



AGENDA ITEM 1.1
Ellis County Commissioners Court
January 2, 2018



SHORT TITLE:

Road frontage variance for Allen Family Estates, Tract 5.

LEGAL CAPTION:

Consider & act upon a request to grant a one-time variance from Section VIII (A) (Residential Lots) of the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes to allow one (1) of two (2) lots do not meet the minimum road frontage requirement. The property contains \pm 3.130 acres of land, commonly known as 2231 Patrick Road and located on the west side of Patrick Road \pm 1,020 feet south of Mulkey Road, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road & Bridge Precinct No. 4.



APPLICANT(S):

John & Trisha Douglas



PURPOSE:

The applicant wishes to subdivide this property into two (2) lots. The proposed width of one (1) lot is \pm 149.44 feet, just failing to meet the required minimum of 150 feet by 6.75 inches, thus necessitating the need for the variance request.



HISTORY:

The plat for Allen Family Estates was approved by the County Commissioners' Court on September 30, 1981. Although no previous history is associated with this property, a replat is also scheduled for action at this meeting. If this variance request is not approved, the replat will not be heard.



OTHER RELEVANT INFORMATION:

Section VIII (A) requires "...a minimum of one hundred fifty (150) feet of County of State road frontage..."

Section XI (B) outlines the criteria below for granting relief from the rules and regulations.

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Order would deprive the applicant of the reasonable use of his land; and,



2. That the relief is necessary for the preservation and enjoyment of a substantial property right of the applicant; and,
3. That the granting of the relief will not be detrimental to the public finances, health, safety or welfare, or injurious to other property in the area; and,
4. That the granting of the relief will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Order.



ANALYSIS:

The original plat met with the regulations in place when it was adopted in 1981, and the property owner cannot acquire additional property to make up the minimal difference.



RECOMMENDATION:

Staff recommends **approval** of this variance to Section VIII (A) to grant a variance, as presented in the Draft Order (Attachment No. 2)



ATTACHMENTS:

1. Applicant's Request
2. Draft Order



PREPARED AND SUBMITTED BY:

Lisa Yates
Subdivision Coordinator



APPROVED AND PRESENTED BY:

Alberto Mares, AICP, DR
Director of Planning & Development
Ellis County



ATTACHMENT NO. 1

John and Trisha Douglas
3650 Emo St.
Midlothian, TX 76065
214-546-7271

November 28, 2017

To the Commissioner's Court of Ellis County:

We, John and Trisha Douglas, respectfully request a one-time variance to allow the platting of one lot without meeting the minimum road frontage requirements of Ellis County. The proposed replat of Tract 5, Allen Family Estates, 3.13 acres, on Patrick Rd in Waxahachie's ETJ has already been approved by the city of Waxahachie Planning and Zoning Commission and City Council.

The replat splits Tract 5, which has 299.33 feet of road frontage, into two lots, 1.56 acres each: one (Tract 5B) with 150 feet of road frontage and the other (Tract 5A) with 149.33 feet of road frontage, which is just a few inches short of the requirement.

We ask that you please approve this variance request since we have no other alternative to make the lot wider due to an existing water meter and driveway on the adjoining property, Tract 4. We very much appreciate your consideration on this matter.

Sincerely,

John Douglas & Trisha Douglas



ATTACHMENT NO. 2

**COMMISSIONERS COURT OF ELLIS COUNTY
ORDER NO. _____**

On this the 2nd day of January 2018, the Commissioners’ Court of Ellis County, Texas, convened in a regular session of said court on the 2nd Floor of the Ellis County Historic Courthouse located at 101 West Main Street, Waxahachie, Texas, with the following members present, to wit:

COUNTY JUDGE:

- Judge Carol Bush

COMMISSIONERS:

- Randy Stinson, Commissioner, Pct. 1
- Paul Perry, Commissioner, Pct. 3
- Lane Grayson, Commissioner, Pct. 2
- Kyle Butler, Commissioner, Pct. 4

AND AMONG OTHER PROCEEDINGS, THE FOLLOWING ORDER WAS PASSED AS FOLLOWS:

