

FILED

MAY 27 2014

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // APRIL 14, 2014**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, APRIL 14, 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 PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER BILL DODSON

CONSENT AGENDA:

MINUTE ORDER NO 191.14 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 MARCH 2014 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
 - MARK ARNOLD, AGRICULTURE
 - PAGE BISHOP, 4-H
 - RITA HODGES, FAMILY & CONSUMER SCIENCES

FINANCIAL:

- F1 FROM 010-0653-50868 FM2 CONTRACT LABOR \$10,000.00 TO 010-0653-50906 FM2 CULVERTS \$10,000.00 — BILL DODSON, COMMISSIONER PCT. 2
- F2 FROM 010-0653-40928FM2 AUCTION PROCEEDS \$114,283.75 TO 010-0653-50802 FM2 PURCHASE OF EQUIPMENT — BILL DODSON, COMMISSIONER PCT.2
- F3 FROM 001-0425-50801 SUPPLIES \$300.00 TO 001-0425-50819 COMPUTER \$300.00 — ANNE PRICE, DIRECTOR OF HUMAN SERVICES
- F4 FROM 001-0520-50874 DOCKET BOOKS/PRINTING \$706.62 TO 001-0520-50803 FURNITURE/FIXTURES \$706.62 — JACKIE MILLER JR., JP2

F5 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>
CRAIG WELCH	218579	\$2,793.81
J.P. MORGAN CHASE BANK NA	224609	\$5,442.69

SIMPLIFIED PLAT:

SP1 MITCHELL ESTATE, 1 LOT, CHRIS OLIVER, PCT. 4

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 192.14 ACCEPTING ROW (*RIGHT OF WAY*) DEED FROM CAROLYN J. HAMAN PERTAINING TO MARSHALL ROAD, LOCATED IN THE ETJ OF WAXAHACHIE, TEXAS, REQUESTED BY TERRY WEAVER, PCT. 4
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY
RECORDED IN THE OFFICIAL PUBLIC RECORDS (OPR) APRIL 15, 2014...INSTRUMENT # 1407741...VOL. 2760/PAGE 1074

PURCHASING:

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

MINUTE ORDER NO 193.14 APPROVING RENTAL AGREEMENT FOR A CW14 PNEUMATIC TIRE COMPACTOR FROM HOLT CAT FOR ROAD AND BRIDGE PRECINCT 3, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 194.14 (194.14(1)(2)(3)(4)(5)) ADOPTING THE FOLLOWING RESOLUTIONS PERTAINING TO SOUTH ELLIS COUNTY WATER SUPPLY, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG):

- (1) SECTION 3 POLICY IN ACCORDANCE WITH 12 U.S.C 1701U
- (2) SECTION 504 GRIEVANCE PROCEDURE
- (3) FAIR HOUSING MONTHLY PROCLAMATION, A1007
- (4) EXCESSIVE FORCE POLICY
- (5) CITIZEN COMPLAINT PROCEDURES.

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

MINUTE ORDER NO 195.14 AWARDING RB-2014-005 LIMESTONE FLEX BASE TYPE A, GRADE 1 & 4:
ACCEPTING ALL VENDORS—J&K PRIMARY

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

MINUTE ORDER NO 196.14 DECLARING AS SURPLUS AND AUTHORIZING DISPOSAL OF 2008 FORD CROWN VICTORIA, VIN 2FAPP71V28X146508 FROM CONSTABLE PRECINCT 1, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE 263

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

ADMINISTRATIVE:

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

MINUTE ORDER NO 197.14 APPROVAL TO SIGN A TERMINATION AGREEMENT WITH TXDOT FOR THE OFF-SYSTEM BRIDGE PROJECT PREVIOUSLY PROPOSED ON BROADHEAD ROAD AT GROVE CREEK
(JOE WHITE, COUNTY ENGINEER)

