

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, December 18, 2018, 10:00 A.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 Attorney:
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 Lane Grayson

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 Approval of Official Minutes of the Ellis County Commissioners Court: October 3, 2018; October 8, 2018; October 23, 2018; November 6, 2018; November 16, 2018; November 20, 2018. – *Cindy Polley County Clerk*
- A3 November 2018 Travel Reports of the Texas AgriLife Extension Office.
-Mark Arnold, Agriculture
-Megan Parr, 4H
- A4 To approve the necessary bonds for the following elected and/or appointed Ellis County Officials, immediately effective upon the signing of the Bribery Statement and the Oath of Office, and being sworn in on or after January 1, 2019.

Krystal Valdez, County Clerk	\$500,000.00
Cheryl Chambers, County Treasurer	\$256,000.00
Melanie Reed, District Clerk	\$100,000.00

Charles Edge, Sheriff	\$30,000.00
Todd Little, County Judge	\$10,000.00
Christopher Macon, Justice of the Peace, Pct 1	\$5,000.00
Jackie Miller Jr., Justice of the Peace, Pct. 2	\$5,000.00
Dan Cox, Justice of the Peace, Pct. 3	\$5,000.00
Steve Egan, Justice of the Peace, Pct.4	\$5,000.00
Lane Grayson, Commissioner, Pct. 2	\$3,000.00
Kyle Butler, Commissioner, Pct.4	\$3,000.00
Curtis Polk Jr., Constable, Pct. 3	\$1,500.00

Financial:

- F1 **From** 001-0400-50801 Supplies \$500.00 **To** 001-0400-50806 Bonds/Dues \$500.00. – *Cheryl Chambers, Treasurer*
- F2 **From** 010-0653-50807 FM2 General Expenses \$115,000.00 **To** 010-0653-30301 FM2 Fund Balance Carryover \$115,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F3 **From** 009-0602-50807 FM – Gen Misc \$3,500.00 **To** 009-0602-50914 FM – Signs \$3,500.00. – *Randy Stinson, Commissioner, Pct. 1*
- F4 Approve refund of overpayment to the following account for payment in error:

<u>Refund to be issued to:</u>	<u>Account</u>	<u>Amount Due</u>
Michael and Kim Kalka	264094	\$7,513.19

Simplified Plat:

- SP1 Consider & act upon a simplified plat of Lankford Acres. The property contains a total of ± 8.361 acres of land in the J. Chapman Survey, Abstract No. 209 located on Slippery Elm Drive ± 600 feet north of Slippery Elm Court in the extraterritorial jurisdiction (ETJ) of the City of Ovilla, Road & Bridge Precinct No. 4.

DEPARTMENT OF COUNTY DEVELOPMENT

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

- 1.1 Consider & act upon a simplified plat of Stinson Acres. The property contains a total of ± 5.31 acres of land in the C.P. Albright Survey, Abstract No. 19 located on the north side of West FM 813 ± 1,700 feet west of McKeever Road, Palmer, Road & Bridge Precinct No. 1.
- 1.2 Consider and act upon a request for a preliminary plat of Prairie Ridge, Phase 2B. The property contains ± 90.00 acres of land in the John Stewart Survey, Abstract No. 961 located at the intersection of U.S. Highway 287 and Prairie Ridge Boulevard the extraterritorial jurisdiction (ETJ) of the City of Grand Prairie, Road & Bridge Precinct No. 4.
- 1.3 Consider & act upon a preliminary plat of Ike Farms, Phase 1. The property contains a total of ± 19.483 acres of land in the T. Jackson Survey, Abstract No. 574 located at the southwest corner of Ike Road and FM 878 in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road & Bridge Precinct No. 1.

PURCHASING

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

- 2.1 Consider and act upon a request to approve additional funding for the Ellis County Master Thoroughfare Plan Update for optional and additional professional services in an amount not to exceed \$16,309.
- 2.2 Approval of the West Law subscription for the Law Library.
- 2.3 Approval to move forward on the concrete curb work for the Elections building utilizing Local Government Code 262.0225.
- 2.4 Approval to award a vendor for RFP-2018-004 Concrete Street Repair for Mason, Maddie, Meghann Lanes in Midlothian, Texas pending Legal approval.
- 2.5 Approval to move forward on the concrete repairs to Jason Drive utilizing Local Government Code 262.0225 for Road and Bridge Precinct 1.
- 2.6 Approval to move forward on the concrete curb work for the Elections building utilizing Local Government Code 262.0225.

