

**FILED**

**MAY 12 2014**

**COUNTY CLERK  
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT  
OFFICIAL MINUTES // FEBRUARY 24, 2014**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, FEBRUARY 24, 2014 AT 3:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2<sup>ND</sup> 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

**PUBLIC COMMENT:**     *DAVE VANCE*

**CONSENT AGENDA:**

**MINUTE ORDER NO 155.14   APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1   APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2   JANUARY 2014 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
  - MARK ARNOLD, AGRICULTURE
  - PAGE BISHOP, 4-H
  - RITA HODGES, FAMILY & CONSUMER SCIENCES
- A3   REVIEW AND ACCEPTANCE OF THE 2013 RACIAL PROFILING REPORT FOR ELLIS COUNTY CONSTABLE, PCT. 4 – MIKE JONES, CONSTABLE, PCT. 4
- A4   REVIEW AND ACCEPTANCE OF THE 2013 RACIAL PROFILING EXEMPTION REPORT FOR THE ELLIS COUNTY FIRE MARSHAL'S OFFICE – JOE STEWART, FIRE MARSHAL
- A5   REVIEW AND ACCEPTANCE OF THE 2013 RACIAL PROFILING REPORT FOR ELLIS COUNTY CONSTABLE, PCT. 1 – ROY CALLENDER, CONSTABLE, PCT. 1

A6 REVIEW AND ACCEPTANCE OF THE 2013 RACIAL PROFILING REPORT FOR ELLIS COUNTY CONSTABLE, PCT. 3 – JIMMY RAY, CONSTABLE, PCT. 3

**FINANCIAL:**

- F1 FROM 001-0385-50801 SUPPLIES \$389.12, 001-0385-50802 EQUIPMENT \$300.00 To 001-0385-508019 COMPUTER \$689.12 – JUDGE GENE CALVERT, COUNTY COURT AT LAW #2
- F2 FROM 001-0390-50801 SUPPLIES \$192.31 To 001-0390-50819 COMPUTER \$192.31 – CAROL BUSH, COUNTY JUDGE
- F3 FROM 001-0230-50873 MAINTENANCE/REPAIRS \$900.00 To 001-0230-50819 COMPUTER \$900.00 – KIM GOULD, PURCHASING AGENT
- F4 FROM 011-0704-30302 FUND BALANCE \$50,000.00 To 011-0704-50911 GRAVEL \$50,000.00 – PAUL PERRY, COMMISSIONER, PCT. 3
- F5 FROM 009-0602-50908 FM1 LUMBER \$8,000.00 To 009-0602-50914 FM1 SIGNS \$8,000.00 – DENNIS ROBINSON, COMMISSIONER, PCT. 1
- F6 FROM 047-0947-30302 STATE SEIZURE \$33,761.61 To 047-0947-50802 EQUIPMENT \$32,261.61, 047-0947-50807 GENERAL MISC. \$1,500.00 – JOHNNY BROWN, SHERIFF
- F7 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>
NATIONSTAR MORTGAGE	142093	\$5,737.85
NATIONSTAR MORTGAGE	201944	\$6,226.36
NATIONSTAR MORTGAGE	202319	\$3,897.36
J.P. MORGAN CHASE BANK NA	207806	\$3,704.44
OCWEN LOAN SERVICING	226412	\$2,570.14
NATIONSTAR MORTGAGE	227736	\$3,865.64
NATIONSTAR MORTGAGE	229277	\$3,048.27
NATIONSTAR MORTGAGE	233599	\$4,068.94

MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**DEPARTMENT OF COUNTY DEVELOPMENT:**

