

**FILED**  
**FEB 14 2011**  
COUNTY CLERK  
ELLIS COUNTY, TEXAS

**ELLIS COUNTY COMMISSIONERS' COURT**  
**OFFICIAL MINUTES // JANUARY 10, 2011**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JANUARY 10, 2011 AT 10:00 A.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2<sup>ND</sup> FLOOR), WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED TO WIT:

PRESENT WERE:

COMMISSIONERS:

DENNIS ROBINSON, COMMISSIONER, PCT. 1  
BILL DODSON, COMMISSIONER, PCT. 2  
HEATH SIMS, COMMISSIONER, PCT. 3  
RON BROWN, COMMISSIONER, PCT. 4

COUNTY CLERK:

CINDY POLLEY, COUNTY CLERK

COUNTY & DISTRICT ATTORNEY'S OFFICE:

ANN MONTGOMERY, ASSISTANT COUNTY ATTORNEY  
LEE AUVENSHINE, ASSISTANT COUNTY ATTORNEY

OPENING COURT:

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

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

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER RON BROWN

CONSENT AGENDA:

**MINUTE ORDER NO 102.11** APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS;
- A2 APPROVAL OF THE NOVEMBER, 2010 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
  - MARK ARNOLD, AGRICULTURE
  - PAGE BISHOP, 4-H
  - RITA HODGES, FAMILY & CONSUMER SCIENCES
- A3 CONSIDERATION AND ACTION TO REIMBURSE TODD BANKS WILSON IN THE AMOUNT OF \$1,145.30 FOR OUT OF POCKET EXPENSES RELATED TO AN ALLEGED WRONGFUL ARREST IN EXCHANGE FOR A FULL AND FINAL RELEASE OF ALL CLAIMS;
- A4 APPROVAL OF A PROCLAMATION DESIGNATING JANUARY 16 – 23, 2011 AS SANCTITY OF HUMAN LIFE WEEK IN ELLIS COUNTY;
- A5 APPROVAL OF A PROCLAMATION DESIGNATING THE MONTH OF JANUARY AS SCHOOL

- BOARD RECOGNITION MONTH IN ELLIS COUNTY;
- A6 APPROVAL AND CERTIFICATION OF THE MINUTES FROM THE COMMISSIONERS' COURT  
AGENDA DATED:  
NOVEMBER 8, 2010, REGULAR                      NOVEMBER 15, 2010, SPECIAL  
NOVEMBER 22, 2010, REGULAR

**FINANCIAL:**

APPROVING THE FOLLOWING BUDGET AMENDMENTS:

- F1 FROM 001-0380-50801, SUPPLIES TO 001-0390-50805, CONFERENCE. – TERAL  
CRAWFORD, COUNTY JUDGE/ INFORMATION TECHNOLOGY
- F2 FROM 004-0652-50924, RB2, SOIL CONSERVATION TO 004-0652-50807, RB2, GENERAL  
MISC. – BILL DODSON, RB 2
- F3 APPROVE REFUND OF OVERPAYMENT TO THE FOLLOWING ACCOUNTS FOR PAYMENT IN  
ERROR:

CHASE HOME FINANCE                      180723                      \$3,559.22  
- JOHN BRIDGES, TAX ASSESSOR / COLLECTOR

MOTION BY COMMISSIONER SIMS, SECOND BY COMMISSIONER DODSON TO APPROVE CONSENT AGENDA;  
MOTION CARRIES UNANIMOUSLY

**DEPARTMENT OF COUNTY DEVELOPMENT**

CONSIDERATION AND ACTION REGARDING THE FOLLOWING PRESENTED BY DELTON AKE, DIRECTOR  
DEPARTMENT OF DEVELOPMENT:

- No Action:** 2.1 TO GRANT A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES,  
REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED  
HOMES AS IT RELATES TO 150' ROAD FRONTAGE REQUIREMENT PER LOT, CROSS  
CREEK PHASE SEVEN, SECTION 2, LOT 8R, MIKE DILLOW, PCT. 4.  
*MIKE DILLOW ADDRESSED THE COURT*

