

**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, February 28, 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
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 Kyle Butler

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 16 continuing education training hours received during the Seminar for Newly Elected County Judges and Commissioners. – *Randy Stinson, Commissioner, Pct. 1*
- A3 Approval of the official minutes of the Ellis County Commissioners Court: December 20, 2016, January 10, 2017, and January 31, 2017. – *Cindy Polley, County Clerk*
- A4 Submitted for Record: OPEN MEETINGS ACT Certificate of Training for Randy Stinson Commissioner Pct.1.
- A5 Accept the resignation of Sam Laney from Emergency Services District (ESD) #5, effective January 18, 2017.

Financial:

- F1 From 001-0110-40659 Insurance Reimbursement \$3,750.00 To 001-0140-50807 Other Expenses

\$3,750.00. – *Carol Bush, County Judge*

- F2 **From** 010-0653-50807 FM2 General Expenses \$5,000.00 **To** 010-0653-50962 FM2 Lubricants \$5,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F3 **From** 001-0050-50819 Computer \$340.00 **To** 001-0050-50809 Auto Repair \$340.00. – *Mark Arnold, Extension Office*
- F4 **From** 001-0400-50801 Supplies \$600.00 **To** 001-0400-50802 Equipment \$600.00. – *Cheryl Chambers, Treasurer*
- F5 **From** 003-0601-50807 RB1 Gen. Misc \$500.00; 009-0602-50807 FM1 Gen. Misc. \$1,500.00 **To** 003-0601-50805 RB1 Conference/Dues \$500.00; 009-0602-50914 FM1 Signs \$1,500.00. – *Randy Stinson, Commissioner, Pct. 1*

DEPARTMENT OF COUNTY DEVELOPMENT

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

- 1.1 Consider and act upon a request to accept the roads, drainage, and infrastructure for Summit Estates Phase One, including McKinley Circle, Denali Way, Crestone Street, Shasta Street, and a portion of Vail Lane. Property contains 57 lots on ± 111.082 acres of land located in Waxahachie, Road & Bridge Precinct No. 3, as requested by JHDMC, Inc.
- 1.2 Consider and act upon a request to release Maintenance Bond No. 657818 issued from International Fidelity Insurance Company, in the amount of four hundred seventy-two thousand three hundred ten dollars & 80/100 (\$472,310.80) for Summit Estates Phase One, located in Waxahachie, Road & Bridge Precinct No. 3, as requested by JHDMC, Inc.
- 1.3 Consider and act upon a request to approve a preliminary plat of Long Branch Estates. Property contains ± 59.816 acres of land in the A.R. Newton Survey, Abstract No. 810, located on the east side of Long Branch Road and south of Hayes Road, in the extraterritorial jurisdiction (ETJ) of Midlothian and Waxahachie, Road & Bridge Precinct No. 4, as requested by Lance Rust.
- 1.4 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 construction of two (2) single-family structures without meeting the minimum fire hydrant requirements. Properties contains ± 2.512 acres of land in the Spanish Grant Addition, Phase IV, Lots 94R & 97R, located at 4040 Olvido Road, Waxahachie, in Road & Bridge Precinct No. 3, as requested by Angelika Williams.
- 1.5 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 two (2) new single-family structures without meeting the minimum road frontage requirement. Property contains ± 4.00 acres of land in the Joseph Bell Survey, Abstract

No. 62 and William H. Morris Survey, Abstract No. 725, located at 2800 block of FM 983, Red Oak, in Road & Bridge Precinct No. 1, as requested by Charles Cryer.

- 1.6 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 a structure without meeting the minimum road frontage requirement. Property contains ±12.521 acres of land in the S Mayfield Survey, Abstract No. 670, located at 1138 Pecan Meadows, Waxahachie/Ennis in Road & Bridge Precinct No. 2, as requested by Rex Frank.

PURCHASING

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

- 2.1 Approval to purchase 220 Volt Emulsion Pump from RB Everett and Company for Road and Bridge Precinct 4.
- 2.2 Approval to utilize \$16,994.00 of the current budgeted roofing replacement funds to replace two roof top air conditioner units at the Jail.
- 2.3 Approval to move forward on the Jail refurbishment project.
- 2.4 Approval to rescind the Item 2.5 from Commissioners Court dated January 10, 2017 – approval to surplus 2012 Chevrolet Tahoe, VIN 1GNLC2E03CR185483, from the Sheriff's Office to be disposed of according to the Local Government Code 263.
- 2.5 Approval to rescind the Item 2.4 from Commissioners Court dated January 10, 2017 – Discussion and approval to proceed with total loss paperwork regarding Trident Insurance claim number TNT-0137982 involving 2012 Chevrolet Tahoe, VIN 1GNLC2E03CR185483.
- 2.6 Approval for County Judge to sign Affidavit of Motor Vehicle Salvage Retention Form from Trident Insurance for claim number TNT-0137982 involving 2012 Chevrolet Tahoe, VIN 1GNLC2E03CR185483.
- 2.7 Approval to proceed with the proposal from TelePacific for the internet connectivity at the Midlothian Tax Office.
- 2.8 Approval for repair to a Caterpillar Motor Grader 12G for Road & Bridge Pct. 1, asset no. 10030, with a quote of \$29,770.00 from S&L Services for replacement of transmission and final drive.

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 Interlocal between Ellis County and NTTA (North Texas Tollway Authority).
- 3.3 Cisco SMARTnet renewal quote from Flair Data. – *Teral Crawford, Director of IT*

- 3.4 Compensatory time reports. – *Theresa Taylor, Director of Human Resources*
- 3.5 Information regarding the 2016 Municipal Separate Storm Sewer System (MS4) Annual Report prior to submittal to the Texas Commission on Environmental Quality (TCEQ). – *Joseph Jackson, Assistant County Engineer*
- 3.6 Consideration and action authorizing the County Attorney to offer and settle a claim on behalf of Ellis County involving Justin Morris concerning property damage to his 2007 Volkswagen Beetle allegedly caused while crossing a bridge in Ellis County.
- 3.7 Action Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning lawsuit Cause No. 93563, Webster v. Bates, 40th District Court of Ellis County. concerning lawsuit Cause No. 93563, Webster v. Bates, 40th District Court of Ellis County.

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 regarding personnel matters.
- 4.2 Pursuant to §551.076 of the Government Code, consultation to deliberate the deployment, or specific occasions for implementation, of security personnel or devices.
- 4.3 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning a claim involving Justin Morris and property damage to his 2007 Volkswagen Beetle allegedly caused while crossing a bridge in Ellis County.
- 4.4 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning lawsuit Cause No. 93563, Webster v. Bates, 40th District Court of Ellis County.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 24th day of February 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 24th day of February, 2017 at 2:52 ~~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.**