA-EQUIPMENT, 001-0360-50811 DA-AUTO INSURANCE TO 001-0360-50853 DA-LEGAL RESEARCH – PATRICK WILSON, COUNTY & DISTRICT ATTORNEY
- F3 FROM 001-0140-50560 COMPENSATORY/FRINGE LIABILITY TO 001-0380-50501 SALARY, 001-0380-50553 FICA/SS, 001-0380-50554 RETIREMENT, 001-0385-50501 SALARY, 001-0385-50553 FICA/SS, 001-0385-50554 RETIREMENT – CAROL BUSH, COUNTY JUDGE
- F4 FROM 009-0602-50802 FM1 EQUIPMENT, 009-0602-50906 FM1 CULVERTS, 009-0602-50913 FM1 CHEMICALS TO 009-0602-50911 FM1 GRAVEL – DENNIS ROBINSON, COMMISSIONER, PCT. 1
- F5 FROM 001-0612-40968 EMISSIONS INCOME GRANT TO 001-0612-50802 EQUIPMENT – TERRY NAY, CONSTABLE, PRECINCT 2

MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

PURCHASING:

CONSIDERATION AND ACTION REGARDING THE FOLLOWING:

MINUTE ORDER NO 280.13 ACCEPTING A REIMBURSEMENT CHECK IN THE AMOUNT OF \$5,088.00, FOR DAMAGE TO A BRIDGE IN PRECINCT 2, ACCIDENT DATED 06/24/13 FROM LARRY DLBAJ
MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 281.13 DECLARING THE FOLLOWING ITEMS AS SURPLUS TO BE DISPOSED OF IN ACCORDANCE WITH LOCAL GOVERNMENT CODE §263: #300018 INTERNATIONAL WELDING TRUCK 1985, #40037 FERGUSON SP912 PNEUMATIC ROLLER PACKER, STRIPPED AXEL 1996, #30078 FERGUSON SP912 PNEUMATIC ROLLER PACKER 1993
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 282.13 DECLARING THE FOLLOWING ITEMS AS SALVAGE TO BE DISPOSED OF IN ACCORDANCE WITH LOCAL GOVERNMENT CODE §263: CHAIN-LINK FENCE, FLAG POLES, 8-3X20 PANELS, PARKING LOT POLE LIGHTS, FUEL TANK, LIFT BASKET, LIFT FORKS, ICE O MATIC ICE MACHINE
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 283.13 AWARDING RFP-2013-009 INMATE PHONE SERVICE CONTRACT TO INFINITY NETWORKS FOR A PERIOD OF 3 YEARS BEGINNING 10/01/2013 THROUGH 09/30/2016 WITH TWO (2) ONE (1) YEAR RENEWAL OPTIONS
MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 284.13 APPROVING THE PURCHASING AGENT TO SEND A LETTER OF NON-RENEWAL NOTICE TO SECURUS TECHNOLOGIES TO INCLUDE A REQUEST FOR MONTH-TO-MONTH CONTINUED SERVICE AGREEMENT
MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

ADMINISTRATIVE:

PRESENTATION: 2.1 EXTENSION INTERPRETATIVE EVENT FOR COMMISSIONERS' COURT PRESENTED BY DONALD KELM, DISTRICT EXTENSION ADMINISTRATOR AND EXTENSION STAFF.

