

**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, August 12, 2013, 10:00 A.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, Pct. 2

**PUBLIC COMMENT\***

**CONSENT AGENDA – Consideration and Action:**

**Administrative:**

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 July, 2013 Travel Reports of the Texas AgriLife Extension Office
  - Mark Arnold, Agriculture
  - Page Bishop, 4-H
  - Rita Hodges, Family & Consumer Sciences
- A3 Complete No Cost Space Agreement Form from U.S. Small Business Administration
- A4 Approval of the Official Minutes of the Ellis County Commissioners' Court regular meetings dated June 24, 2013, July 8, 2013, July 16, 2013, July 22, 2013, and July 26, 2013.
- A5 Ellis County Investment Report 2<sup>nd</sup> Quarter 2013
- A6 Consideration and action to accept the donation of books for the Law Library, which includes Southwest Reporters from McCarty, Wilson, & Mash.

- A7 Consideration and action to approve the 2013-2014 Law Library service fees. Printing and copying fee of .20 cents per page, incoming fax \$1.50 per page, outgoing fax \$2.00 per page for the first page and \$1.00 per page after that. A Notary fee of \$6.00 per document and \$1.00 for every additional signature per document. The Board Room rental is \$25.00 per hour.
- A8 Consideration and action as needed to purchase equipment and training to outfit a five member dive team at a cost of \$12,347.50. The funds for this purchase will come from the state forfeiture account.

**Financial:**

- F1 **From** 001-0210-50855 Voting Equipment Subscription, 001-0210-50888 Computer Service Rental, 001-0210-50803 Furniture Fixtures, 001-0210-50802 Equipment **To** 001-0210-50885 Sales Tax, 001-0210-50848 Holding Salary, 001-0210-50695 FICA, 001-0210-50801 Supplies – *Jane Anderson, Elections*
- F2 **From** 001-0020-50807 General Misc. **To** 001-0020-50802 Equipment – *Keith Roberts, Maintenance.*
- F3 **From** 001-0050-50805 Conference, 001-0050-50802 Equipment, 001-0050-50819 Computer **To** 001-0050-50843 4-H Travel – *Mark Arnold, Texas A&M Agrilife Extension Service.*
- F4 **From** 001-0520-50873 Maint/RPS Ofc Equip. **To** 001-0520-50802 Equipment, 001-0520-50801 Supplies. – *Jackie Miller, Jr., JP2.*
- F5 **From** 001-0420-50898 Individual Family Counseling, 001-0420-50895 Juvenile Vocational Training, 001-0421-50502 Part Time Detention Staff **To:** 001-0420-50891 Fleet Expenses, 001-0420-50896 Sex Offender Services, 001-0420-50893 Detention Provisions, 001-0420-50807 General Miscellaneous, 001-0420-50877 Juvenile Medicals, 001-0420-50875 Juvenile Psychologicals, 001-0420-50899 Other Programs and Services, 001-0420-50703 Telephone, 001-0420-50873 Maint/RPS Equip/Copier, 001-0420-50811 Insurance-Auto. – *Darren Ray, Juvenile Services*
- F6 **From** 001-0360-50805 DA-Conference **To** 001-0360-50808 DA-Auto Gas. – *Patrick Wilson, County and District Attorney*
- F7 **From** 001-0010-50502 Staff Salaries **To** 001-0010-50702 Repairs, 001-0010-50803 Furniture-Fixtures, 001-0010-50806 Official Bond-Dues, 001-0010-50808 Auto Gas-Oil, 001-0010-50810 Auto Tires, 001-0010-50812 Radio, 001-0010-50865 Employee Screening – *Johnny Brown, Sheriff*
- F8 **From** 001-0015-50502 Staff Salaries **To** 001-0015-50812 Radios, 001-0015-50835 Employee Training. – *Johnny Brown, Sheriff*
- F9 **From** 001-0020-50807 General Misc., 001-0020-50809 Auto Repair, 001-0020-50810 Auto Tires **To** 001-0020-50601 Travel Reimbursement, 001-0020-50808 Auto Gas. – *Keith Roberts, Maintenance*

F10 **From** 001-0050-50873 Maint/Repair, 001-0050-50809 Auto Repair **To** 001-0050-50805 Conference. – *Mark Arnold, Texas A&M Agrilife Extension Service*

**Simplified Plat:**

SP1 Baucum Ranch, Phase 2, 2 lots, Stan Baucum, Pct. 3.