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS

**MINUTE ORDER NO 156.14** AMENDING THE FINAL PLAT OF SPRINGFIELD LAKES ESTATES, PHASE ONE, WHICH WAS APPROVED BY THE ELLIS COUNTY COMMISSIONERS COURT ON NOVEMBER 12, 2013, FOR THE PURPOSE OF CORRECTING A CLERICAL ERROR REGARDING THE MISSPELLING OF A ROAD NAME. THE ROAD MISIDENTIFIED AS SHEPARD'S HILL ROAD SHOULD BE APPROPRIATELY AND CORRECTLY IDENTIFIED AS SHEPHERD'S HILL ROAD. NO LOTS HAVE YET BEEN SOLD WITHIN THE PLATTED SUBDIVISION, WHICH IS LOCATED WITHIN ELLIS COUNTY ROAD AND BRIDGE PCT. 4

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

**PURCHASING:**

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

**MINUTE ORDER NO 157.14** APPROVAL TO EXERCISE 1 (ONE) YEAR RENEWAL ON THE FOLLOWING BIDS:  
RB-2013-006 EMULSIFIED ASPHALT, ERGON AND HEARTLAND  
2012-003 #2 LIMESTONE FLEX BASE TYPE A, GRADE 2, TXI

2012-003 #3 RECYCLED CONCRETE FLEX BASE TYPE D, GRADE 1 OR 2, BIG CITY  
2012-003 #4 FLEXPHALT TYPE D, GRADE 1, BIG CITY  
2012-003 #5 CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 5, 3/8" ROCK, TXI  
2012-003 #11 LIGHT WEIGHT SURFACE AGGREGATE TYPE L, GRADE 3, TRINITY  
2012-003 #12 LIGHT WEIGHT SURFACE AGGREGATE TYPE L, GRADE 4, TRINITY  
2012-003 #13 LIGHT WEIGHT SURFACE AGGREGATE TYPE L, GRADE 5, TRINITY  
2012-003 #14 WASHED PEA GRAVEL TYPE A, GRADE 5, 3/8", TRINITY  
2012-003 #15 WASHED PEA GRAVEL TYPE A, GRADE 4, 1/2", TRINITY  
2012-003 #17 NATURAL GRADED GRAVEL, CENTRAL SAND AND GRAVEL  
2012-003 #18 PIT RUN GRAVEL, CENTRAL SAND AND GRAVEL  
2012-003 #19 LIMESTONE PATCH MATERIAL TYPE A, 1/4" TO #10, HANSON AGGREGATES  
2012-003 #20 HOT MIX COLD LAY ASPHALT, APAC  
*RENEWAL PERIOD FROM MARCH 15, 2014 TO MARCH 14, 2015*

MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**MINUTE ORDER NO 158.14** AWARDING OF ELLIS COUNTY BID NUMBER RB-2014-003, MISCELLANEOUS CONCRETE REPAIR TO *J.C. CONCRETE* AND *J-ARC LLC* AS PRIMARY VENDORS. WORK WILL BE AWARDED ON INDIVIDUAL JOB REQUIREMENTS BASED ON THE HOURLY RATES QUOTED AND ESTIMATED HOURS FOR COMPLETION SUBMITTED BY EACH VENDOR.

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

**MINUTE ORDER NO 159.14** RENEWING MAINTENANCE AND REPAIR AGREEMENT WITH *ALPINE POWER SYSTEMS INC* FOR SEVEN (7) GENERATORS FOR ELLIS COUNTY WITH INCREASE TO \$12,320 FROM \$10,030 PREVIOUSLY

MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON *TO APPROVE PENDING LEGAL REVIEW* CARRIES 4/1 WITH COMMISSIONER PERRY OPPOSING

2.4 **PRESENTATION** ON ARMORED CAR SERVICE PROPOSAL TO BE MADE BY SCOTT TEMPLES, ACCOUNT EXECUTIVE FOR DUNBAR ARMORED, INC.