AN ORDER OF THE COMMISSIONERS’ COURT OF ELLIS COUNTY, TEXAS GRANTING A ONE-TIME VARIANCE FROM SECTION VIII (A) (RESIDENTIAL LOTS) OF THE COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES TO ALLOW ONE (1) OF TWO (2) LOTS TO NOT MEET THE MINIMUM ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 3.130 ACRES OF LAND, COMMONLY KNOWN AS 2231 PATRICK ROAD AND LOCATED ON THE WEST SIDE OF PATRICK ROAD ± 1,020 FEET SOUTH OF MULKEY ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4, WITH PROPERTY MORE FULLY DESCRIBED IN EXHIBIT “A”, PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Commissioners’ Court of Ellis County, Texas, in compliance with the laws of the State of Texas and the orders of Ellis County, Texas, have given the requisite notices and otherwise, and after holding and affording a full and fair hearing to all interested persons, and in the exercise of its legislative discretion, have concluded that this proposal should be approved;

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSIONERS’ COURT OF ELLIS COUNTY TEXAS, THAT:

SECTION 1. GRANTING OF A VARIANCE.

The Commissioners’ Court finds that the variance criteria outlined in Section XI (B) of the “County of Ellis Rules, Regulations, and Specifications for Subdivisions and Manufactured Homes apply and are set



forth above are incorporated into the body of this order as if fully set forth herein, and the granting of relief in the form of a lesser standard will not impact adversely on public health, safety, general welfare, traffic conditions, and not alter the nature, character, and quality of the subdivision.

SECTION 2. CONDITIONS OF APPROVAL.

The variance for the above-described property is hereby granted a one-time variance from the Ellis County Rules for relief on the 150 feet of road frontage requirement, subject to the following condition:

- 1) A replat plat meeting all other requirements shall be submitted for review.

SECTION 3. CONFLICTS.

To the extent of any irreconcilable conflict with the provisions of this Order and other orders of Ellis County governing the use and development of the Property and which are not expressly amended by this Order, the provisions of this Order shall be controlling.

SECTION 4. SEVERABILITY CLAUSE

If any section, paragraph, sentence, phrase, or word in this order is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this order; and the Commissioners Court hereby declares it would have passed such remaining portions of the Order despite such invalidity, which remaining portions shall remain in force and effect

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED, APPROVED, AND ADOPTED IN OPEN COURT BY THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS ON THIS THE 2ND DAY OF JANUARY 2018.

Carol Bush, County Judge

Commissioner Randy Stinson, Precinct No. 1

Commissioner Lane Grayson, Precinct No. 2

Commissioner Paul Perry, Precinct No. 3

Commissioner Kyle Butler, Precinct No. 4

ATTEST:

Cindy Polley, County Clerk



EXHIBIT A

Location Map & Survey



Subject Property



AGENDA ITEM 1.2
Ellis County Commissioners Court
January 2, 2018



SHORT TITLE:

Replat of Allen Family Estates, Tract 5.

LEGAL CAPTION:

Consider & act upon a replat of Tract 5, Allen Family Estates, into Tract 5A and Tract 5B. The property contains ± 3.130 acres of land and located on the west side of Patrick Road ± 1,020 feet south of Mulkey Road, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road & Bridge Precinct No. 4.



APPLICANT(S):

John & Trisha Douglas



PURPOSE:

The applicant wishes to subdivide this property into two (2) residential lots.



HISTORY:

The plat for Allen Family Estates was approved by the County Commissioners' Court on September 30, 1981. Although no previous history is associated with this property, a variance request for road frontage is also scheduled for action at this meeting. If that variance request is not approved, the replat will not be heard.



OTHER RELEVANT INFORMATION:

Thoroughfare Plan:

The Thoroughfare Plan shows Old Buena Vista Road as an existing minor arterial, requiring a total right-of-way dedication of 80-100 feet. This plat shows a total right-of-way dedication of 40 feet from the centerline of Old Buena Vista, complying with the Thoroughfare Plan by dedicating one-half of the necessary right-of-way dedication.