**DEPARTMENT OF COUNTY DEVELOPMENT**

**Consideration and action regarding the following:**

- 2.1 Final Plat – Jordan Run Estates, Phase II, 20 lots, requested by Healthfirst Real Estate Holdings III LTD and Morrison Partners LTD, specifically located in Ellis County Road and Bridge Pct. 3.
- 2.2 Grant a one-time variance from County of Ellis Rules and Regulations as it relates to the building set-back requirement, to property located in Bluebonnet Bay Subdivision, lots 97 and 98, near Ennis, Texas 75119, at the request of Russell Caldwell. This property is located within the unincorporated area of Ellis County, specifically within Ellis County Road and Bridge Pct. 2.
- 2.3 Pursuant to Texas Transportation Code section 251.052 and section 251.058, close, abandon, and vacate a portion of right-of-way dedication located in Twin Lakes Subdivision, adjoining 209 Lakeway Drive, Waxahachie, Texas 75154, at the request of Billy Burkes. 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:**

- 3.1 Discussion, consideration, and approval of the purchase of 3 new Chevrolet Trucks from Caldwell County Chevrolet, utilizing Buy Board Contract #358-10. 2 Chevrolet 1500 Silverado 4x2 Crew Cab VIN #3GCPCREA7DG327542 in the amount of \$23,456, VIN #3GCPCREA9DG327848 in the amount of \$23,456 and 1 Chevrolet 1500 Silverado Double Cab, in the amount of \$26,345 for Precinct 3.
- 3.2 Discuss, consider, and approve the purchase of 1 used 2007 Chevrolet Silverado 6.0 V8, in the amount of \$22,826.04 for Precinct 3.
- 3.3 Discussion, consideration, and action to approve contract between Ellis County and Correctional Food Service GP, INC. for RFP-2013-011 Inmate Food Service for a period of three (3) years, beginning on September 3, 2013 and ending September 2, 2016, with two (2), one (1) year renewal options.
- 3.4 Discussion and approval for disposal of scrap metal in accordance to Local Government Code 263.152 for Precinct 1.

- 3.5 Discuss, consider, and approve to reject all responses to RFP-2013-010 regarding jail management.

## **ADMINISTRATIVE**

- 4.1 Consideration and action as needed to approve the purchase two Bad Boy 28 HP 61" mower and one Bad Boy 35 HP 72" mower. Funds from 001-0015-50502 Jail Staff Salaries to 001-0015-50802 Equipment. – *Dennis Brearley, Ellis County Sheriff's Office.*
- 4.2 Consideration and action as required authorizing the Sheriff to sign the 2013/2014 State and Local Task Force Agreement for North Texas DEA HIDTA. – *Chief Dennis Brearley, Ellis County Sheriff's Office*
- 4.3 Consideration and action as needed to approve the Sheriff's Office receiving a grant from K9s4COPS for a trained K9. – *Chief Dennis Brearley, Ellis County Sheriff's Office.*
- 4.4 Approval to change the polling location of voting precinct #141 from Fundamental Baptist Church, Children's Life Center to Park Meadows Baptist Church for November 5, 2013 Amendment Election. – *Jane Anderson, Elections Administration Office*
- 4.5 Approval of the Presiding Judges, Alternate Judges, and number of clerks for each polling location for the November 5, 2013 Amendment Election. – *Jane Anderson, Elections Administration Office*
- 4.6 Approval of the appointment of a Presiding Judge of the Early Voting Ballot Board and the number of clerks for the November 5, 2013 Amendment Election. – *Jane Anderson, Elections Administration Office*

## **RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING**

### **PUBLIC HEARING**

Public Hearing on the proposed increase of the following expenses of elected officials for Budget FY 2013-14, pursuant to Texas Local Government Code §152.013.

Constable, Pct. 1, Roy Callender

- Proposed increase of \$500 to conference expenses. Increase from \$500 to \$1000.

