

FILED

MAY 27 2014

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // MARCH 10, 2014**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, MARCH 10, 2014 AT 10:00 A.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 DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER BILL DODSON

CONSENT AGENDA:

MINUTE ORDER NO 169.14 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 TO APPROVE HIRING OF SEASONAL WORKER(S) FROM MARCH 17, 2014 THROUGH SEPTEMBER 13, 2014 AT SALARY RATE OF \$10.50/HOUR FOR ROAD AND BRIDGE, PCT. 2 – BILL DODSON, COMMISSIONER, PCT. 2
- A3 APPROVAL TO REAPPOINT JANIS BURDETT TO THE NORTH TEXAS BEHAVIORAL HEALTH AUTHORITY BOARD OF DIRECTORS WITH THE TERM ENDING JANUARY 31, 2016. – CAROL BUSH, COUNTY JUDGE

FINANCIAL:

- F1 FROM 004-0652-40004 RB2 SALE OF MATERIAL \$875.00, 010-0653-40928 FM2 AUCTION PROCEEDS \$10,396.12 TO 004-0652-50701 RB2 UTILITIES \$875.00, 010-0653-50802 FM2 PURCHASE OF EQUIPMENT \$10,396.12—BILL DODSON, COMMISSIONER, PCT. 2
- F2 FROM 009-0602-30302 FM1 FUND BALANCE \$60,000.00 TO 009-0602-50802 FM1 PURCHASE OF EQUIPMENT \$60,000.00. -DENNIS ROBINSON, COMMISSIONER, PCT. 1
- F3 FROM 001-0430-50806 OFFICIAL BOND/DUES \$2,200.00 TO 001-0430-50809 AUTO REPAIRS \$1,500.00, 001.0430.50810 AUTO TIRES \$700.00. – JOE STEWART, EMERGENCY MANAGEMENT

F4 FROM 001-0370-50804 POSTAGE \$1,000.00 TO 001-0370-50601 TRAVEL REIMBURSEMENT \$1,000.00. – JOHN BRIDGES, TAX ASSESSOR/COLLECTOR

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 170.14 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME PARKS AS IT RELATES TO THE ROAD FRONTAGE REQUIREMENT AT THE LOCATION OF 3219 FM 813, PALMER, TEXAS, REQUESTED BY JEFFREY PROWELL. THIS PROPERTY IS LOCATED WITHIN THE UNINCORPORATED AREA OF ELLIS COUNTY, SPECIFICALLY WITHIN ELLIS COUNTY ROAD AND BRIDGE PCT. 1.

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

No ACTION: 1.2 CLOSE, ABANDON, VACATE AND DISCONTINUE AN ALLEYWAY IN SKYLINE ACRES, MIDLOTHIAN, TEXAS BETWEEN LOTS 1-4, BLOCK 12 AND PORTION OF THE RESERVED FOR BUSINESS LOTS, REQUESTED BY MARCUS HARDIN. THIS PROPERTY IS LOCATED WITHIN THE UNINCORPORATED AREA OF ELLIS COUNTY, SPECIFICALLY WITHIN ELLIS COUNTY ROAD AND BRIDGE PCT. 4.

DISCUSSION: *WOODY PENNINGTON, MARCUS HARDIN, KENNETH MAYFIELD AND ALBERTO MALES (CITY OF MIDLOTHIAN)*

No ACTION: 1.3 CLOSE, ABANDON, VACATE AND DISCONTINUE AN ALLEYWAY IN SKYLINE ACRES, MIDLOTHIAN, TEXAS BETWEEN LOTS 5-8, BLOCK 12 AND PORTION OF THE RESERVED FOR BUSINESS LOTS, REQUESTED BY MARCUS HARDIN. THIS PROPERTY IS LOCATED WITHIN THE UNINCORPORATED AREA OF ELLIS COUNTY, SPECIFICALLY WITHIN ELLIS COUNTY ROAD AND BRIDGE PCT. 4.