Utilities:

Rockett Special Utility Water District currently provides water service in this area.



Advertisement:

As required by State Law in Chapter 232.009 (c) of the Texas Local Government Code, this replat was advertised on the County's website on November 30, 2017, and the Waxahachie Daily Light on December 10, December 20, and December 24, 2017. A total of three (3) property owner notifications were sent, with two (2) certified signed receipts returned. To date, the Department staff has not received any inquiries regarding this request.



ANALYSIS:

Outside of the variance request, this replat meets all the requirement of the current Rules and Regulations.



RECOMMENDATION:

Staff recommends approval of this replat, as presented.



ATTACHMENTS:

1. Replat



PREPARED AND SUBMITTED BY:

Lisa Yates
Subdivision Coordinator



APPROVED AND PRESENTED BY:

Alberto Mares, AICP, DR
Director of Planning & Development
Ellis County



ATTACHMENT NO. 1



Subject Property



AGENDA ITEM 1.3
Ellis County Commissioners Court
January 2, 2018



SHORT TITLE:

Road frontage variance for 146 Hoot Lane.

LEGAL CAPTION:

Consider & act upon a request to grant a one-time variance from Section VIII (A) (Residential Lots) of the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes to allow one (1) single-family residence without meeting the minimum road frontage requirement. The property contains ± 2.00 acres of land in the T.J. Chambers Survey, Abstract No. 30, commonly known as 146 Hoot Lane, Ennis, Road & Bridge Precinct No. 2.



APPLICANT(S):

Florentina Lopez



PURPOSE:

The applicant requesting a variance to Section VIII (A) of the Rules and Regulations to allow one (1) mobile home residence on a property with no county road frontage. The property fronts onto two (2) privately-maintained roads, Hoot Road and Hollar Road.



HISTORY:

This property was placed into an unrecorded subdivision and labeled as Lot 21 in the Bonham Subdivision in approximately 2005. A previous mobile home was in place (and grandfathered) when the current property owner bought the property in 2008, but that mobile home was later removed. She wishes to place a new mobile home on this property, but the current regulations prevent her from accomplishing this without a variance.



OTHER RELEVANT INFORMATION:

Section VIII (A) requires "...a minimum of one hundred fifty (150) feet of County of State road frontage..."



Section XI (B) outlines the criteria below for granting relief from the rules and regulations.

1. *That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Order would deprive the applicant of the reasonable use of his land; and,*
2. *That the relief is necessary for the preservation and enjoyment of a substantial property right of the applicant; and,*
3. *That the granting of the relief will not be detrimental to the public finances, health, safety or welfare, or injurious to other property in the area; and,*
4. *That the granting of the relief will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Order.*



ANALYSIS:

The property has existing utility services on this property. As there was a previous mobile home on this property in the past, there should be a very minimal impact, if any, on this requested variance. Also, this request meets the criteria for granting relief from the current regulations.



RECOMMENDATION:

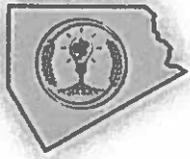
Staff recommends **approval** of this variance to Section VIII (A) to grant a variance, as presented, subject to the following conditions:

- 1) A simplified plat shall be submitted for review to the Department of Development to create a legal lot of record officially and before submittal of any development or on-site sewage facility permit.
- 2) A permit shall be submitted for review to the Department of Development to permit this habitable structure and a Hook-To for the existing on-site sewage facility.
- 3) There shall only be one (1) single family residence located on these two (2) acres.



ATTACHMENTS:

1. Applicant's Request
2. Draft Order



DEPARTMENT OF DEVELOPMENT
Ellis County

: dod@co.ellis.tx.us
: 972-825-5200
: co.ellis.tx.us/dod



PREPARED AND SUBMITTED BY:

Lisa Yates
Subdivision Coordinator



APPROVED AND PRESENTED BY:



Alberto Mares, AICP, DR
Director of Planning & Development
Ellis County



DEPARTMENT OF DEVELOPMENT
Ellis County

✉: dod@co.ellis.tx.us
☎: 972-825-5200
🌐: co.ellis.tx.us/dod

ATTACHMENT NO. 1

September 28, 2017

From: Florentina Lopez 1100 N McKinney St., Ennis, TX 75119

To: Alberto Mares, Director, Ellis County Department of Development and the Honorable Commissioners of the Ellis County Commissioners Court

Re: Variance Respectfully Requested for 146 Hoot Lane, Ennis, TX 75109, Ellis County, Texas for permit allowing me to place a new double wide manufactured home on my 2 acre property which can only be accessed off Hoot Lane.