County Clerk, Cindy Polley

- Proposed increase of \$1000 to conference expenses. Increase from \$2500 to \$3500.

Tax Assessor / Collector, John Bridges

-Proposed increase of \$200 to conference expense. Increase from \$2000 to \$2200.

District Clerk, Melanie Reed

- Proposed increase of \$1500 to conference expense. Increase from \$2000 to \$3500.

## **ADJOURNMENT OF PUBLIC HEARING**

## RECONVENE TO REGULAR SESSION

- 4.8 Consideration and action to approve the salaries, expenses and allowances of elected officials for Budget FY 2013-14, pursuant to Texas Local Government Code §152.01.
- 4.9 Consideration and action regarding setting the date, time and location of the public hearing on the proposed budget for Budget FY 2013-14, pursuant to Texas Local Government Code §111.007 , as follows:  
Monday, August 26, 2013 at 10:00 a.m.  
Ellis County Commissioners' Courtroom  
101 W. Main St.  
Waxahachie, TX 75165
- 4.10 Consideration and action regarding discussing the tax rate for Budget FY 2013-14 and take record vote to place the proposal to adopt the rate at a future meeting, pursuant to Texas Tax Code §26.05(d) as follows:  
Monday, August 26, 2013 at 10:00 am.  
Ellis County Commissioners' Courtroom  
101 W. Main St.  
Waxahachie, TX 75165
- 4.11 Consideration and action to approve the FY 2013-2014 holiday schedule.
- 4.12 Consideration and action to approve the FY 2013-14 payroll schedule.
- 4.13 Consideration and action to approve the FY 2013-14 Commissioners' Court schedule.
- 4.14 Consideration and action to approve funding for the 10<sup>th</sup> Court of Appeals judicial compensation supplement for fiscal year 2014.
- 4.15 Consideration and action to discuss and amend the Tax Abatement Guidelines, Criteria and Procedures for Ellis County, Texas, which was most recently amended on August 25, 2011, pursuant to Minute Order No. 300.11.
- 4.16 Consideration and action to approve a two-year NCTCOG (North Central Texas Council of Governments) Interlocal Agreement that sets forth certain 9-1-1 provisions as prescribed by the Commission on State Emergency Communication.
- 4.17 Discussion of indigent healthcare policy.
- 4.18 Consideration and action to approve (3) contracts for the Law Library, County Court of Law, and District Judges Print Publications, Patron Access for the Law Library and Westlaw Pro for the County Court of Law and District Judges, not to exceed \$47,100 for the last year of the contract. – *Law Library*
- 4.19 Consideration and action to authorize up to \$130,000 of the five percent (5%) of the total cost to implement structural repairs to Mountain Creek Flood Retarding Structure No. 10 (Padera Lake),

Pursuant to the existing Watershed Protection Operation and Maintenance Agreement between Ellis County and the Dalworth Soil and Water Conservation District. Ninety-five percent of the funding for the above described repairs will be provided by a matching grant funded by the Texas State Soil and Water Conservation Board (TSSWCB) pursuant to the Structural Repair Grant Program. A portion of the funding provided by Ellis County will be reimbursed due to the cost of the project administration provided by Ellis County and its various departments. This item is independent of the previously approved cost share agreement between Ellis County and the Trinity River Authority concerning a portion of the five percent (5%) of the total cost of the structural repairs to Mountain Creek Flood Retarding Structure No. 10 (Padera Lake).

– *Meagan Moon, Engineering*

- 4.20 Consideration and action to approve and adopt the updated Ellis County Fire Code pursuant to Chapter 233, Subchapter C, of Local Government Code. – *Joe Stewart, Fire Marshal*

## **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.

### **ADJOURNMENT OF EXECUTIVE SESSION**

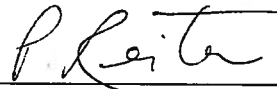
**ADJOURNMENT**

Signed this the 9<sup>th</sup> day of August, 2013.

  
\_\_\_\_\_  
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 9 day of August, 2013 at 9:39 a.m./p.m.

Cindy Polley, County Clerk

By  \_\_\_\_\_, 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.**