

FILED

FEB 10 2014

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // OCTOBER 28, 2013**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, OCTOBER 28, 2013 AT 3:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2ND FLOOR), WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED TO WIT:

PRESENT WERE:

COUNTY JUDGE:

JUDGE CAROL BUSH

COMMISSIONERS:

DENNIS ROBINSON, COMMISSIONER, PCT. 1

BILL DODSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

RON BROWN, COMMISSIONER, PCT. 4

COUNTY CLERK:

CINDY POLLEY, COUNTY CLERK

COUNTY & DISTRICT ATTORNEY'S OFFICE:

ANN MONTGOMERY-MORAN, ASSISTANT COUNTY ATTORNEY

LEE AUVENSHINE, ASSISTANT COUNTY ATTORNEY

OPENING COURT:

THE COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO THE OPEN MEETINGS ACT

MOTION TO OPEN COURT BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER BILL DODSON, PCT. 2

PUBLIC COMMENT* *AMY HEDTKE - 3.9 VIDEO STREAMING*

CONSENT AGENDA:

MINUTE ORDER NO 371.13 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 CONSIDERATION TO AMEND ITEM A2 FROM COMMISSIONERS' COURT DATED 09.23.13 TO THE FOLLOWING:
CONSIDERATION AND ACTION TO AMEND ELLIS COUNTY JUROR PAY FROM \$36 TO \$40 EACH DAY FOLLOWING THE FIRST DAY OF SERVICE. THESE AMOUNTS ONLY INCLUDED THE AMOUNT REIMBURSED BY THE STATE OF TEXAS AND DID NOT INCLUDE THE AMOUNT PAID BY ELLIS COUNTY. EFFECTIVE 9/1/13, THE STATE OF TEXAS WILL REIMBURSE THE COUNTY FOR \$34.00 OF THE \$40.00 PAID BEGINNING ON THE SECOND DAY OF SERVICE. — CHERYL CHAMBERS, COUNTY TREASURER
- A3 CONSIDERATION AND ACTION TO DECLARE THE FOLLOWING VEHICLES AS SURPLUS AND ALLOW SALE THROUGH AN INTERNET AUCTION SITE: 1) 1998 OLDSMOBILE VIN#4A3AA36G21G3HN52K3W48005766, 2) 2000 MITSUBISHI VIN#4A3AA36G2YE017174, 3) 1991 ACURA VIN#JH4KA7655MC037386, 4) 1997 FORD F-150 VIN#1FTEX18L3VKB96551, 5) 1999 CHEVY 1500 VIN#1GCEK19T1X1142567, 6) 2003 CHEVY 1500 VIN# 2GCEC19T531140666, 7) 2003 FORD F-150 VIN# 1FTRW07693KD12388, 8) 1999 FORD F-150 VIN#

1FTRX17WXXKB93212, AND 9) 2000GMC 1500 VIN# 1GTEC14W0YZ25796. – CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE

- A4 CONSIDERATION AND ACTION TO APPROVE THE NEW NAMES AS AUTHORIZED AND APPOINTED SIGNATORS ON THE BANK ACCOUNTS USED BY THE ELLIS COUNTY & DISTRICT ATTORNEY'S OFFICE UNTIL FURTHER NOTICE. – PATRICK WILSON, COUNTY & DISTRICT ATTORNEY

FINANCIAL:

- F1 FROM 001-0010-40003 MISC. REIMBURSEMENTS, 001-0140-50560 COMPENSATORY/FRINGE LIABILITY TO 001-0390-50501 SALARY, 001-0390-50554 RETIREMENT, 001-0390-50553 FICA/SS. – CAROL BUSH, COUNTY JUDGE
- F2 FROM 001-0140-50560 COMPENSATORY/FRINGE LIABILITY TO 001-0360-50502 SALARY, 001-0360-50553, FICA/SS, 001-0360-50554 RETIREMENT – CAROL BUSH, COUNTY JUDGE
- F3 FROM 010-0653-30301 FM2 FUND BALANCE CARRYOVER TO 010-0653-50913 FM2 CHEMICALS
- MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

PURCHASING:

MINUTE ORDER NO 372.13 RENEWING THE FOLLOWING BIDS FOR A ONE (1) YEAR RENEWAL PERIOD, FROM 1/1/2014 – 12/31/2014: *(NO PRICE INCREASE)*

- 2012-012 PREVENTATIVE MAINTENANCE SERVICE AGREEMENT FOR HVAC & MECHANICAL SYSTEMS WITH PERFORMANCE A/C
- RFP-2013-002 CONVENIENCE STORE FUEL WITH PEARMAN OIL & LP GAS, INC
- G-2013-003 PRINTED FORMS WITH CULEGO, INC
- RFP-2013-001 WHOLESALE GAS & DIESEL WITH AVENUE FUEL

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY TO RENEW AT NO PRICE INCREASE CARRIES UNANIMOUSLY

MINUTE ORDER NO 373.13 APPROVING PROPOSED AGREEMENT WITH TERRACON AND ELLIS COUNTY FOR GEOTECHNICAL ENGINEERING SERVICE FOR PROPOSED STRUCTURES IN PRECINCT 2, ELLIS COUNTY TEXAS IN THE AMOUNT OF \$12,500, *PENDING CHANGES BY LEGAL*

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 374.13 APPROVING PURCHASE FOR ROAD AND BRIDGE PRECINCT 3, A 2003 FREIGHTLINER FL106 FLATBED DUMP TRUCK, VIN 1FVABZB813HL70275, IN THE AMOUNT OF \$24,500 FROM STAR TRUCK & EQUIPMENT, INC

