

**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, May 8, 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 Paul Perry

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 Accept the annual Racial Profiling Report from Fire Marshal's Office. – *Tim Birdwell, Fire Marshal*
- A3 Approval of Official Minutes for February 27, 2018; March 10, 2018; and March 27, 2018. – *Cindy Polley, County Clerk*

Financial:

- F1 **From** 001-0015-50888 Comp Svd Hardware-Software \$7,473.70 **To** 001-0015-50803 Furniture-Fixtures \$462.05; 001-0015-50812 Radios \$2,537.00; 001-0015-50807 Gen Misc \$3,432.12; 001-0015-50807 Peripheral Expend \$1,042.53. – *Chuck Edge, Sheriff*
- F2 **From** 012-0755-30302 FM4/Fund Bal Carryover \$10,000.00 **To** 012-0755-50802 FM4/Purchase of Equipment \$10,000.00. – *Kyle Butler, Commissioner, Pct. 4*
- F3 **From** 001-0140-50807 Other Expenses \$5,000.00 **To** 001-0140-50903 Lawsuit Settlement

\$5,000.00.

- F4 **From** 001-0000-30302 Fund Balance \$297,661.00 **To** 001-0140-50888 Computer Software \$297,661.00.
- F5 **From** 010-0653-30302 FM2 Fund Balance Carryover \$40,000.00 **To** 010-0653-50802 FM2 Purchase of Equipment \$40,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F6 **From** 042-0942-30302 Fund Balance \$838.00 **To** 042-0942-50802 Equipment \$838.00. – *Chuck Edge, Sheriff*
- F7 **From** 024-0924-30302 Fund Balance \$15,000.00 **To** 024-0924-50802 Equipment \$15,000.00. – *Tim Birdwell, Fire Marshal*
- F8 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>
Corelogic	205770	\$2,699.46
Colonial Savings	222490	\$4,158.84
John Houston Custom Homes	263907	\$2,902.18
Corelogic	186932	\$2,820.54
Lynda Hulgan	191994	\$4,076.11

Simplified Plat:

- SP1 Consider and act on a request for a simplified plat of Trinity Addition, Lot 1. The property contains ± 4.369 acres of land in the Henry Bland Survey, Abstract No. 136 located south of Interstate Highway 45 ± 1,500 feet east of Lindel Road, in the extraterritorial jurisdiction (ETJ) of Alma, Road & Bridge Precinct No. 2.
- SP2 Consider and act on a request for a simplified plat of Guerrero Addition, Lot 1. The property contains ± 8.016 acres of land in the J.F. Thomas Survey, Abstract No. 1092 located on the southwest corner of Pierce Road and Oglesby Road, in the extraterritorial jurisdiction (ETJ) of Red Oak, Road & Bridge Precinct No. 1.

DEPARTMENT OF COUNTY DEVELOPMENT

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

- 1.1(a) Consider and act upon a request to grant a one-time variance from Section VIII-A (Residential Lots) of the adopted Rules & Regulations to allow one (1) additional lot on ± 45.336 acres of land along Jacobs Bridge Lane (a private road) located ± 570 feet east from the corner of Broadhead Road and Jacobs Bridge Lane in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road & Bridge Precinct No. 1.
- 1.1(b) Consider & act upon a replat of Lots 2R, 3 and 4, Dawn Estates, into Lots 2R-A, 3R-A, 3R-B, and 4R. The property contains ± 45.336 acres of land located ± 570 feet east from the corner of Broadhead Road and Jacobs Bridge Lane (a private road) in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road & Bridge Precinct No. 1.

- 1.2 Consider and act upon a request to release Maintenance Bond No. 462785P issued by Developers Surety and Indemnity Company, in the amount of two hundred forty-six dollars (\$246,000.00) for Springfield Lakes Phase 2, in the extraterritorial jurisdiction (ETJ) of the City of Red Oak, Road & Bridge Precinct No. 4.
- 1.3 Consider and act upon a request to grant a one-time variance from Section II-H (Utility Service) of the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes to allow development of property without meeting the minimum fire hydrant requirements. The property contains ± 20.03 acres of land located at the northeast corner of E.B. Lane and State Highway 34, Ennis, Road & Bridge Precinct No. 2.

