

**NOTICE OF REGULAR MEETING
ELLIS COUNTY COMMISSIONERS COURT**

FILED FOR RECORD
CINDY POLLEY
ELLIS COUNTY CLERK

Notice is hereby given that a regular meeting of the Ellis County Commissioners' Court will be held on **Monday, December 10, 2012 at 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:

Dennis Robinson, Commissioner, Pct. 1
Bill Dodson, Commissioner, Pct. 2
Heath Sims, Commissioner, Pct. 3
Ron Brown, Commissioner, Pct. 4

Assistant County Attorneys:

Ann Montgomery-Moran
Lee Auvenshine

OPENING COURT

- 1.1 County Judge will call meeting to order, declare quorum if present, and declare notices legally posted pursuant to Open Meetings Act.
- 1.2 Motion to Open Court.
- 1.3 Invocation and Pledge of Allegiance – Heath Sims, Commissioner Pct. 3

CONSENT AGENDA – Consideration and Action:

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Accept the certified copy of the appointment of Michael S. Navarro to County Auditor of Ellis County for the period of January 1, 2013 through December 31, 2014.
- A3 Approval of the appointment of the following members to the Ellis County Child Protective Services Board for a three year term ending December 31, 2015:

Carla Estes, Billie Maxwell, Anita Prewitt, Elizabeth Tull, Diann Wilson
- A4 Approval of citation numbering and clarification of §IV,b of the Amended Rules of Procedure, Conduct and Decorum at the Meetings of the Ellis County Commissioners' Court.
- A5 Approval of Texas Workforce Commission Information Release Contract 2913PEN039 beginning January 1, 2013 through December 31, 2013.

A6 Approval to accept the following resignations from Emergency Service District Boards effective December 31, 2012:

ESD #3, James Steele	ESD #5, Gerald Tyler
ESD #6, Gary Beaty	ESD #6, Jerry Crawford
ESD #7, Don Weldon	ESD #9, Billy Hill

A7 Approval to re-appoint Emergency Service District #3 Board Member Murry Wainscott for a one year term ending December 31, 2013.

A8 Approval to re-appoint the following Emergency Service District Board Members for two year terms beginning January 1, 2013 through December 31, 2014:

ESD #1	Andy Mulvaney James Morrison	ESD #6	Bill Gilliland
ESD #2	Gary Ratliff	ESD #7	Fred Bledsue Larry Mentzer Jeff Pressler
ESD #3	Howard Morgan Vincente Guerrero	ESD #8	Everett Russell Allen Lane
ESD #4	Jerry Smith	ESD #9	Douglass Young John Hancock Mike Greenlee

A9 Approval of the appointment of the following members to the Ellis County Historical Commission for a two year ending December 31, 2014:

Elmerine Bell, Rex Carey, Nana Lou Dudley, Karen Esberger, Nancy Farrar, Larry Felty, Bruce Fowler, Sugar Glaspy, Judy Howard, Virginia Kellum, Nancy Post, Shannon Simpson, Sylvia Stanford-Smith, Susie Toal

A10 Approval of the 2012 Ellis County Historical Commission Annual Report.

Financial:

F1 **From** 001-0000-30302, Fund Balance **To** 001-0420-50845, Detention Services; 001-0420-50898, Individual/Family Counseling; 001-0420-50897, Substance Abuse Services; 001-0420-50895, Juv Vocational/Education Training; 001-0420-50894, Secure Residential; 001-0420-50878, Juvenile Residential (Non-secure); 001-0421-50502, Part Time Detention Personnel. – Darrin Ray, Juvenile Services

F2 **From** (FY 2011-12) 001-0140-50822, Legal Fees **To** 001-0140-50866, Community Support; 001-0140-50560, Compensatory / Fringe; 001-0140-50868, Contract Services; 001-0140-50804, Postage; 001-0140-50837, Post Mortem Exams; 001-0140-50887, Radio Tower; 001-0140-50556, Unemployment Fee. – Carol Bush, County Judge

- F3 **From** 006-0754-40008, Interlocal **To** 006-0754-50910, Gas & Oil. –Ron Brown, RB4
- F4 **From** 056-0956-40087, Forfeiture Income “Revenue;” 056-0956-30302, Fund Balance Carryover **To** 056-0956-50807, Forfeiture Expense. – Terry Nay, Constable Pct. 2
- F5 Approve refund of overpayment to the following accounts for payment in error:

<u>Refund to be issued to:</u>	<u>Account</u>	<u>Amount Due</u>
Ocwen Loan Servicing	152711	\$3097.54
Chase Mortgage	164407	\$3123.95
Corelogic Tax Service	180779	\$3200.41
Chase Mortgage	203840	\$5012.45
Chase Mortgage	218563	\$2529.17
Chase Mortgage	233265	\$2649.37

- F6 **From** 001-0370-50804, Postage **To** 001-0370-50806, Official Bond/Dues. – John Bridges, Tax Office

DEPARTMENT OF COUNTY DEVELOPMENT

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

- 2.1 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Home Parks as it relates to the fire hydrant requirement for a simplified plat, Brindley Road, Jason Ramsey, Pct. 3.
- 2.2 Grant a one-time variance from Outdoor Business Order No. 215.06 as it relates to the fifty foot screening set-back for a gate, 1541 Shawnee Rd., Hugh Grandstaff, Pct. 4.
- 2.3 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Home Parks as it relates to the ten foot utility easement located on the back of the property @ 101 Carmen Drive, Andy and Elizabeth Lancaster, Pct. 1.
- 2.4 Preliminary plat- Shiloh Manor Estates, 49 lots, Joe Wilson/Shiloh Road, Bobby Glass, Pct. 4.