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 375.13 APPROVING SERVICE AGREEMENT BETWEEN B&J WAKEFIELD SERVICE, INC. AND ELLIS COUNTY TO INSPECT AND MAINTAIN THE AEROBIC SYSTEMS LOCATED AT ELLIS COUNTY TRAINING CENTER 1 AND ELLIS COUNTY TRAINING CENTER 2 FOR THE PERIOD OF 10/5/13 – 10/4/2014

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

ADMINISTRATIVE:

MINUTE ORDER NO 376.13 APPROVING THE TAX RESALE OFFER BY NEXLOTS 5, LLC FOR PROPERTY LOCATED AT 307 W. WACO STREET, ENNIS, TX

MINUTE ORDER NO 377.13 APPROVING THE TAX RESALE OFFER BY NEXLOTS 5, LLC FOR PROPERTY LOCATED AT 705 E. LATIMER ST., ENNIS, TX

MINUTE ORDER NO 378.13 APPROVING THE TAX RESALE OFFER BY NEXLOTS 5, LLC FOR PROPERTY LOCATED AT 1502 PITTSFIELD ST., ENNIS, TX

MINUTE ORDER NO 379.13 APPROVING THE TAX RESALE OFFER BY NEXLOTS 5, LLC FOR PROPERTY LOCATED AT 703 E. LATIMER ST., ENNIS, TX

MOTION BY COMMISSIONER DODSON TO APPROVE 3.1-3.4 (MINUTE ORDER NO 376.13-379.13), SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 380.13 AUTHORIZING THE COUNTY JUDGE TO EXECUTE AN ORDER APPROVING TAX-EXEMPT FINANCING AS REQUESTED BY THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF METROPOLITAN DALLAS, FOR THE PURPOSE OF FINANCING CERTAIN PROJECTS LOCATED AT WAXAHACHIE YMCA, 100 YMCA DRIVE, WAXAHACHIE, TEXAS 75165, PURSUANT TO SECTION 147(F) OF THE INTERNAL REVENUE CODE. ELLIS COUNTY SHALL NOT HAVE ANY RESPONSIBILITY OR LIABILITY FOR THE FINANCING OR THE PROJECT.

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

3.6 **DISCUSSION** OF COUNTY FACILITIES AND GROUNDS MAINTENANCE. RE: REPAIRS TO 2ND FLOOR COURTROOM

MINUTE ORDER NO 381.13 ACCEPTING A GRANT FROM TXDOT, IN THE SUM OF \$25,000.00 FOR D.W.I. ENFORCEMENT DURING CHRISTMAS/NEW YEAR'S, SPRING BREAK, INDEPENDENCE DAY, AND LABOR DAY HOLIDAYS. THIS WILL REQUIRE A 20% (\$5,000.00) MATCH FROM THE GENERAL FUND
(CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

No ACTION: 3.8 CONSIDERATION AND POSSIBLE ACTION REGARDING A LEASE AGREEMENT BETWEEN ELLIS COUNTY AND THE TEXAS DEPARTMENT OF PUBLIC SAFETY ALLOWING DPS TO PLACE ITS RADIO EQUIPMENT ON THE NEW ELLIS COUNTY TOWER.

MINUTE ORDER NO 382.13 FUNDING THE PROPOSAL FROM SWAGIT PRODUCTIONS TO PROVIDE STREAMING AUDIO AND VIDEO FOR THE COMMISSIONERS' COURT MEETINGS NOT TO EXCEED \$16,000
(PAUL PERRY, COMMISSIONER, PCT. 3)

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER ROBINSON TO BEGIN WITH BASE UNIT AT THE COST OF \$6,435 WITH MONTHLY RECURRING CHARGE OF \$635 FOR MONTHLY MONITORING PAID EQUALLY OUT OF COMMISSIONERS' PCT BUDGETS; MOTION CARRIES UNANIMOUSLY

MINUTE ORDER NO 383.13 APPROVING INTERLOCAL AGREEMENT BETWEEN ITALY INDEPENDENT SCHOOL DISTRICT AND ELLIS COUNTY ROAD AND BRIDGE #3 (PAUL PERRY, COMMISSIONER, PCT. 3)

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

No ACTION: 3.11 CONSIDERATION AND POSSIBLE ACTION FOR ELLIS COUNTY TO ACCEPT RESPONSIBILITY FOR GRASS MAINTENANCE AND THE INSTALLATION OF GATES AT THE ENTRANCE AND EXITS OF THE OLD REST STOPS ON I-35E BETWEEN WAXAHACHIE AND FORRESTON. TXDOT IS SHUTTING THESE REST STOPS DOWN AND LAW ENFORCEMENT COULD USE THESE AREAS FOR TRUCK INSPECTIONS, HIGHWAY INTERDICTION, ETC.
— PAUL PERRY, COMMISSIONER, PCT.3

MINUTE ORDER NO 384.13 AMENDING AND RENEWING *TITLE IV-E COUNTY* BETWEEN THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES AND ELLIS COUNTY FOR THE EFFECTIVE DATE OF OCTOBER 1, 2013 TO SEPTEMBER 30, 2014 (PATRICK WILSON, COUNTY & DISTRICT ATTORNEY)
MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

ADJOURNMENT

MOTION TO ADJOURN BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF OCTOBER 28, 2013 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER, PCT 1



BILL DODSON, COMMISSIONER, PCT 2



PAUL PERRY, COMMISSIONER, PCT 3



RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS FEBRUARY 10, 2014



CINDY POLLEY, COUNTY CLERK