**MINUTE ORDER NO 103.11** GRANTING A ONE-TIME VARIANCE FROM COUNTY  
OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND  
MANUFACTURED HOMES AS IT RELATES TO THE REQUIREMENT FOR A FIRE  
HYDRANT SPACED EVERY 450' LOCATED IN WHISPERING MEADOWS, LOT 4B, ON  
WILSON ROAD, NORMA MCANALLY, PCT. 1

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON; MOTION CARRIES  
UNANIMOUSLY

**PURCHASING**

CONSIDERATION AND ACTION REGARDING THE FOLLOWING PRESENTED BY RICHARD  
DENNISTON, PURCHASING AGENT:

**MINUTE ORDER NO 104.11** APPROVING THE OPTION TO EXTEND THE

FOLLOWING CONTRACTS FOR AN ADDITIONAL 12 MONTHS FOR ROAD MATERIALS AND SUPPLIES: WHOLESALE GAS AND DIESEL–*AVENUE FUEL DISTRIBUTORS*, RECYCLED CONCRETE FLEX BASE–*BIG CITY CRUSHED CONCRETE*, PRINTING SERVICES–*GINGERBREAD PRESS*, FLEXPHALT–*BIG CITY CRUSHED CONCRETE*. PRICING AND TERMS REMAIN THE SAME AS THE 2010 AGREEMENTS. LIGHTWEIGHT SURFACING AGGREGATE–*REBID*, UNSCREENED PIT RUN GRAVEL–*REBID*.  
MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER SIMS; MOTION CARRIES UNANIMOUSLY

**ADMINISTRATIVE:**

**MINUTE ORDER NO 105.11** INCREASING THE ELECTROLINK CONTRACT FOR HORIZONTAL CABLING FROM \$375,000 TO \$394,500 TO COVER THE COST OF APPROVED WORK ASSOCIATED WITH THE BOND PROJECT IN WAXAHACHIE AND AT THE SUB-COURTHOUSE AT ENNIS (JOE WHITE, ENGINEER)  
MOTION BY COMMISSIONER SIMS, SECOND BY COMMISSIONER DODSON; MOTION CARRIES UNANIMOUSLY

**MINUTE ORDER NO 106.11** ADDING THE GENERATOR AT THE NEW COURTHOUSE TO THE EXISTING HISTORIC COURTHOUSE PREVENTATIVE MAINTENANCE AGREEMENT WITH EMERGENCY POWER SERVICES, AT A COST OF \$3,000 ANNUALLY (JOE WHITE, ENGINEER)  
MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON; MOTION CARRIES UNANIMOUSLY

**MINUTE ORDER NO 107.11** APPROVAL TO RETAIN SERVICES OF GUINN & MORRISON TO ASSIST ELLIS COUNTY DURING THE REDISTRICTING PROCESS (KATHY ERIKSEN, PROJECTS COORDINATOR)  
MOTION BY COMMISSIONER SIMS *TO RETAIN BICKERSTAFF HEATH DALGADO & CORTEZ*; MOTION DIES FOR LACK OF A SECOND  
MOTION BY COMMISSIONER ROBINSON *TO RETAIN GUINN & MORRISON*; SECOND BY COMMISSIONER SIMS; MOTION CARRIES UNANIMOUSLY

**MINUTE ORDER NO 108.11** APPROVING THE CITY OF OVILLA'S REQUEST THROUGH AN INTER-LOCAL AGREEMENT THAT PCT. 4 REPAIR, RESEAL, AND MAINTAIN FOR THREE YEARS: E. UNIVERSITY, CARDINAL, MEADOWLARK AND THE 300 BLOCK OF WILLOW CREEK LANE; AND PUT IN TWO CULVERTS ON RED OAK CREEK ROAD (RON BROWN, COMMISSIONER, PCT. 4)  
MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON; MOTION CARRIES UNANIMOUSLY

**ADJOURNMENT**

MOTION TO ADJOURN BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BROWN;  
MOTION CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JANUARY 10, 2011 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
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CAROL BUSH, COUNTY JUDGE

  
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DENNIS ROBINSON, COMMISSIONER PCT 1

  
\_\_\_\_\_  
BILL DODSON, COMMISSIONER, PCT 2

  
\_\_\_\_\_  
HEATH SIMS, COMMISSIONER, PCT 3

  
\_\_\_\_\_  
RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS FEBRUARY 14, 2011

  
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CINDY POLLEY, COUNTY CLERK