ADMINISTRATIVE

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

- 3.1 Elect and accept insurance policies in lieu of bonds pursuant to 25.0006 of the Government Code for Judge Jim Chapman, County Court at Law #1 and Judge Gene Calvert, County Court at Law #2.
- 3.2 Burn ban for Ellis County. – *Tim Birdwell, Fire Marshal*
- 3.3 Approval for County Judge to sign Memorandum of Understanding is between Indigent Health care solutions and Ellis County, intended to document that both parties intend to extend for a period of 2 years. – *Terry Klein, Indigent Health Coordinator*
- 3.4 Approval of Interlocal Cooperation Contract between County of Ellis and the City of Palmer beginning January 1, 2019 through December 31, 2019. – *Randy Stinson, Commissioner, Pct. 1*
- 3.5 Approval of Interlocal Cooperation Contract between County of Ellis and the City of Garrett beginning January 1, 2019 through December 31, 2019. – *Randy Stinson, Commissioner, Pct. 1*
- 3.6 Ratify purchase in the amount of \$195 for the Sheriff's Office. – *Chuck Edge, Sheriff*
- 3.7 Compensatory time reporting. – *Theresa Taylor, Director of Human Resources*
- 3.8 Accept the resignation of the following Emergency Services District Board members:

Gary Ratliff ESD #2 – Annexed
Monica Arroyo ESD#2 – Annexed
Tim Berneking ESD #8

- 3.9 Approve the following Emergency Services District reappointments for a 2 year term effective January 1, 2019 through December 31, 2020. – *Tim Birdwell, Fire Marshal*

James Morrison ESD#1
Garry Harris ESD #1
Vincente Guerrero ESD #3
Albert Garcia ESD #3
Joe Bond ESD #4
Steve Tanner ESD #4
Brian Henson ESD #4
Mike Heckathorn ESD #5
Alfred Lemon ESD #5
Dallas Dial ESD #5
Charles McCormack ESD #6
Tommy Hamilton ESD #6
William Howell ESD #6
Tammy Allen ESD #7
Michael Rogers ESD #7
James Pharr ESD #7
Cecil Hammon ESD#7
David Futral ESD #7
Kevin Mason ESD #8
Mark Donoho ESD #8
Carey Perry ESD #8
Mike Greenlee ESD #9
Douglas Young ESD #9
John Griffin Hancock ESD #9

- 3.10 Discussion of status of new bids for road construction material. – *Paul Perry, Commissioner, Pct. 3*
- 3.11 Approval of Rise Broadband Service Agreement. – *Teral Crawford, IT Director*
- 3.12 Approval of Interlocal Cooperation Contract between County of Ellis and City of Red Oak for term agreement January 1, 2019 to December 31, 2019. – *Kyle Butler, Commissioner, Pct. 4*
- 3.13 Approval of Interlocal Cooperation Contract between County of Ellis and Red Oak ISD for term agreement January 1, 2019 to December 31, 2019. – *Kyle Butler, Commissioner, Pct. 4*
- 3.14 Approval of Interlocal Cooperation Contract between County of Ellis and Oak Leaf for term agreement January 1, 2019 to December 31, 2019. – *Kyle Butler, Commissioner, Pct. 4*
- 3.15 Approval of Interlocal Cooperation Contract between County of Ellis and City of Ovilla for term agreement January 1, 2029 to December 31, 2019. – *Kyle Butler, Commissioner, Pct. 4*

