

**FILED**

**MAY 27 2014**

**COUNTY CLERK  
ELLIS COUNTY, TEXAS**

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

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, MARCH 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 DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER DENNIS ROBINSON

**CONSENT AGENDA:**

**MINUTE ORDER NO 178.14 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 FEBRUARY 2014 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
  - MARK ARNOLD, AGRICULTURE
  - PAGE BISHOP, 4-H
  - RITA HODGES, FAMILY & CONSUMER SCIENCES
- A3 APPROVING OFFICIAL MINUTES OF THE COMMISSIONERS' COURT:
  - NOVEMBER 12, 14 & 25, 2013
  - DECEMBER 9, 19/10:30 AM & 19/3:00PM

**FINANCIAL:**

- F1 FROM 001-0360-50805 DA-CONFERENCE \$275.00 To 001-0360-50802 DA-EQUIPMENT \$275.00 – PATRICK WILSON, COUNTY & DISTRICT ATTORNEY
- F2 FROM 001-0375-50933 CONSULTANT \$2,000.00 To 001-0375-50802 SUPPLIES \$2,000.00 – JOE WHITE, ENGINEER

F3 FROM 001-0330-40096 STATE LEO PAYMENT \$13,581.34, 001-0010-50807 GENERAL MISCELLANEOUS \$1,500.00  
To 001-0010-50820 LEOSE TRAINING \$13,581.34, 001-0010-50806 OFFICIAL BOND/DUES \$600.00, 001-0010-  
50865 EMPLOYEE SCREENING \$900.00. – JOHNNY BROWN, SHERIFF

F4 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>
WELLS FARGO	238479	\$2,977.39

**SIMPLIFIED PLAT:**

SP1 WALKER CREEK ESTATES, 2 LOTS, LINDA BREZAVAR AND TOMMY SHAW, ROAD AND BRIDGE PCT. 2  
MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES  
UNANIMOUSLY

**RECESS TO CONVENE TO EXECUTIVE SESSION (3:07 PM)**

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**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 LEGAL COUNSEL REGARDING  
CAUSE NO. 3:12-CV-02458-M-BD; FLOYD ROGERS, III V. JOHNNY BROWN, ET. AL.; PENDING IN THE UNITED STATES  
DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION

**ADJOURNMENT OF EXECUTIVE SESSION (3:34 PM)**

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

**DEPARTMENT OF COUNTY DEVELOPMENT:**

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

**MINUTE ORDER NO 179.14** APPROVING PRELIMINARY PLAT, TAMMINGA FARMS, 11 LOTS, KARS  
TAMMINGA, ROAD AND BRIDGE PCT. 3

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

**MINUTE ORDER NO 180.14** APPROVING PRELIMINARY PLAT, SPRINGER ROAD ESTATES, 32 LOTS, ALBERT  
BILLINGSLEY, ROAD AND BRIDGE PCT. 4

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

**PURCHASING:**

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

**MINUTE ORDER NO 181.14** ACCEPTING A PROPOSAL FROM RCC CONSULTANTS, INC. FOR DEVELOPMENT OF A PLAN TO IMPLEMENT A NEW VHF P25 CONVENTIONAL VOTING SYSTEM UTILIZING RECENTLY RECEIVED GRANT FUNDING

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

2.2 **DISCUSS** COMPREHENSIVE LIABILITY INSURANCE RENEWAL OPTION.

**ADMINISTRATIVE:**

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

**MINUTE ORDER NO 182.14** APPROVING A PROCLAMATION DECLARING APRIL 6 – 12, 2014 AS VICTIMS' RIGHTS WEEK, AND SUPPORTING THE COMMUNITY'S EFFORTS IN IMPLEMENTING PROGRAMS AND SERVICES TO ASSIST THE INNOCENT VICTIMS OF VIOLENT CRIME. *SUZETTE PYLANT, VICTIMS ADVOCATE FOR MADD (MOTHERS AGAINST DRUNK DRIVING) THANKED THE COURT FOR APPROVING PROCLAMATION* (CAROL BUSH, ELLIS COUNTY JUDGE)

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

**NO ACTION:** 3.2 APPROVAL OF A COURT PAYMENT CARD PROCESSING PARTICIPATION AGREEMENT BETWEEN ELLIS COUNTY AND TYLER TECHNOLOGIES TO AUTHORIZE THE ELECTRONIC SUBMISSION AND COLLECTION OF PAYMENTS FOR STATUTORY COURT COSTS AND FEES THROUGH AN ELECTRONIC FILING SYSTEM, PURSUANT TO THE ELECTRONIC FILING AGREEMENT BETWEEN TYLER TECHNOLOGIES AND THE TEXAS OFFICE OF COURT ADMINISTRATION. – CINDY POLLEY, COUNTY CLERK