PURCHASING:

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

MINUTE ORDER NO 171.14 APPROVING PURCHASE FROM HOLT CAT FINANCIAL, ONE (1) NEW CATERPILLAR INC., MODEL 924K QC WHEEL LOADER AND INTEGRATED TOOL CARRIER IN THE AMOUNT OF \$129,699.00 FOR ROAD AND BRIDGE PRECINCT 1

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

No ACTION: 2.2 TO APPROVE AWARDDING RB-2014-004 ANNUAL CONTRACT FOR: CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 4, 1/2" ROCK AND CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 3, 5/8" ROCK. CONTRACT LENGTH IS MARCH 14, 2014 THROUGH MARCH 15, 2015, WITH ONE (1), ONE (1) YEAR RENEWAL OPTION.

ADMINISTRATIVE:

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

3.1 **BRIEFING OF MARCH 4TH'S PRIMARY ELECTION PROCESS.** – BRUCE SHERBET, ELECTIONS ADMINISTRATOR

MINUTE ORDER NO 172.14 APPROVING AN INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND THE NORTH TEXAS TOLLWAY AUTHORITY (NTTA), PURSUANT TO SECTIONS 502.011 AND 372.111 OF THE TEXAS TRANSPORTATION CODE, AUTHORIZING THE COUNTY TAX ASSESSOR/COLLECTOR TO REFUSE TO REGISTER OR RENEW THE REGISTRATION OF A MOTOR VEHICLE IF HE HAS RECEIVED INFORMATION FROM NTTA THAT THE OWNER OF THE VEHICLE HAS BEEN FINALLY DETERMINED TO BE A HABITUAL VIOLATOR AS DEFINED WITHIN SECTION 372.106 OF THE TEXAS TRANSPORTATION CODE
(JOHN BRIDGES, TAX ASSESSOR/COLLECTOR)

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

MINUTE ORDER NO 173.14 PROCLAIMING THE WEEK OF MARCH 16-22, 2014 AS POISON PREVENTION WEEK IN ELLIS COUNTY (CAROL BUSH, ELLIS COUNTY JUDGE)

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

MINUTE ORDER NO 174.14 APPROVING PURCHASE OF A K9 NAMED RIKO FROM POLICE SERVICE DOGS, INC., AS A REPLACEMENT FOR JAX WHO IS BEING RETIRED. FUNDING FOR THE PURCHASE WILL COME FROM SHERIFF'S STATE SEIZURE FUNDS. PURCHASE AMOUNT IS \$11,500.

(DENNIS BREARLEY, ELLIS COUNTY SHERIFF'S OFFICE)

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

3.5 **Discuss** UNIT OR OTHER ROAD SYSTEM. – PAUL PERRY, COMMISSIONER, PCT. 3

MINUTE ORDER NO 175.14 AUTHORIZING THE ELLIS COUNTY FIRE MARSHAL'S OFFICE TO APPLY FOR FEMA FIRE PREVENTION & SAFETY GRANT FUNDING IN THE AMOUNT OF \$110,600.00. IF AWARDED, FUNDING WOULD BE USED TO PURCHASE A FIRE SAFETY EDUCATION TRAILER FOR USE ACROSS THE COUNTY.

(JOE STEWART, FIRE MARSHAL/EMC)

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

MINUTE ORDER NO 176.14 APPROVAL TO PLACE A 2008 FORD CROWN VICTORIA ON THE LIST OF AUTHORIZED VEHICLES THAT ARE ALLOWED TO DISPLAY REGULAR EXEMPT PLATES AND CORRECTING THE VEHICLE IDENTIFICATION NUMBER OF A 1999 CHEVY SILVERADO WHICH IS CURRENTLY ON THE LIST

(CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)

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

ADJOURNMENT

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF MARCH 10, 2014 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE

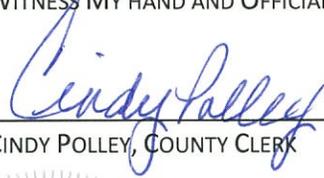

DENNIS ROBINSON, COMMISSIONER, PCT 1


BILL DODSON, COMMISSIONER, PCT 2


PAUL PERRY, COMMISSIONER, PCT 3


RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS MAY 27, 2014


CINDY POLLEY, COUNTY CLERK