MINUTE ORDER NO 285.13 APPOINTING REBECCA FOWLER TO BE PRESIDING JUDGE FOR THE NOVEMBER 5, 2013 ELECTION IN COMBINED PRECINCTS 102, 103, 104, AND 105 MIDLOTHIAN CONFERENCE CENTER, 1 COMMUNITY WAY, MIDLOTHIAN, TEXAS
(JANE ANDERSON, ELECTION ADMINISTRATION OFFICE)
MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 286.13 APPROVING THREE (3) JOINT ELECTION AGREEMENTS BETWEEN ELLIS COUNTY AND (1) BUENA VISA BETHEL SPECIAL UTILITY DISTRICT, (2) CITY OF GLENN HEIGHTS, AND (3) PALMER INDEPENDENT SCHOOL DISTRICT. EACH JURISDICTION IS REQUESTING TO BE PLACED ON THE ELLIS COUNTY NOVEMBER 5, 2013 BALLOT IN THEIR RESPECTIVE VOTING PRECINCT FOR EARLY VOTING AND ELECTION DAY.
(JANE ANDERSON, ELECTION ADMINISTRATION OFFICE)
MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 287.13 RESCINDING MINUTE ORDER NUMBER 268.13 FROM COMMISSIONERS' COURT DATED AUGUST 12, 2013 REGARDING SETTING THE DATE, TIME AND LOCATION OF THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR BUDGET FY 2013-14
MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 288.13 RESCHEDULING THE DATE, TIME AND LOCATION OF THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR BUDGET FY 2013/2014, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.007, AS FOLLOWS DUE TO MISCALCULATION OF COUNTY TAXES:
MONDAY, SEPTEMBER 23, 2013, 3:00 PM
ELLIS COUNTY COMMISSIONERS COURTROOM
101 W. MAIN ST.
WAXAHACHIE, TX 75165
MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 289.13 RESCINDING MINUTE ORDER NUMBER 269.13 FROM COMMISSIONERS' COURT DATED AUGUST 12, 2013 REGARDING DISCUSSING THE TAX RATE FOR BUDGET FY 2013-14 AND TAKING RECORD VOTE TO PLACE THE PROPOSAL TO ADOPT THE RATE AT A FUTURE MEETING
MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 290.13 DISCUSSING THE TAX RATE FOR BUDGET FY 2013-14 AND TAKING RECORD VOTE TO PLACE THE PROPOSAL TO ADOPT THE RATE AT A FUTURE MEETING, PURSUANT TO TEXAS TAX CODE §26.05(D) AS FOLLOWS: 0.413599
MONDAY, SEPTEMBER 23, 2013 AT 3:00 PM
ELLIS COUNTY COMMISSIONERS' COURTROOM
101 W. MAIN ST.
WAXAHACHIE, TX 75165
MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

RECORD VOTE: JUDGE BUSH VOTING YES
COMMISSIONERS BROWN YES
COMMISSIONER PERRY YES
COMMISSIONER DODSON YES
COMMISSIONER ROBINSON YES

MINUTE ORDER NO 291.13 SCHEDULING TWO (2) PUBLIC HEARINGS TO
DISCUSS SETTING THE PROPOSED TAX RATE FOR THE BUDGET FY 2013-2014,
AND SETTING TIME AND LOCATION OF SUCH PUBLIC HEARINGS, PURSUANT TO
§26.06 TEXAS TAX CODE, AS FOLLOWS:

WEDNESDAY, SEPTEMBER 11, 2013, 3:00 PM
ELLIS COUNTY COMMISSIONERS COURTROOM
101 W. MAIN ST.
WAXAHACHIE, TX 75165

AND

MONDAY, SEPTEMBER 16, 2013, 10:00 AM
ELLIS COUNTY COMMISSIONERS COURTROOM
101 W. MAIN ST.
WAXAHACHIE, TX 75165

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 292.13 AUTHORIZING COUNTY JUDGE TO ENTER INTO CONTRACT 2014-001287-00 FOR
THE DEPARTMENT OF STATE HEALTH SERVICES CITIES READINESS INITIATIVE PROGRAM

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 293.13 ADOPTING THE INDIGENT HEALTH POLICY EFFECTIVE SEPTEMBER 1, 2013
THROUGH AUGUST 31, 2014 (ANNE PRICE, HUMAN RESOURCE DIRECTOR)

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 294.13 APPROVING WORK ORDER UNDER INTERLOCAL AGREEMENT WITH CITY OF
MAYPEARL TO PATCH POTHoles ON WEST SECOND STREET (PAUL PERRY, COMMISSIONER, PCT. 2)

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

2.10 DISCUSSION REGARDING STATUS UPDATE ON RADIO TOWER AND POTENTIALLY LEASING SPACE TO OTHER LAW
ENFORCEMENT AGENCIES.

MINUTE ORDER NO 295.13 RATIFYING THE MOVIE LOCATION AGREEMENT BETWEEN ELLIS COUNTY AND
PAINLESS TELEVISION, INC. FOR FILMING THAT TOOK PLACE AT THE HISTORIC COURTHOUSE ON
AUGUST 22, 2013

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

2.12 DISCUSSION REGARDING THE RELOCATION OF THE ATTORNEY GENERAL IV-D COURT FROM 109 W. FRANKLIN ST,
WAXAHACHIE, TX 75165.

ADJOURNMENT

MOTION TO ADJOURN BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF AUGUST 26, 2013 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER, PCT 1



BILL DODSON, COMMISSIONER, PCT 2




PAUL PERRY, COMMISSIONER, PCT 3



RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS OCTOBER 14, 2013



CINDY POLLEY, COUNTY CLERK