**No ACTION:** 2.5 TO APPROVE NEGOTIATION OF CONTRACT FOR ARMORED CAR SERVICES FOR ELLIS COUNTY, AND AMENDMENT OF THE BUDGET TO REFLECT A LINE ITEM TRANSFER FROM 001-0400-50502 SALARIES \$21,538.00, 001-0400-50553 SOCIAL SECURITY \$1,647.00, 001-0400-50554 RETIREMENT \$2,319.00, 001-0400-50808 AUTO GAS \$4,300.00, 001-0400-50809 AUTO REPAIRS \$250.00, 001-0400-50810 AUTO TIRES \$500.00, 001-0400-50884 AUTO INSURANCE \$300.00 TO 001-0140-50868 CONTRACT SERVICES \$30,854.00.

**MINUTE ORDER NO 160.14** AUTHORIZING COUNTY JUDGE, COUNTY ENGINEER AND/OR PURCHASING AGENT TO SIGN ALL PROJECT DOCUMENTS NECESSARY FOR THE DURATION OF THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) REGARDING THE SOUTH ELLIS WATER SUPPLY CORPORATION  
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**ADMINISTRATIVE:**

CONSIDERATION AND ACTION AS MAY BE APPROPRIATE REGARDING THE FOLLOWING MATTERS:

**MINUTE ORDER NO 161.14** APPROVING AN ACTUARIAL CONSULTING SERVICES AGREEMENT WITH *GABRIEL, ROEDER, SMITH & COMPANY* (MIKE NAVARRO, AUDITOR)  
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

**MINUTE ORDER NO 162.14** ALLOWING PUBLIC COMMENTS BY AGENDA ITEM (PAUL PERRY, COMMISSIONER, PCT. 3)  
MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 163.14** APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF OAK LEAF FOR TERM AGREEMENT JANUARY 1, 2014 TO OCTOBER 1, 2014;

**MINUTE ORDER NO 164.14** APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF RED OAK FOR TERM AGREEMENT JANUARY 1, 2014 TO OCTOBER 1, 2014;

**MINUTE ORDER NO 165.14** APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF MIDLOTHIAN FOR TERM AGREEMENT JANUARY 1, 2014 TO OCTOBER 1, 2014;

**MINUTE ORDER NO 166.14** APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF OVILLA FOR TERM AGREEMENT JANUARY 1, 2014 TO OCTOBER 1, 2014  
(RON BROWN, COMMISSIONER, PCT. 4)

MOTION TO APPROVE 3.3-3.6 BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY  
(*MINUTE ORDER NO 163.14-166.14*)

**MINUTE ORDER NO 167.14** AUTHORIZING THE COUNTY JUDGE TO SIGN DISCRETIONARY FUNDING GRANT (2014-045402) CONTRACT (\$18,798.00) WITH DEPARTMENT OF STATE HEALTH SERVICES FOR EMERGENCY COMMUNICATION AND NOTIFICATION (JOE STEWART, FIRE MARSHAL/EMERGENCY MANAGEMENT COORDINATOR)  
MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 168.14** APPROVAL TO EXECUTE A RESOLUTION FOR ELLIS COUNTY TO ENTER INTO A LOCAL PROJECT ADVANCE FUNDING AGREEMENT (LPAFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE REPLACEMENT OF THE ONE-LANE BRIDGE ON HAMPTON ROAD AT RED OAK CREEK. THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) REGIONAL TRANSPORTATION COUNCIL (RTC) HAS ALLOCATED FEDERAL FUNDING FOR TXDOT TO FACILITATE THE REPLACEMENT OF THIS BRIDGE WITH THE COOPERATION OF ELLIS COUNTY. (RON BROWN, COMMISSIONER, PCT 4)  
MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

#### **ADJOURNMENT**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF FEBRUARY 24, 2014 ARE HEREBY APPROVED.

PRESIDING OFFICER:

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CAROL BUSH, COUNTY JUDGE

*D-R*

DENNIS ROBINSON, COMMISSIONER, PCT 1

*BD*

BILL DODSON, COMMISSIONER, PCT 2

*R-B*

RON BROWN, COMMISSIONER, PCT 4

PAUL PERRY, COMMISSIONER, PCT 3

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS MAY 12, 2014

*Cindy Polley*

CINDY POLLEY, COUNTY CLERK