Dear Sirs: I am a single female widowed now and living with my daughter and her family in Ennis since my husband passed away. It has become a real hardship for me with respect to the lack of room for me and my son living with my daughter and her family as her family continues to expand.

I am now in desperate need of moving into my own home with my remaining son to alleviate the crowded condition currently at my daughters. I own the 2 acres with utilities free and clear now on Hoot Lane, as I have just recently paid it off. If I am unable to place a home on my land I am at a loss as to what I am to do with this property I once lived on only a few years ago, and if not allowed a permit to place a home, which I have already purchased, I am now at a loss as to how I could even afford to buy another tract of land elsewhere. I am not a person of means and frankly I cannot afford to purchase another place to put my home on. I was barely "in budget" to even get the home approved for financing.

Also, I am now wondering how I could even sell this 2 acre tract to anyone else, because who would want to purchase a tract of land for which they could not obtain a permit to place a home? This fact would severely limit my ability to even sell this property I have faithfully been paying my property taxes for these past several years. It also reduces the value to my property even though it has the utilities in place for a home.

I respectfully ask and plead with the commissioners court to grant me a variance for this property so that I can place the home I have purchased on it, as I have had my share of hardships. These past few years, and I'm thanking you in advance for your consideration and approval.

Respectfully,

Florentina Lopez

Florentina Lopez



ATTACHMENT NO. 2

COMMISSIONERS COURT OF ELLIS COUNTY
ORDER NO. _____

On this the 2nd day of January 2018, the Commissioners’ Court of Ellis County, Texas, convened in a regular session of said court on the 2nd Floor of the Ellis County Historic Courthouse located at 101 West Main Street, Waxahachie, Texas, with the following members present, to wit:

COUNTY JUDGE:

- ☐ Judge Carol Bush

COMMISSIONERS:

- ☐ Randy Stinson, Commissioner, Pct. 1
- ☐ Paul Perry, Commissioner, Pct. 3
- ☐ Lane Grayson, Commissioner, Pct. 2
- ☐ Kyle Butler, Commissioner, Pct. 4

AND AMONG OTHER PROCEEDINGS, THE FOLLOWING ORDER WAS PASSED AS FOLLOWS:

AN ORDER OF THE COMMISSIONERS’ COURT OF ELLIS COUNTY, TEXAS GRANTING A ONE-TIME VARIANCE FROM SECTION VIII (A) (RESIDENTIAL LOTS) OF THE COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOMES TO ALLOW ONE (1) SINGLE FAMILY RESIDENCE WITHOUT MEETING THE MINIMUM ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 2.00 ACRES OF LAND IN THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 30, COMMONLY KNOWN AS 146 HOOT LANE, ENNIS, ROAD & BRIDGE PRECINCT NO. 2, WITH PROPERTY MORE FULLY DESCRIBED IN EXHIBIT “A”, PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Commissioners’ Court of Ellis County, Texas, in compliance with the laws of the State of Texas and the orders of Ellis County, Texas, have given the requisite notices and otherwise, and after holding and affording a full and fair hearing to all interested persons, and in the exercise of its legislative discretion, have concluded that this proposal should be approved;

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSIONERS’ COURT OF ELLIS COUNTY TEXAS, THAT:

SECTION 1. GRANTING OF A VARIANCE.

The Commissioners’ Court finds that the variance criteria outlined in Section XI (B) of the “County of Ellis Rules, Regulations, and Specifications for Subdivisions and Manufactured Homes apply and are set



forth above are incorporated into the body of this order as if fully set forth herein, and the granting of relief in the form of a lesser standard will not impact adversely on public health, safety, general welfare, traffic conditions, and not alter the nature, character, and quality of the subdivision.