PURCHASING

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

- 2.1 Approval to purchase a Kubota V Series, Model number RTV-X9000G-A from Central Kubota in the amount of \$11,698.32 for the Fire Marshal's office. This item will be purchased from 024-0924-50802-00000-000.
- 2.2 Approval to purchase a 5.5ft by 10 ft trailer from Atwoods to haul the Kubota ATV in the amount of \$1,299.00 for the Fire Marshal's office. This item will be purchased from 024-0924-50802-00000-000.
- 2.3 Approval to accept the renewal agreement on RFP-2013-009, Inmate Phone Service from NCIC, our current vendor.
- 2.4 Approval to accept the new lease agreement from Pitney Bowes for the SendPro 3000 postage machine for the mailroom.
- 2.5 Approval to accept the preventative maintenance quote from Vertiv for the battery backup units in the data center. The amount of the quote is \$10,569.36.

ADMINISTRATIVE

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

- 3.1 Proclamation designating May 2018 as Motorcycle Safety and Awareness Month in Ellis County.
- 3.2 Burn ban for Ellis County. – *Tim Birdwell, Fire Marshal*
- 3.3 Renew the designation of primary and alternate representatives to the Regional Transportation Council.
- 3.4 Compensatory time reporting. – *Theresa Taylor, Director of Human Resources*
- 3.5 Approval to apply for the ballistic vest grant from the Department of Justice. This grant pays up to 50% of the cost for vests for the Sheriff's Office. – *Ellis County Sheriff's Office*

- 3.6 IT Personnel.
- 3.7 Authorizing the County Attorney to offer and settle a claim on behalf of Ellis County involving Bobby Reese for damage to the windshield of his 2011 Ford Explorer, including obtaining a release of all claims. – *Vance Hinds, Assistant County & District Attorney*
- 3.8 Authorizing the County Attorney to offer and settle a claim on behalf of Ellis County involving Elizabeth Munoz for damage to the windshield of her 2016 Jeep Wrangler, including obtaining a release of all claims. – *Vance Hinds, Assistant County & District Attorney*
- 3.9 To approve and execute the Settlement Agreement and Mutual Release on behalf of Ellis County, Texas concerning lawsuit Cause No. 93563, Webster v. Bates, 40th District Court of Ellis County. – *Vance Hinds, Assistant County & District Attorney*
- 3.10 To rescind the contract executed on September 12, 2017 pursuant to Minute Order Number 371.17, to wit: the Lease-Purchase Agreement from Holt Cat for Road and Bridge PCT 2 ... Lease Extension for a 140M CAT Motor Grater, Serial Number M9D01698. The lease extension was approved on February 14, 2017. This rescindment does not affect the approval of the lease extension by the Commissioners Court on February 14, 2017. Only the written contract memorializing the agreement signed by this Court on September 12, 2017 is to be rescinded, and it is to be replaced with the updated written contract addressed in the next agenda item. – *Vance Hinds, Assistant County & District Attorney*
- 3.11 Approval for County Judge or Presiding Commissioner to sign the updated lease-purchase agreement from Holt Cat for Road and Bridge Pct. 2 lease extension for a 140M Cat Motor Grater, Serial Number M9D01698. Purchase was approved February 14, 2017. This updated contract will replace the contract executed on September 12, 2017 pursuant to Minute Order Number 371.17, if that contract is rescinded by the Court in the prior agenda item. – *Vance Hinds, Assistant County & District Attorney*

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.

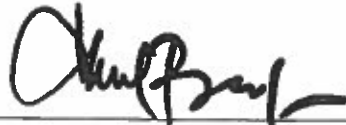
- 4.1 Pursuant to §551.076 of the Government Code, consultation to deliberate the deployment, or specific occasions for implementation, of security personnel or devices.
- 4.2 Pursuant to §551.074 of the Government Code, consultation regarding personnel matters.
- 4.3 Pursuant to §551.071 of the Government Code, consultation with counsel concerning a settlement

- 4.4 Pursuant to §551.071 of the Government Code, consultation with counsel concerning a settlement offer to Elizabeth Munoz for damage to the windshield of her 2016 Jeep Wrangler.
- 4.5 Pursuant to §551.071 of the Government Code, consultation with counsel regarding pending or contemplated litigation.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 4th day of May 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 4th day of May, 2018 at 2:48 a.m./p.m.

Cindy Polley, County Clerk



By Cindy Polley _____
 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.**