

**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, March 27, 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 Randy Stinson

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 February 2018 Travel Reports of the Texas AgriLife Extension Office
 - Mark Arnold, Agriculture
 - Rita Hodges, Family & Consumer Science
 - Megan Parr, 4H
- A3 Recognition of Commissioner Perry’s completion of Required Continuing Education Hours for 2017.
 - Paul Perry, Commissioner, Pct.3
- A4 Proclamation regarding historical marker dedication recognizing Sims Family.
- A5 Approval of the Official Minutes for January 2, 2018; January 8, 2018; January 22, 2018; January 30, 2018. – Cindy Polley, County Clerk

Financial:

- F1 **From** 001-0614-40096 State LEO Payment \$736.54 **To** 001-0614-50820 Leose Training \$736.54. – *Mark Howard, Constable, Pct. 1*
- F2 **From** 001-0020-50808 Auto Gas \$1,000.00; 001-0020-50807 General Misc \$400.00 **To** 001-0020-50809 Auto Repair \$1,400.00. – *Keith Roberts, Maintenance*
- F3 **From** 001-0385-50802 Equipment \$300.00; 001-0385-50703 Telephone \$500.00; 001-0385-50801 Supplies \$150.00 **To** 001-0385-50819 Computer \$923.48; 001-0385-50806 Official Bond Dues \$26.52. – *Judge Calvert, County Court at Law#2*
- F4 **From** 001-0360-40677 Witness Fee Reimbursement \$1,926.39 **To** 001-0360-50846 Witness Fee \$1,926.39. – *Ann Montgomery, First Assistant County & District Attorney*
- F5 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>
P2 Master Trust A	218206	\$4,839.74
Corelogic	222154	\$3,426.61

Simplified Plat:

- SP1 Consider and act on a request for a simplified plat of Cummins Creek Estates, Lots 1-3. The property contains ± 15.56 acres of land in the A. Gonzaba Survey, Abstract No. 381 located on the south side of Cummins Creek Road ± 2,852 feet west of Oak Grove Road in the extraterritorial jurisdiction (ETJ) of the City of Ennis, Road & Bridge Precinct No. 2.

RECESS REGULAR SESSION TO CONVENE INTO PUBLIC HEARING

PUBLIC HEARING

Continue a public hearing regarding amending Section 3-E (Lot and Street Layout) and any other related articles, sections and paragraphs of the County of Ellis Rules, Regulations, and Specifications for Subdivisions and Manufactured Homes, Court Order Number 192.02, to modify the minimum setback requirements for in-ground swimming pools.

Conduct a public hearing on a proposed amendment to Order 182.11, the Order Adopting Rules of Ellis County, Texas for On-Site Sewage Facilities adopted April 25, 2011, explicitly to amend Section 10 (Amendments) along with any other related articles, sections, and paragraphs to discontinue the continuous maintenance contract requirements for septic systems and meet the minimum state regulations outlined in Chapter 285 of the Texas Administrative Code (TAC).

Public hearing regarding proposal to rename Anderson Road in the southern part of the County, near Five Points and Forreston, to Anderson Ranch Road. There are two roads in Ellis County named Anderson Road: one is near Red Oak in the northern part of the County; and the other is near Forreston and Five Points in the southern part of the County. Due to safety and emergency response concerns, Ellis County is considering changing the road in the southern part of the County to Anderson Ranch Road.