PURCHASING

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

- 3.1 To approve awarding RFP-2013-001 for Wholesale Gas & Diesel to Avenue Fuel Distributors. The length contract is January 1, 2013 through December 31, 2013, with two (2) one year renewal option (subject to County Attorney review).
- 3.2 To approve awarding RFP-2013-002 for Convenience Store Fuel to Pearman Oil & LP Gas, Inc. The length contract is January 1, 2013 through December 31, 2013, with two (2) one year renewal option(subject to County Attorney review).

- 3.3 To approve awarding G-2013-003 for Printed Forms to CuLeGo, Inc. (Gingerbread Press) The length contract is January 1, 2013 through December 31, 2013, with two (2) one year renewal option (subject to County Attorney review).
- 3.4 To approve one (1) renewal option on BID-2013-001 for Hauling Road Materials. The renewal period is January 1, 2013 through December 31, 2013, with one (1) one year renewal option remaining.
- 3.5 To approve the donation of the following surplus items, stored in the Tejas Building, to the Waxahachie Police Department Explorers. (1) Brown Desk (3 pieces); 6 Black Chairs; (4) Roller Chairs; (1) Blue Trash Can; (1) Paper Tray; (1) Gray Paper Sorting Desk; (3) Gun Cases for Carrying Radios; and (5) Old Filing Cabinets.
- 3.6 To approve the Ellis County Standardized Bid Package.

ADMINISTRATIVE

- 4.1 Approval to accept the following applications to Emergency Service District Boards for two year terms beginning January 1, 2013 expiring December 31, 2014:

ESD #2, Monica (Bonney) Arroyo ESD #3, Stephen Spradling ESD #6, Richard Rozier

- *Carol Bush, County Judge*
- 4.2 Consideration and action to put a gate across Shorty Lane in Ellis County Precinct 3 pursuant to the Texas Transportation Code §251.010.

- *Heath Sims, Commissioner Pct. 3*
- 4.3 Consideration and action to accept the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada (GFOA) for Ellis County's comprehensive annual financial report (CAFRA).

- *Carol Bush, County Judge*
- 4.4 Consideration and action to accept FY 2012 Chapter 59 Asset Forfeiture Report for the office of Ellis County Constable, Pct. 1.

- *Ben Fry, Constable Pct. 1*
- 4.5 Consideration and action to approve a Resolution to Request a Third District Court be created during the upcoming legislative session to become operational in 2014 or later.

- *Carol Bush, County Judge*
- 4.6 Consideration and action to approve CivicPlus to redesign the County's website, add functionality and modules, for a total amount of \$4,000.

- *Teral Crawford, IT Director*

- 4.7 Consideration and action as needed for ratification of an agreement between US Treasury and Ellis County Sheriff's Office which will include reimbursed overtime incurred by the Sheriff's Office while providing resources in joint operations.
- *Dennis Brearley, Sheriff's Office*
- 4.8 Consideration and action to approve and adopt the revised Family & Medical Leave Act (FMLA) policy effective January 1, 2013.
- *Anne Price, Human Resources Director*
- 4.9 Consideration and action to enact a Burn Ban Order for Ellis County to be effective immediately.
- *Joe Stewart, Fire Marshal / Emergency Management Coordinator*
- 4.10 Consideration and action to enact an Order Prohibiting Certain Fireworks in Unincorporated Areas of Ellis County.
- *Joe Stewart, Fire Marshal / Emergency Management Coordinator*
- 4.11 Consideration and action to approve the Revised Annex U of the current Ellis County Emergency Operations Plan.
- *Joe Stewart, Fire Marshal / Emergency Management Coordinator*
- 4.12 Update on status of Public Communications System and narrowbanding.
- *Kathy Eriksen, Special Projects Director*
- 4.13 Consideration and action to approve a termination agreement between Ellis County and Ellis County Coalition for Health Options, d/b/a Hope Clinic, terminating the terms of the Indigent Healthcare Agreement between the two parties, which was originally effective on October 1, 2008.
- *Carol Bush, County Judge*
- 4.14 Consideration and action to approve the First Amended Indigent Care Affiliation Agreement between Ellis County and Ennis Regional Medical Center and Baylor Medical Center at Waxahachie, which was originally effective on December 31, 2011.
- *Carol Bush, County Judge*
- 4.15 Consideration and action to approve and authorize Judge Bush to sign the 1115 Demonstration Waiver Program – Certification of Governmental Entity Participation for Hospital Affiliates Version 2012-1 (09/05/2012).
- *Carol Bush, County Judge*

- 4.16 Presentation concerning housing detainees of United States Immigration and Custom Enforcement ("ICE") in the Wayne McCollum Detention Center.

- Carol Bush, County Judge

RECESS TO CONVENE TO EXECUTIVE SESSION

EXECUTIVE SESSION

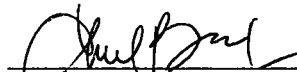
"The Commissioners' Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code 551, or to seek the advice of its 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."

- 5.1 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 7th day of December, 2012.



Carol Bush
Ellis County Judge

I, the undersigned, County Clerk of the Ellis County Commissioners Court do hereby certify that the above Notice of Regular 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 South doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the 7th day of December, 2012, at 8:37 a.m./p.m.

Cindy Polley, County Clerk

By Lisa Beckham, Deputy

- The Commissioners Court reserves the right to consider and take action on the above agenda items in any particular order.
- Anyone wishing to address the Commissioners Court concerning a posted agenda item must make a formal request by presenting a "Participation Form" to the County Clerk at least 10 minutes prior to the beginning of the meeting.
- 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.