

**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, July 27, 2015 3:00 P.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
- Lane Grayson, Commissioner, Pct. 2
- Paul Perry, Commissioner, Pct. 3
- Kyle Butler, Commissioner, Pct. 4

Assistant County Attorneys:

- Vance Hinds
- Ray Rike

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 Change Intermediate Clerk approved position to Clerk II. Change the approved position of Intermediate Clerk (receptionist) to a Clerk II position and increase the hourly wage to \$14.3496 per hour. This position is to continue to be paid from the Drug Forfeiture fund as previously approved. This position will not cost the county any tax funds. – *Patrick Wilson, County & District Attorney*

Financial:

- F1 **From** 001-0015-50802 Equipment \$2,200.00 **To** 001-0015-50702 Repairs \$2,200.00. – *Johnny Brown, Sheriff*
- F2 **From** 010-0653-30301 FM2 Fund Balance Carry Over \$10,000.00 **To** 010-0653-50909 FM2 Repairs Parts \$10,000.00. – *Lane Grayson, Commissioner, Pct. 2*
- F3 **From** 001-0360-50703 DA-Telephone \$500.00, 001-0360-50802 DA-Equipment \$500.00, 001-

0360-50805DA-Conference \$2,000.00, 001-0360-50833 DA- Court Reporting \$1,000.00 To 001-0360-50846 DA-Witness Fee \$4,000.00. – *Patrick Wilson, County & District Attorney*

F4 **From** 030-0930-30301 CK Proc-Budgeted Fund Balance \$7,500.00, 030-0930-50802 CK Proc-Equipment \$298.11, 030-0930-50819 CK Proc-Computer \$2,000.00 To 030-0930-50807 Ck Proc – Gen Misc \$ 9,798.11. – *Patrick Wilson, County & District Attorney*

F5 **From** 009-0602-50908 FM1 Lumber \$20,000.00, 009-0602-50868 FM1 Contract Labor \$33,000.00 To 009-0602-50911 FM1 Gravel \$16,000.00, 009-0602-50962 FM1 Lubricants \$2,000.00, 009-0602-50907 FM1 Tires \$2,000.00, 009-0602-50911 FM1 Gravel \$33,000.00. – *Dennis Robinson, Commissioner, Pct. 1*

F6 **From** 012-0755-30302 Fund Balance Carryover \$112,000.00 To 012-0755-50868 Contract Labor \$112,000.00. – *Kyle Butler, Commissioner, Pct.4*

F7 **From** 001-0530-50602 Staff Travel \$1,270.23, 001-0530-50801 Supplies \$600.00 To 001-0530-50601 Travel Reimbursement \$1,076.42, 001-0530-50803 Furniture/Fixtures \$205.46, 001-0530-50805 Conference \$193.54, 001-0530-50806 Official Bond/Dues \$149.32, 001-0530-50874 Docket Books/Printing \$245.59. – *Curtis Polk, Justice of the Peace, Pct. 3*

Simplified Plat:

SP1 Frenzel Addition, 2 lots, Carl Frenzel, Shiloh Road, Carl Frenzel, Road and Bridge Pct. 4.

SP 2 Freda's House Addition, 1 lot, 4316 F.M. 1446, Fred Blackford, Road and Bridge Pct. 3.

DEPARTMENT OF COUNTY DEVELOPMENT

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

- 1.1 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Mobile Home Parks as it relates to the fire hydrant requirement to replat, at the locations of 3210 and 3220 Windridge, Midlothian, Texas, requested by Jeffery Voigts and John Posey, Road and Bridge Pct. 3.
- 1.2 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Mobile Home Parks as it relates to the 150' road frontage requirement at the location of 3220 Windridge Court, Midlothian, Texas, requested by John Posey, Road and Bridge Pct. 3.
- 1.3 Grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Mobile Home Parks as it relates to the 150' road frontage requirement at the location of 4390 (into two lots) Joe Wilson Road, Midlothian, Texas, requested by Allen Calvery, Road and Bridge Pct. 4.

