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**NOTICE OF MEETING
ELLIS COUNTY COMMISSIONERS COURT**

FILED FOR RECORD
ELLIS COUNTY CLERK

Notice is hereby given that a meeting of the Ellis County Commissioners Court will be held on **Monday, April 22, 2013, 3:00 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:

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 Ron Brown

PUBLIC COMMENT*

CONSENT AGENDA – Consideration and Action:

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 The necessary bond renewals for the following ESD Board of Directors:
ESD #7, Fred Bledsue, Lawrence Mentzer, Jeff Pressler, Gary Sportsman, Janis Coleman
- A3 Approval of invoice #0030071-IN from RCC Consultants, Inc. in the amount of \$5469.33 (Radio Tower Project) for January 1 – February 28, 2013 as per the Consultant Services Agreement effective June 27, 2011 (Minute order 243.11) between RCC and Ellis County.
- A4 March, 2013 Travel Reports of the Texas AgriLife Extension Office
 - Mark Arnold, Agriculture
 - Page Bishop, 4-H
 - Rita Hodges, Family & Consumer Sciences
- A5 Certification of the minutes from the Commissioners Court Agenda dated: April 8, 2013

- A6 Authorizing the County Judge to sign the Texas Department of Public Safety 2010 Grant Adjustment Notice for the CodeRed Telephone Warning System
- A7 Consideration and action to reimburse AT&T in the amount of \$1,240.33 for alleged damages to a telephone pedestal alongside Weatherford Road in exchange for a full and final release of all claims.

Financial:

- F1 **From** 001-0015-50865, Employee Screening; 001-0015-50807, General Misc. **To** 001-0015-50835, Employee Training; 001-0015-50802, Equipment. – Johnny Brown, Sheriff
- F2 **From** 001-0360-50846, DA-Witness Fee; 001-0360-50805, DA-Conference **To** 001-0360-50801, DA-Supplies; 001-0360-50853, DA-Legal Research; 001-0360-50601, DA-Travel Reimbursement. – Patrick Wilson, County & District Attorney
- F3 **From** 001-0530-50812, Radio; 001-0530-50873, Maint/Rps; 001-0530-50602, Staff Travel **To** 001-0530-50819, Computer. – Judge Polk, JP3
- F4 **From** 006-0754-30302, Budgeted Fund Balance **To** 006-0754-50915, Asphalt; 006-0754-50909, Repairs/Parts. – Ron Brown, RB4
- F5 **From** 012-0755-30302, Budgeted Fund Balance **To** 012-0755-50807, General Misc. – Ron Brown FM4

Simplified Plat:

- SP1 COLBURN & OGLESBY'S ACRES, 2 Lots, Colin David, Jennifer Gaye Colburn, and Eddie Oglesby, Hornik Road, Pct. 2.

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 or Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Home Parks as it relates to 150' road frontage, front to back requirement, to property located at 4856 FM 879, Palmer, Texas, at the request of Evan Johnson and Cynthia Vasquez. The property is located within the unincorporated area of Ellis County, specifically within Ellis County Road and Bridge Pct. 2.

PURCHASING

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

- 2.1 To approve the lease of Xerox Multifunctional Copy machine for JP-4 for the period of 36 months at \$203.59.

- 2.2 To award RB-2013-006 Emulsified Asphalt bid.
- 2.3 To declare computers, monitors, phones and related items as waste for disposal.
- 2.4 To approve the County Judge to negotiate and enter into a Contract for Electrical Energy through Licensed Aggregator not to exceed current pricing.

ADMINISTRATIVE

- 3.1 Consideration and action to approve a proclamation supporting the community's efforts in implementing programs and services to assist the innocent victims of violent crime.
 - *Carol Bush, County Judge*
- 3.2 Consideration and action to appoint Tom Manning as the Ellis County Hearing Examiner as prescribed by the Ellis County Fire Code Part 6 – Appeals and Hearing Procedures §6.1-6.4.
 - *Joe Stewart, Fire Marshal / Emergency Management Coordinator*
- 3.3 Consideration and action to appoint Samuel Duane Laney to ESD #5 Board for a term beginning immediately through December 31, 2014.
 - *Dennis Robinson, Commissioner Pct 1*
- 3.4 Discussion, consideration and approval for Fire Marshal's office to hire temporary fire inspection personnel to work on an as-needed basis.
 - *Joe Stewart, Fire Marshal / Emergency Management Coordinator*
- 3.5 Consideration and action to authorize the Ellis County Purchasing Agent to prepare a Request for Proposal for Mosquito Surveillance & Control Program
 - *Joe Stewart, Fire Marshal / Emergency Management Coordinator*
- 3.6 Consideration and action to enter into a contract with the Department of the Army Corp of Engineers to provide law enforcement services to the Lake Bardwell Project.
 - *Chuck Laubach, Sheriff's Office*

RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING

PUBLIC HEARING

In accordance with §251.152 of the Texas Transportation Code, a public hearing will be conducted before the Ellis County Commissioners Court to consider the establishment of restricted traffic zones to authorize the installation and maintenance of stop signs and other potential traffic control signs and signals that the court considers necessary for public safety within said zones within the unincorporated areas of Ellis County, Texas pursuant to §251.155 of the Transportation Code.

ADJOURNMENT OF PUBLIC HEARING

RECONVENE TO REGULAR SESSION

- 3.7 Consideration and action to establish restricted traffic zones authorize the installation and maintenance of stop signs and other potential traffic control signs and signals that the court considers necessary for public safety within said zones pursuant to §251.155 of the Transportation Code, applicable to the following Ellis County roads within the unincorporated area of Ellis County: Joe Wilson Road, Judy Drive, Montgomery Road, Swan Lake.

- *Ron Brown, Commissioner, Pct. 4*

- 3.8 Consideration and action to approve the location of stop signs at the intersections of Joe Wilson Road and Montgomery Road, and Judy Drive and Swan Lake within restricted traffic zones pursuant to §251.155 of the Transportation Code.

- *Ron Brown, Commissioner, Pct. 4*

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.”

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 18th day of April, 2013.



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 19th day of April, 2013 at 8:44 a.m./p.m.

Cindy Polley, County Clerk By P. Reiter, 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.**