ADJORNMENT OF PUBLIC HEARING

**RECONVENE TO REGULAR SESSION
DEPARTMENT OF COUNTY DEVELOPMENT**

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

- 1.1 Consider and act upon a request to amend the County of Ellis Rules, Regulations, and Specifications for Subdivisions and Manufactured Homes, Court Order Number 192.02, dated May 13, 2002, Section 3-E (Lot and Street Layout) and any other related articles, sections and paragraphs to modify the minimum setback requirements for in-ground swimming pools.
- 1.2 Consider a proposed amendment to Order 182.11, the Order Adopting Rules of Ellis County, Texas for On-Site Sewage Facilities adopted April 25, 2011, explicitly to amend Section 10 (Amendments) along with any other related articles, sections, and paragraphs to discontinue the continuous maintenance contract requirements for septic systems and meet the minimum state regulations outlined in Chapter 285 of the Texas Administrative Code (TAC).
- 1.3 Consider and act upon a request to grant a variance for a one-time variance from Section 8-A (Residential Lots) of the adopted Rules & Regulations to allow construction of single-family residence. The property contains ± 13.343 acres of land, commonly known as 434 Tightwad Road (a private road) and located ± 3,000 feet from FM 308, Maypearl, Road & Bridge Precinct No. 3.
- 1.4 Consider & act upon a replat of Lot 2, Morgan Road Acres, into Lot 2A and Lot 2B. The property contains ± 5.00 acres of land and located on the north side of U.S. Highway 77 ± 650 feet east of Morgan Road, in the extraterritorial jurisdiction (ETJ) of the City of Italy, Road & Bridge Precinct No. 3.
- 1.5 Consider and act upon a request to grant a one-time variance from Section III (E) (Lot and Street Layout) of the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes to allow an in-ground swimming pool to encroach into the side building line/utility easement. The property contains ± 0.691 acres of land in Lot 17, Block 2 of Ashemore Addition, Phase 2, commonly known as 1520 Ashemore Court in the extraterritorial jurisdiction (ETJ) of the City of Midlothian, Road & Bridge Precinct No. 4.

PURCHASING

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

- 2.1 To declare the listed vehicles as surplus and to be disposed in accordance of the Local Government Code 263.

1991	CHEVROLET EJECTO TRUCK	1GBL6H1P9MJ100270
1993	CHEVROLET 1500	1GCEC14W4T193061
1983	IHC ASPHALT SPRAYER TRUCK	2HTD10353DCA12413
2008	RHINO FL 10 NITRO CUTTER	10526
1988	CATERPILLAR EXCAVATOR 212	5DC00304
2009	New Holland Backhoe Loader	31051450/T72284
1994	Caterpillar Loader IT28F	3CL00734
	Law Library Books	

- 2.2 To provide an update to Commissioners Court regarding revenues received by the Purchasing Department.

ADMINISTRATIVE

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

- 3.1 Approval regarding the proposal to rename Anderson Road in the southern part of the County, near Five Points and Forrester, to Anderson Ranch Road. There are two roads in Ellis County named Anderson Road: one is near Red Oak in the northern part of the County; and the other is near Forrester and Five Points in the southern part of the County. Due to safety and emergency response concerns, Ellis County is considering changing the road in the southern part of the County to Anderson Ranch Road. – *Ted Kantor, County Engineer*
- 3.2 Information and discussion on the 2017 Municipal Separate Storm Sewer System (MS4) Annual Report prior to submittal to the Texas commission on Environmental Quality (TCEQ). – *Joseph Jackson, Assistant Engineer*
- 3.3 Authorize County Judge to sign the Final Supplemental Watershed Plan No. VIII and Environmental Evaluation for the Rehabilitation of Floodwater Retarding Structures No. 10 and 11 of the Chambers Creek Watershed. – *Joseph Jackson, Assistant Engineer*
- 3.4 Concerning resolution to convey struck off property for public use to the City of Milford. – *Jake Battenfield, Linebarger Goggan Blair & Sampson*
- 3.5 Burn ban for Ellis County. – *Tim Birdwell, Fire Marshal*
- 3.6 Contract with GRS to perform GASB 75 Report, Master Agreement with NCTCOG, Interlocal Agreement with NCTCOG North Texas Share; business agreement under HIPPA pending legal review. – *Miykael Reeve, Auditor*
- 3.7 To enter into a contract with the Department of the Army Corp of Engineers to provide law enforcement services to the Lake Bardwell Project.
- 3.8 Work order for the City of Palmer, Interlocal Minute No. 111.18; work includes: Level City Hall parking lot; fill potholes on Wilson Road. – *Randy Stinson, Commission, Pct. 1*
- 3.9 Discussion of normal Commissioner's Court meeting times and possible action. – *Paul Perry, Commissioner, Pct. 3*
- 3.10 Authorize the County Attorney to offer and settle a claim on behalf of Ellis County involving Kirk Ingram for damages resulting from the death of his dog, including obtaining a release of all claims.

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 §551.071 of the Government Code, consultation with counsel concerning a settlement offer involving Kirk Ingram for damages resulting from the death of his dog.
- 4.2 Pursuant to §551.071 of the Government Code, consultation with counsel concerning Cause No. 18-c3017, The City of Ennis, Texas vs. Donna Marie Hocker, et.al., in the County Court at Law No. 1 Ellis County, Texas.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 23rd day of March 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 ~~24th~~ day of March, 2018 at ~~2:31 p.m.~~ 2:49 p.m. gt

a.m. (p.m.)

23rd gt

Cindy Polley, County Clerk

By Jessie Hogan, 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.**