**MINUTE ORDER NO 183.14(a)** APPROVING CONTRACTS FOR LEXISNEXIS AND  
**MINUTE ORDER NO 183.14(b)** LEXIS FOR MICROSOFT OFFICE LEXIS ADVANCE EDITION AND ADDENDUMS ASSOCIATED WITH EACH CONTRACT AND AUTHORIZING THE COUNTY JUDGE TO SIGN. MONEY FOR THE CONTRACTS CURRENTLY EXISTS IN THE DISTRICT ATTORNEY'S OFFICE BUDGET FOR LEGAL RESEARCH. THIS CONTRACT IS \$910.00 PER MONTH FOR LEXIS AND \$99.00 PER MONTH FOR LEXIS FOR MICROSOFT OFFICE. THE CONTRACT INCLUDES A YEARLY ESCALATION CLAUSE.

(ANN MONTGOMERY, ASSISTANT COUNTY & DISTRICT ATTORNEY)

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

**MINUTE ORDER NO 184.14** APPROVING ADDENDUM TO MASTER SERVICES AGREEMENT FOR LOCAL GOVERNMENT SOLUTION (LGS) AND AUTHORIZING THE COUNTY JUDGE TO SIGN. THIS ADDENDUM REDUCES THE ELLIS COUNTY DISTRICT CLERKS MONTHLY INVOICE BY \$1,753.00 PER MONTH, MAKING THE NEW MONTHLY FEE \$5,783.00. (MELANIE REED, DISTRICT CLERK)

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

**MINUTE ORDER NO 185.14** ALLOWING REPRESENTATIVES FROM THE TEXAS BOLL WEEVIL ERADICATION FOUNDATION TO PARK THEIR VEHICLES AT ROAD & BRIDGE PRECINCT 2 BARN LOCATION IN ENNIS AND AT THE SUB-COURTHOUSE ON SONOMA TRAIL IN ENNIS (BILL DODSON, COMMISSIONER, PCT. 2)

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

**MINUTE ORDER NO 186.14** APPROVING A WORK ORDER BETWEEN THE CITY OF PECAN HILL AND ELLIS COUNTY ROAD AND BRIDGE, PCT. 1, TO REBUILD AND RESURFACE ROCKETT LANE WITH 2 COURSE CHIP SEAL AND SPOT BASE AS NEEDED (DENNIS ROBINSON, COMMISSIONER PCT. 1)

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

**MINUTE ORDER NO 187.14** APPROVAL TO HIRE SEASONAL WORKER(S) FROM MAY 1, 2014 THROUGH SEPTEMBER 1, 2014, AT A SALARY RATE OF UP TO \$10.50 PER HOUR FOR ROAD & BRIDGE, PCT. 3 (PAUL PERRY, COMMISSIONER, PCT. 3)  
MOTION TO APPROVE COMMISSIONER PERRY, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

3.8 **DISCUSS** THE INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND THE NORTH TEXAS TOLLWAY AUTHORITY (NTTA) REGARDING AUTHORIZATION OF THE COUNTY TAX ASSESSOR/COLLECTOR TO REFUSE TO REGISTER OR RENEW THE REGISTRATION OF A MOTOR VEHICLE IN LIGHT OF NEWLY DISCOVERED PERTINENT FACTS. – PAUL PERRY, COMMISSIONER, PCT. 3  
DISCUSSION: DAVE VANCE

**MINUTE ORDER NO 188.14** APPROVING THE CONTINUED SUPPORT OF MEALS-ON-WHEELS WITH AN ALLOCATION OF \$25,000 FOR FY2014  
MOTION TO APPROVE COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 189.14(a) thru 189.14(i)** APPROVING LEASE AGREEMENTS FOR ADA VOTING EQUIPMENT FOR ELLIS COUNTY CITIES AND SCHOOL DISTRICTS THAT WILL BE CONDUCTING ELECTIONS ON MAY 10, 2014 (BRUCE SHERBET, ELECTIONS ADMINISTRATOR)

<u>CITY</u>	<u>SCHOOL</u>
(a) Alma	(k) Waxahachie ISD
(b) Waxahachie	(l) Ennis ISD
(c) Ennis	
(d) Italy	
(e) Milford	
(f) Ovilla	
(g) Oak Leaf	
(h) Ferris	
(i) Garrett	
(j) Maypearl	

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

**MINUTE ORDER NO 190.14** APPROVING SALARY (\$82,200) AND EQUIPMENT FOR ELECTIONS ADMINISTRATOR AND ANY NECESSARY BUDGET AMENDMENTS RELATED THERETO  
MOTION TO APPROVE COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

#### **ADJOURNMENT**

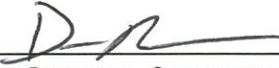
MOTION TO ADJOURN BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF MARCH 24, 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