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Prepared by: Ellis County Communications
101 W. Main Street
Waxahachie, TX 75165

Contact: Diana Buckley, 972-825-5087, Diana.Buckley@co.ellis.tx.us

County approves ban on outdoor burning

With high winds and an equally high load of combustible plant life, along with the longest persistent drought in recent history, the Ellis County Commissioners' Court voted unanimously to enact a ban on outdoor burning, effective for 90 days.

"Pursuant to Section 352.081(c)(2) of the Texas Local Government Code, I move the Court to make a finding that circumstances present in all or part of the unincorporated area of Ellis County create a public safety hazard that would be exacerbated by outdoor burning and therefore approve an outdoor burn ban," said Commissioner Bill Dodson, pct. 2.

Ennis Fire Chief David Hopkins was on hand to support the ban.

"We have been under a proclamation by the governor which was put out on December 21, 2010 for extreme wildfire hazard – it has been renewed in January, February, March and April," Hopkins said. "This week, Governor Perry put out a declaration of emergency to the federal government, asking for resources."

Hopkins told the Court that 209 of the 254 counties in Texas had issued burn bans as of this morning.

"We had a good snow early this year, and that put a lot of moisture in the ground – but what that actually did was allow more fuel to come up and this fuel is now drying from the wind, low humidity, and daylight sun," he said. "As of today, south Ellis County was in a critically high fuel load, a dry state and a high fire potential."

Hopkins said that approving a burn ban was a proactive step toward protecting the citizens of the County.

"We have three types of people – the type that call and say, 'Is there a burn ban?'... the second group that if they have knowledge that there is a burn ban in place they know it's not OK to burn," Hopkins said. "The third group is the type -- you just can't fix stupid. I wish the burn ban was the answer for the third group, but we will just have to catch them and write them tickets."

Fire Marshal's Investigator Jim Pharr told the Court that the KBDI stood at 427 this morning, which is lower than the 500 that Commissioners have traditionally used as their cutoff, but like Hopkins, he cited the extenuating circumstances that currently exist.

After a short public hearing during which no members of the public spoke, Commissioners also approved amendments to Ellis County's On-Site Sewage Facilities Rules, which were originally adopted on August 12, 2002 and amended in 2007.

"The one passed in 2007 caused some spending of money to pay for monthly inspections," said Department of Development Director Delton Ake. "We looked into this, trying to figure out how we could reword this order, and what we are doing is using water usage and the B.O.D. component of the effluent."

Single family dwellings are required only to have their on-site sewage system inspected every four months, while businesses have previously been under the once-a-month requirement. Under the new rule, small businesses using less than 500 gallons per day of water and having B.O.D. level of 65 or less will only be required to inspect their systems every four months.

"Some businesses have only one wash basin and one toilet – not much more usage than a single family residence," said Assistant County and District Attorney Lee Auvenshine. "Mr. Ake had the brain child. He made a good rule and he took the steps with TCEQ to get it done."

"We owed it to some of the citizens in the County to try to find a way," Ake said.

In other business, Commissioners:

- Approved a replat of Whispering Meadows, lot 4B in precinct 1;
- Approved a one-time variance from the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Home Parks as it relates to the fire hydrant requirement for lot 3 of Rolling Acres on Broadhead Road in pct. 2;
- Heard a short presentation from the Texas AgriLife Extension Service's new District Extension Administrator, Donald Kelm;
- Took no action on a consulting contract with RCC Consultants, Inc., preferring instead to wait for additional information requested during a 5 p.m. workshop on the topic;
- Approved a contract with Cisco for SMARTnet services on all Cisco hardware and software, to be paid annually on a five-year term, with the price locked in for that time period;
- Approved the purchase of Cisco network hardware to convert the phone system in the I-35E building that houses the AgriLife Extension Service, Justice of the Peace Precinct 2, and Constable Precinct 2, at a cost not to exceed \$2800 with a return on investment of approximately nine months;
- Approved a work order with the City of Red Oak for improvements of specific locations on the following streets: Stainback, Tom Driver, Crump Circle, and Stainback Court;
- Selected three public members (Michelle McClendon of Oak Leaf, Roger Herron of Waxahachie, and Delbert Staggs of Midlothian) for services on the elected officials' Salary Grievance Committee for fiscal year 2011-2012, along with three alternates (Raymond Jurica of Ennis, Charles "CW" Jackson of Waxahachie, and Rita Wright Lenoir of Waxahachie);
- Took no action on a proposed contract for Washed Pea Gravel with Trinity Materials;
- Entered executive session to consult with legal counsel concerning the appointment, employment and/or duties of a Purchasing Agent;
- Took no action regarding the appointment of a new Ellis County Purchasing Agent following the short executive session.