

**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 25, 2017, 2:00 P.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:**

- 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 Paul Perry

**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 Approve official Minutes of the Ellis County Commissioners' Court for March 14, 2017 2:00 pm; March 29, 2017 9:30 am; March 28, 2017 9:30 am; April 3, 2017 9:30 am; March 28, 2017 2:00 pm. – *Cindy Polley, County Clerk.*
- A3 March 2017 Travel Reports of the Texas AgriLife Extension Office
  - Mark Arnold, Agriculture
  - Rita Hodges, Family & Consumer Science
  - Megan Parr, 4H
- A4 1<sup>st</sup> Quarter 2017 Ellis County Investment Report. – *Cheryl Chambers, Treasurer*

**Financial:**

- F1 **From 001-0540-50502 Salaries \$1,600.00 To 001-0540-50803 Furniture \$1,600.00.** – *Steve Egan, Justice of the Peace, Pct. 4*

- F2 **From** 009-0602-50908 FM1 Lumber \$15,000.00; 009-0602-50802 FM1 Purchase of Equipment \$15,000.00 **To** 009-0602-50911 FM1 Gravel \$30,000.00. – *Randy Stinson, Commissioner, Pct. 1*
- F3 **From** 006-0754-30302 RB4/Fund Balance \$14,000.00 **To** 006-0754-50868 RB4/Contract Labor \$12,000.00; 006-0754-50805 RB4/Conf-Dues-Bond \$2,000.00. – *Kyle Butler, Commissioner, Pct. 4*
- F4 **From** 012-0755-30302 FM/Fund Balance \$239,000.00; 012-0755-40008 FM4/Interlocal \$15,000.00 **To** 012-0755-50915 FM4/Asphalt \$239,000.00; 012-0755-50914 FM4/Signs \$15,000.00. – *Kyle Butler, Commissioner, Pct. 4*

**Simplified Plat:**

- SP1. Consider and act upon a request to approve a simplified plat of Crow Addition. Property contains ± 16.39 acres of land in the Thomas McCrary Survey, Abstract No. 1287, located on the north side of FM 916 ± 360 feet west of Brindley Road, in the extraterritorial jurisdiction (ETJ) of Maypearl, Road & Bridge Precinct No. 3, as requested by Lee Crow.

**DEPARTMENT OF COUNTY DEVELOPMENT**

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

- 1.1 Conduct a public hearing to consider and act upon a replat of Lot 5, Mohundro Farm. Property contains ± 5.4628 acres of land located at 220 & 226 Mohundro Road, Ferris, Road & Bridge Precinct No. 1, as requested by Roy Mata.
- 1.2 Consider and act upon a request to approve a preliminary plat of Forreton Farms 2. Property contains ± 52.626 acres of land in the H. Harris Survey, Abstract No. 480, located at the northwest corner of Holder Road and Bud Run Road, Road & Bridge Precinct No. 3, as requested by Kars Tamminga.
- 1.3 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 waive the fire hydrant connection requirements and allow the reconstruction of a single family structure. Property contains ± 0.6 acres of land, located at 7021 Daniel Road, in the extraterritorial jurisdiction (ETJ) of Waxahachie, Road & Bridge Precinct No. 4, as requested by Ashley Alvarez.
- 1.4 Consider and act upon a request to grant a one-time variance from Section III (E) (Lot and Street Layout) of the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes to allow two (2) structures to encroach into the building line/utility easement. Property contains ± 21.969 acres of land in the C. Atteberry Survey, Abstract No. 10 and A. Ferguson Survey, Abstract No. 350 (3775 FM 66) and located on the south side of FM 66 ± 1,300 feet east of Arrowhead Road in Road & Bridge Precinct No. 3, as requested by Cecilia Cruz.

- 1.5 Consider and act upon a request to approve a simplified plat of Cruz Estates. Property contains ± 21.969 acres of land in the C. Atteberry Survey, Abstract No. 10 and A. Ferguson Survey, Abstract No. 350 (3775 FM 66) and located on the south side of FM 66 ± 1,300 feet east of Arrowhead Road in Road & Bridge Precinct No. 3, as requested by Cecilia Cruz.
- 1.6 Consider and act upon a request to approve a preliminary plat of North Farm Estates. Property contains ± 60.169 acres of land in the J. Chapman Survey, Abstract No. 214, located on the north side of East Highland Road ± 3,200 feet south of Hunters Glen Drive, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road & Bridge Precinct No. 4, as requested by Lance Rust.

## **PURCHASING**

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

- 2.1 Approval for Road and Bridge Precinct 4 to purchase from Kirby Smith a 2014 Broce Broom, Model RJT350, not to exceed \$36,000.00. Buyboard contract number is 515-16.

## **ADMINISTRATIVE**

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

- 3.1 The swearing in of the Ellis County Sheriff and approval of bond.
- 3.2 Burn Ban for Ellis County. – *Tim Birdwell, Fire Marshal*
- 3.3 Approval to enter an order allowing the sale of fireworks for Memorial Day 2017 by licensed retailers.
- 3.4 Ennis Tax Increment Reinvestment Zone (TIRZ) #2.
- 3.5 Authorize County Judge to sign South Ellis County Water Supply Corporation Customer Service Inspection & Cross-Connection Control Service Agreement.
- 3.6 Approval of the North Central Texas Council of Governments' Area Agency on Aging (NCTAAA) local administrative match of \$11,083.00.
- 3.7 Act to accept a request from the City of Italy to resurface Stafford, E. Travis St. Waco St., Richards St., and Sims St. at the cumulative cost of \$23,300.00, under an interlocal agreement between the City of Italy and the County of Ellis. – *Paul Perry, Commissioner, Pct. 3*
- 3.8 Act to accept an interlocal project between the County of Ellis Precinct 3 Road and Bridge with the Maypearl ISD to resurface the 4<sup>th</sup> St. parking area, at a cost of \$11,099.80, with Maypearl ISD responsible to determine the location of any underground lines or facilities. – *Paul Perry, Commissioner, Pct. 3*
- 3.9 Authorize the audit of commissary funds.

## **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 Section 551.071 of the Government Code, consultation with counsel concerning lawsuit Cause No. 93563, Webster v. Bates, 40th District Court of Ellis County.
- 4.2 Pursuant to §551.071 of the Government Code, consultation with counsel concerning a claim involving Mark Holton concerning property damage to his vehicle.
- 4.3 Pursuant to §551.074 of the Government Code, consultation to deliberate the appointment and employment of the Justice of the Peace, Pct. 1.
- 4.4 Pursuant to §551.074 of the Government Code, consultation regarding personnel matters.

## ADJOURNMENT OF EXECUTIVE SESSION

### ADJOURNMENT

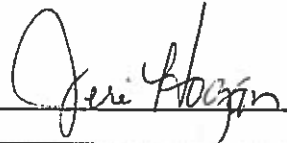
Signed this the 21<sup>st</sup> day of April 2017.



\_\_\_\_\_  
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 21 day of April, 2017 at 3:33 a.m. (p.m.)

Cindy Polley, County Clerk

By  \_\_\_\_\_, 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.**