ADMINISTRATIVE

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

- 3.1 The tax resale offer by Nextlots Now, LLC for property located at 1130 & 1142 Lake Sawyer Rd., Ennis, TX.
- 3.2 The tax resale offer by Nextlots Now, LLC for property located at 311 E. Freeman St., Ennis, TX.
- 3.3 The tax resale offer by Nextlots Now, LLC for property located at 1300 Daffan Ave., Ennis, TX.
- 3.4 The tax resale offer by Nextlots Now, LLC for property located at 601 E. Loggins St., Ennis, TX.
- 3.5 The tax resale offer by Nextlots Now, LLC for property located at Freeman St., Ennis, TX.
- 3.6 The tax resale offer by Nextlots Now, LLC for property located at Falkner Ave., Ennis, TX.
- 3.7 The tax resale offer by Nextlots Now, LLC for property located at Freeman St., Ennis, TX.
- 3.8 The tax resale offer by Nextlots Now, LLC for property located at 75 Old Hwy 75, Ennis, TX.
- 3.9 The tax resale offer by Nextlots Now, LLC for property located at FM 879, Ennis, TX.
- 3.10 The tax resale offer by Nextlots Now, LLC for property located at 700 S. Owens St., Ennis, TX.
- 3.11 Status of Road report for Pct. 2. – *Carol Bush, County Judge*
- 3.12 Acceptance of Acknowledgement by Joe Stewart Exhibit C.
- 3.13 For the County Judge to sign a TxDOT Agreement to Contribute Right of Way Funds for highway improvements on FM66 at the West Fork of Weakly Branch in Precinct 3. The County's local participation share in this improvement is \$11,960. – *Joe White, County Engineer*
- 3.14 Authorize County Judge to sign renewal of 911 interlocal with NCTCOG. – *Carol Bush, County Judge*
- 3.15 Closing, vacating, and abandoning a portion of Vineyard View Lane. – *Dennis Robinson, Commissioner, Pct. 1*
- 3.16 State Fire Marshal's Office. – *Carol Bush, County Judge*
- 3.17 Discussion of the duties of the Fire Marshal's Office and possible amendment to the County Fire Code. – *Carol Bush, County Judge*
- 3.18 Discussion of document from various area Fire Chiefs as to their preferred description of attributes for the person who occupies the position of the Ellis County Fire Marshal. – *Paul Perry, Commissioner, Pct. 3*

- 3.19 Discussion and possible action, on an Interlocal Agreement request from the City of Maypearl, that RB3 road crews make specified repairs to Commerce Street (from First Street to Second, and from Third to Fourth), to East 4th Street (from Main Street to end), to Phillips Street (from Second to Fourth), and Claunch Street (from First to Second and from Fourth to Hwy 157). The estimated cost of repairs to Commerce Street as described above is \$7,532, to East Fourth Street, as described above is \$6,786, to Phillips Street, as described above is \$ 5,945 and to Claunch Street, as described above is \$8,115. – *Paul Perry, Commissioner, Pct. 3*
- 3.20 Request to move \$20,000.00 (twenty thousand dollars) from FM3 Line Item 011-0704-50807, General Miscellaneous to FM3 Line Item 011-0704-50911, Gravel, to facilitate the purchase of gravel. – *Paul Perry, Commissioner, Pct. 3*
- 3.21 Audio Visual system in the Commissioners Courtroom. – *Carol Bush, County Judge*
- 3.22 Proposal for the implementation of a filtering for the Sheriff's Office Channel 3. – *Chuck Laubach, Ellis County Sheriff's Office*

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 Section 551.071 of the Texas Government Code consultation with counsel concerning pending contemplated litigation Joeckel Law Office Tort Claim Notice.
- 4.2 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning Cause No. 91288 Filipe Pineda and Israel Lozano v. Ellis County, Texas.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 24th day of July 2015.



 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 24 day of July, 2015 at 2:15 a.m./p.m.

Cindy Polley, County Clerk

By *Jina Chambers*, Deputy