

**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, November 25, 2013, 3:00 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:**

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 Bill Dodson

**PUBLIC COMMENT\***

**CONSENT AGENDA – Consideration and Action:**

**Administrative:**

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 3<sup>rd</sup> Quarter 2013 Investment Report. – *Cheryl Chambers, Treasurer*
- A3 Appointment of a Member (Sara Garcia, Projects Coordinator) to the Ellis County Bail Bond Board in the slot statutorily designated for a judge of a county court or county court at law in the county having jurisdiction over criminal matters and designated by the commissioners to serve from January through December, 2014. – *Carol Bush, County Judge*

**Financial:**

- F1 **From** 001-0230-50502 Salary, 001-0230-50553 Social Security, 001-0230-50554 Retirement **To** 001-0230-50819 Computer, 001-0230-50805 Conference, 001-0230-50873 Maintenance/Repairs, 001-0230-50801 Supplies. – *Kim Gould, Purchasing Agent*
- F2 **From** 001-0030-50502 Salaries, 001-0030-50553 Fica/SS, 001-0030-50554 Retirement **To** 001-0030-50819 Computer, 001-0030-50803 Furniture/Fixtures, 001-0030-50802 Equipment. – *Mike Navarro, Auditor*

## **DEPARTMENT OF COUNTY DEVELOPMENT**

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

- 1.1 Consideration and action as may be appropriate to close, abandon, vacate and discontinue an alley way in Skyline Acres, Midlothian, Texas, between lots 1-4, block 6, and 18-21, block 6, requested by Tracee Sherwin. This property is located within the unincorporated area of Ellis County, specifically within Ellis County Road and Bridge Pct. 4.

## **PURCHASING**

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

- 2.1 Consideration to declare the following items as surplus and to be disposed of in accordance with Local Government Code 263 for Road & Bridge Precinct 2: (1) 1985 Ford Water Truck F8000 – S/N – 1FDYL8OU9FVA18242, (2) 1977 International Water Truck 4300 – S/N D2137HGB10487, (3) 1988 CAT 12G Motor Grater – VIN 6M11598, (4) 1988 CAT Motor Grater – VIN 6M11868
- 2.2 Consideration to approve a 3 year lease proposal with buy back option for a 2012 140M motor grader, serial number M9D01332, for 3 annual payments in the amount of \$19,812.01, for Road & Bridge Precinct 2. Lease is subject to review by County Attorney.

## **ADMINISTRATIVE**

- 3.1 Consideration and action to approve the transfer of certain real property previously acquired at a delinquent tax foreclosure sale to City of Waxahachie. Ellis County and the Waxahachie Independent School District and the City of Waxahachie acquired title to said real property at a tax foreclosure sale in Cause No. 11,492-TX, in the 40<sup>th</sup> Judicial District Court of Ellis County, Texas. Said property is described as follows: “.129 acres, being all that certain part of Lot 10, Block 1, Original Town Waxahachie, City of Waxahachie, Ellis County, Texas and being more particularly described in that certain Deed of Record in Volume 784, Page 175 of the Deed of Records of Ellis County, Texas. – *Jake Battenfield, Linebarger, Goggan, Blair & Sampson, LLP*
- 3.2 Consideration and possible action to authorize an agreement between Ellis County and the Texas Department of Transportation (TxDOT) regarding the use of the old rest stops on I-35E between Waxahachie and Forrester. TxDOT is shutting these rest stops down and law enforcement could use these areas for truck inspections, highway interdiction, etc.
- 3.3 Consideration and action to approve a Magistrate Services Contract between Ellis County and Municipal Judge Scott Kurth, for the purpose of determining whether sufficient facts justify the issuance of search warrants pertaining to certain alleged intoxication offenses as described within Article 18.01(j) of the Code of Criminal Procedure. Initial funding for this contract will be provided by Ellis County through the Ellis County Sheriff's asset forfeiture fund, as the services contemplated in this agreement fulfill a law enforcement purpose pursuant to Article 59.06(c)(3) of the Code of Criminal Procedure. The services contemplated within this contract are professional services and exempt from competitive procurement pursuant to Section 262.024(a)(4) of the Local Government Code. – *Patrick Wilson, County & District Attorney*

- 3.4 Consideration and action to approve a Magistrate Services Contract between Ellis County and Municipal Judge Bill Scott, for the purpose of determining whether sufficient facts justify the issuance of search warrants pertaining to certain alleged intoxication offenses as described within Article 18.01(j) of the Code of Criminal Procedure. Initial funding for this contract will be provided by Ellis County through the Ellis County Sheriff's asset forfeiture fund, as the services contemplated in this agreement fulfill a law enforcement purpose pursuant to Article 59.06(c)(3) of the Code of Criminal Procedure. The services contemplated within this contract are professional services and exempt from competitive procurement pursuant to Section 262.024(a)(4) of the Local Government Code. – *Patrick Wilson, County & District Attorney*
- 3.5 Consideration and action to continue participation in the Texas County and District Retirement System as approved in the 2013-14 Budget, authorizing the County Judge to sign necessary forms. - *Anne Price, Human Resource Director*
- 3.6 Consideration and action to approve a resolution designating the County Judge as the Program Director / contact person and the County Auditor as the Financial Officer for the 2014 Indigent Defense Formula Grant Program. – *Mike Navarro, County Auditor*
- 3.7 Consideration and action to accept the 2013 Federal Equitable Sharing Agreement and Certification Report. – *Chuck Laubach, Ellis County Sheriff's Office*
- 3.8 Information and discussion on the 2013 MS4 Annual Report sent to the Texas Commission on Environmental Quality (TCEQ). This report was prepared, and all activities mentioned therein were performed, in accordance with TCEQ regulations regarding Small Municipal Separate Storm Sewer Systems (MS4). – *Maegan Moon, Engineering*
- 3.9 Consideration and action to adopt rules and procedures for determining which fires warrant investigation by the Ellis County Fire Marshal. – *Joe Stewart, Fire Marshal*
- 3.10 Consideration and action to authorize the County Judge and/or the County Attorney's Office to send a breach or contract notice and/or termination letter to ACS, Firehouse Software for Fire Marshal's Office. – *Joe Stewart, Fire Marshal*
- 3.11 Consideration and action regarding implementation of surveillance equipment and/or security devices within the Ellis County Courts and Administration Building and the Historic Courthouse.

## **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

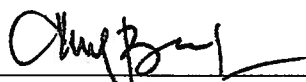
during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code 551, or to seek the advice of its attorney and/or other attorneys representing Ellis County on any matter in which the duty of the attorney to 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 Consultation to deliberate the deployment, or specific occasions for implementation, of security personnel or devices within the Ellis County Courts and Administration Building and the Historic Courthouse under Sec. 551.076.

## ADJOURNMENT OF EXECUTIVE SESSION

### ADJOURNMENT

Signed this the 22<sup>nd</sup> day of November, 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 22 day of November, 2013 at 8:25 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.**