- 3.16 Approval of Interlocal Cooperation Contract between County of Ellis and City of Waxahachie for term agreement January 1, 2019 to December 31, 2019. – *Kyle Butler, Commissioner, Pct. 4*
- 3.17 Approval of Interlocal Cooperation Contract between County of Ellis and Waxahachie ISD for term agreement January 1, 2019 to December 31, 2019. – *Kyle Butler, Commissioner, Pct. 4*
- 3.18 Approval of Interlocal Cooperation Contract between County of Ellis and City of Glenn Heights for term agreement January 1, 2019 to December 31, 2019. – *Kyle Butler, Commissioner, Pct. 4*
- 3.19 Accept the interlocal agreement between Ellis County Pct. 2 and the City of Alma for the amount of \$1,400.00. – *Lane Grayson, Commissioner, Pct. 2*
- 3.20 Accept the interlocal agreement between Ellis County Pct. 2 and the City of Alma in the amount of \$4,850.00. – *Lane Grayson, Commissioner, Pct. 2*
- 3.21 Approval for the County Judge, or the Presiding Officer, to execute a Water and Sanitary Sewer Easement and Temporary Construction Easement, identified as Cole Creek Trunk Sewer Capital Improvement Project WW-4 - Parcel 3, for the benefit of the City of Waxahachie concerning the County Farm, which was approved in Court on November 6, 2018 under Agenda Item 3.6. – *Vance Hinds, Ellis County and District Attorney's Office.*
- 3.22 Approval for the County Judge, or the Presiding Officer, to execute a Water and Sanitary Sewer Easement and Temporary Construction Easement, identified as Cole Creek Trunk Sewer Capital Improvement Project WW-4 - Parcel 4, for the benefit of the City of Waxahachie concerning the County Farm, which was approved in Court on November 6, 2018 under Agenda Item 3.6. – *Vance Hinds, Ellis County and District Attorney's Office.*
- 3.23 Approval for the County Judge, or the Presiding Officer, to execute a Memorandum of Understanding between Maypearl ISD Police Department & Ellis County Sheriff Office. . – *Vance Hinds, Ellis County and District Attorney's Office*
- 3.24 Approval for the County Judge, or the Presiding Officer, to execute an amended Service Contract with AMR for Ambulance Services for Ellis County. – *Vance Hinds, Ellis County and District Attorney's Office*
- 3.25 Rescinding the Court's Actions on July 31, 2018 on Agenda Item 3.11 and on October 3, 2018 on Agenda Item 2.2 concerning the retention of the professional legal services of Ferrer Poirot & Wansbrough, Fears Nachawati, Motley Rice and Attorney Aaron Wiley, collectively, to represent Ellis County concerning any claims it may have against Purdue Pharma, L.P., Purdue Pharma, Inc., and other corporations and entities responsible for violations of law in the fraudulent marketing and sales of certain highly addictive, opiate-derived painkillers. – *Vance Hinds, Ellis County and District Attorney's Office*
- 3.26 Granting a professional services exemption under Section 262.024, Local Government Code, from the bidding requirements of Section 262.023, Local Government Code that the contingency fee contract for representation with Ferrer Poirot & Wansbrough, Motley Rice, LLC, Fears | Nachawati, PLLC, and Aaron Wiley is for a professional service. – *Vance Hinds, Ellis County and District Attorney's Office*

- 3.27 Approval of a new contingency fee contract concerning the retention of the professional legal services of Ferrer Poirot & Wansbrough, Fears Nachawati, Motley Rice and Attorney Aaron Wiley, collectively, to represent Ellis County concerning any claims it may have against Purdue Pharma, L.P., Purdue Pharma, Inc., and other corporations and entities responsible for violations of law in the fraudulent marketing and sales of certain highly addictive, opiate-derived painkillers. – *Vance Hinds, Ellis County and District Attorney's Office*
- 3.28 Authorizing the County Attorney to submit a completed questionnaire to the Texas Comptroller of Public Accounts for review and approval of the contingency fee agreement for legal services pursuant to Section 403.0305 of the Texas Government Code. – *Vance Hinds, Ellis County and District Attorney's Office*
- 3.29 Discussion and possible action relating to Ellis County Bar Association meeting room and property belonging to members of the Bar. – *Paul Perry, Commissioner, Pct. 3*
- 3.30 County facilities.

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 § 551.072 of the Government Code, consultation with counsel regarding the possible sale or lease of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- 4.3 Pursuant to Section 551.071 of the Government Code, consultation with counsel regarding pending or contemplated litigation.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 14th day of December 2018.



 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 14th day of December, 2018 at 4:45 a.m./p.m.



Cindy Polley, County Clerk

By Tina 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.**