

13 APR -5 AM 8:16

**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 **Monday, April 8, 2013, 10:00 A.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:**

- Dennis Robinson, Commissioner, Pct. 1
- Bill Dodson, Commissioner, Pct. 2
- Paul Perry, Commissioner, Pct. 3
- Ron Brown, Commissioner, Pct. 4

**Assistant County Attorneys:**

- Ann Montgomery-Moran
- Lee Auvenshine

**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\***

**CONSENT AGENDA – Consideration and Action:**

**Administrative:**

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Certification of the minutes from the Commissioners Court Agenda dated: March 25, 2013
- A3 Re-approval of the 2012-13 Interagency Agreement for participation in the Tri County Auto Burglary & Theft Prevention Task Force. This was previously approved on February 25, 2013, but since then a typo was found in the third paragraph of page one. The amount should read \$239,772 as opposed to the one presented with \$152,237.
- A4 Approval to receive a donation of road signs from Ellis County Share the Road Committee to bring awareness to the presence of motorcycle riders in Commissioners Precinct 3.
- A5 Authorization of an intergovernmental transfer as per the Ellis County Indigent Care Affiliation Agreement, Minute Order 404.11, December 12, 2011 and as amended Minute Order 365.12 on December 10, 2012 for the period January 1, 2013 through March 31, 2013 in the amount of \$110,228.82 for medical services related to indigent care.

**Financial:**

- F1 **From** 001-0140-50558, Contingencies **To** 001-0035-50819, IT Computer; 001-0230-50888, Purchasing Computer Service. – Carol Bush, County Judge
- F2 **From** 001-0210-40719, Chapter 19 State Funding **To** 001-0210-50800, Chapter 19 Expenditures - Jane Anderson, Elections
- F3 **From** 001-0370-50804, Postage **To** 001-0370-50801, Supplies. – John Bridges, Tax Office
- F4 **From** 001-0520-50802, Equipment **To** 001-0520-50803, Office Fix/Furn. – Jackie Miller, JP2
- F5 **From** 009-0602-50906, FM1 Culverts **To** 009-0602-50914, FM1 Signs. – Dennis Robinson RB1
- F6 Approve refund of overpayment to the following accounts for payment in error:

<u>Refund to be issued to:</u>	<u>Account</u>	<u>Amount Due</u>
U.S. Bancorp Service Providers, LLC	141489	\$5,451.94
First American Title	169144	\$4,101.90
Dovenmuehle Mortgage	229980	\$3,281.10
WM Renewable Energy, LLC	243186	\$52,524.82

**DEPARTMENT OF COUNTY DEVELOPMENT**

**Consideration and action regarding the following presented by Judy Armstrong, Director Department of Development:**

- 1.1 Grant a one-time variance from County of Ellis Rules, Regulations, and Specifications of Subdivisions and Manufactured Home Parks as it is related to 300' road frontage requirement when a property with an on-site-sewage facility adds a private water well, at the location in Rocking B Addition lot 1, 6321 Forbes Road, near Midlothian, Texas, 76065, at the request of Ronni Bishop, specifically within Ellis County Road and Bridge Pct. 3.

**PURCHASING**

**Consideration and action regarding the following presented by Kim Gould, Purchasing Agent:**

- 2.1 To declare 2003 Ford Crown Victoria VIN 1J4FT68SOWL155594, 1998 Jeep Cherokee VIN 2FAFP71W73X156274, 1999 Ford Ranger VIN 1FTUR10V6X1A43755, Little Beaver Mechanical Earth Drill MDL-8H/8HP Honda along with a 6 year old Tree Terminator as surplus to be sold on an online auction.
- 2.2 To declare tires for Road and Bridge Precincts as waste for disposal.

**ADMINISTRATIVE**

- 3.1 Consideration and action to authorize the County Judge to issue appropriate legal notice to cancel the radio tower lease between Ellis County and American Tower Corporation at the expiration of the current term, effective October 31, 2013.

- Carol Bush, County Judge

- 3.2 Consideration and action to appoint Ron Brown, Commissioner Pct. 4, as Judge Pro-Tem to serve as presiding officer of the Ellis County Commissioners Court when the County Judge cannot act in that capacity.

- Carol Bush, County Judge

## RECESS TO CONVENE TO EXECUTIVE SESSION

### EXECUTIVE SESSION

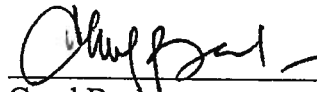
“The Commissioners Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code 551, or to seek the advice of its 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 551.072 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.”
- 4.2 Consultation to deliberate the deployment, or specific occasions for implementation, of security personnel or devices under Sec. 551.076.

## ADJOURNMENT OF EXECUTIVE SESSION

### ADJOURNMENT

Signed this the 5<sup>th</sup> day of April, 2013.



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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 5 day of April, 2013 at

8:16 ~~a.m/p.m~~

Cindy Polley, County Clerk

By Lisa Beckham, 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.