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

MINUTE ORDER NO 198.14 APPROVAL TO EXECUTE A RESOLUTION TO AUTHORIZE AN APPLICATION FOR FEDERAL FUNDING FOR THE REHABILITATION OF MULTIPLE FLOOD RETARDING STRUCTURES WITHIN ELLIS COUNTY AND THE ELLIS-PRAIRIE SOIL AND WATER CONSERVATION DISTRICT. IF RECEIVED, THE PORTION OF FEDERAL FUNDS FOR THE PROJECT(S) WILL BE 65% AND THE LOCAL PORTION WILL BE 35%, HOWEVER 95% OF THE 35% OF THE LOCAL MATCH MAY BE FUNDED BY THE STATE OF TEXAS TO ASSIST THE LOCAL SPONSORS OF THE DAM. THIS APPLICATION IN NO WAY OBLIGATES THE COUNTY TO ACCEPT THE FUNDS IF STATE FUNDS FOR LOCAL PARTICIPATION PORTION ARE UNAVAILABLE. THE APPLICATION IS DUE TO THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD BY APRIL 25, 2014.
(JOE WHITE, COUNTY ENGINEER)

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

MINUTE ORDER NO 199.14 ENTERING INTO A CONTRACT WITH THE DEPARTMENT OF ARMY CORPS OF ENGINEERS TO PROVIDE LAW ENFORCEMENT SERVICES TO THE LAKE BARDWELL PROJECT
(CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)

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

MINUTE ORDER NO 200.14 APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF MILFORD TO PROVIDE TEXAS LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (TLETS) INFORMATION TO TERMINALS IN THEIR PATROL VEHICLES. THIS IS A REVISION OF MINUTE ORDER 209.13, DATED JUNE 24, 2013.
(CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)

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

MINUTE ORDER NO 201.14 APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF MAYPEARL TO PROVIDE TEXAS LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (TLETS) INFORMATION TO TERMINALS IN THEIR PATROL VEHICLES. THIS IS A REVISION OF MINUTE ORDER 134.12, DATED MARCH 12, 2012.
(CHUCK LAUBACH, ELLIS COUNTY SHERIFF'S OFFICE)

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

No ACTION: 3.6 TO APPROVE RESOLUTION SETTING TERMS OF COURT FOR STATUTORY COUNTY COURTS PURSUANT TO GOVERNMENT CODE §25.0016. – CINDY POLLEY, COUNTY CLERK

MINUTE ORDER NO 202.14 APPROVING INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF GLENN HEIGHTS FOR TERM AGREEMENT MAY 1, 2014 TO MAY 1, 2015
(RON BROWN, COMMISSIONER, PCT. 4)

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

MINUTE ORDER NO 203.14 APPROVING A *COURT PAYMENT CARD PROCESSING PARTICIPATION AGREEMENT* BETWEEN TYLER TECHNOLOGIES AND ELLIS COUNTY AND AUTHORIZING THE EXECUTION OF A MERCHANT ACCOUNT AGREEMENT REGARDING SAME. TYLER AND THE TEXAS OFFICE OF COURT ADMINISTRATION (OCA) HAVE ENTERED INTO AN ELECTRONIC FILING AGREEMENT WHEREBY REGISTERED USERS MAY SUBMIT PAYMENT FOR STATUTORY COURT COSTS AND FEES THROUGH THE E-FILE SYSTEM

PROVIDED COURT IS ENROLLED IN A COURT PAYMENT CARD PROCESSING PARTICIPATION AGREEMENT. THE DEADLINE FOR MANDATORY E-FILING FOR ELLIS COUNTY IS JANUARY 1, 2015. (CINDY POLLEY, COUNTY CLERK)
MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 204.14 AUTHORIZING THE TEXAS A&M AGRILIFE EXTENSION TO INSTALL 12 TRAPS THROUGHOUT ELLIS COUNTY, MAINLY ALONG BOTH MAJOR AND SECONDARY COUNTY ROADS, TO DETECT THE PRESENCE OF EMERALD ASH BORER BEETLES, AN INVASIVE SPECIES WHICH ATTACKS ASH TREES
(BILL DODSON, COMMISSIONER PCT. 2)

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

MINUTE ORDER NO 205.14 APPROVAL TO LEASE A STEEL WHEEL ROLLER FROM BANE MACHINERY FOR \$3,200.00 PER MONTH FOR A PERIOD NOT TO EXCEED SIX MONTHS
(DENNIS ROBINSON, COMMISSIONER, PCT. 1)

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

ADJOURNMENT

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF APRIL 14, 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