SECTION 2. CONDITIONS OF APPROVAL.

The variance for the above-described property is hereby granted a one-time variance from the Ellis County Rules for relief on the 150 feet of road frontage requirement, subject to the following condition:

- 1) A simplified plat shall be submitted for review to the Department of Development to create a legal lot of record officially and before submittal of any development or on-site sewage facility permit.
- 2) A permit shall be submitted for review to the Department of Development to permit this habitable structure and a Hook-To for the existing on-site sewage facility.
- 3) There shall only be one (1) single family residence located on these two (2) acres.

SECTION 3. CONFLICTS.

To the extent of any irreconcilable conflict with the provisions of this Order and other orders of Ellis County governing the use and development of the Property and which are not expressly amended by this Order, the provisions of this Order shall be controlling.

SECTION 4. SEVERABILITY CLAUSE

If any section, paragraph, sentence, phrase, or word in this order is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this order; and the Commissioners Court hereby declares it would have passed such remaining portions of the Order despite such invalidity, which remaining portions shall remain in force and effect

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.



DEPARTMENT OF DEVELOPMENT
Ellis County

: dod@co.ellis.tx.us
: 972-825-5200
: co.ellis.tx.us/dod

PASSED, APPROVED, AND ADOPTED IN OPEN COURT BY THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS ON THIS THE 2ND DAY OF JANUARY 2018.

Carol Bush, County Judge

Commissioner Randy Stinson, Precinct No. 1

Commissioner Lane Grayson, Precinct No. 2

Commissioner Paul Perry, Precinct No. 3

Commissioner Kyle Butler, Precinct No. 4

ATTEST:

Cindy Polley, County Clerk



EXHIBIT A
Location Map & Survey



Subject Property

document solutions

Share ↕ Simplify ↕ Support

Solution Summary

Ellis County 40th District Court

Pricing per the TCPN Contract



Xerox VersaLink C405DN

Replacing: Xerox 3655 Serial # C4X001809

Copier/Printer/Scanner/Fax

Current Costs: \$116.27

36 Month Lease Combined Costs:

\$113.87 per Month

Service and Supplies:

Includes:

20,000 B&W

\$0.0149 B&W per copy

***** Color Capable *****



ELLIS COUNTY MASS GATHERING PERMIT PROCESS

The following information outlines the definitions and processes required for the promotion and operation of a mass gathering event within the unincorporated areas of Ellis County.

A “Mass Gathering” under Chapter 751 of the Texas Health and Safety Code means a gathering:

- (A) that is held outside the limits of a municipality;
- (B) that attracts or is expected to attract:
 - (i) more than 2500 persons; or
 - (ii) more than 500 persons, if 51 percent (51%) or more of those persons may reasonably be expected to be younger than 21 year of age and it is planned or may reasonably be expected that alcoholic beverages will be sold, served, or consumed at or around the gathering; and
- (C) at which the persons will remain:
 - (i) for more than five (5) continuous hours; or
 - (ii) for any amount of time beginning at 10:00 p.m. and ending at 4:00 a.m. (751.002 Texas Health and Safety Code).

The Mass Gathering Act also applies to a horse or greyhound race that attracts or is expected to attract at least 100 persons (751.021 Texas Health and Safety Code).

An application from the coordinator, manager, organizer or promoter of such an event must be received in the Ellis County Fire Marshal’s Office located at 109 S. Jackson, Waxahachie Texas 75165, **not less than 45 days before the event**. Three (3) bound copies of the permit and necessary attachments are required for filing.

The application is available online at www.co.ellis.tx.us or an application may also be obtained by request from the Ellis County Fire Marshal’s Office at (972) 825-5555 during normal business hours.

There is a **\$250.00 fee (nonrefundable)** for events that attract 2500 or more that is due at the time of filing of the application payable to Ellis County.

A public hearing will be conducted no later than ten (10) days before the event. A person may not promote a mass gathering without a permit issued by the County Judge or Judge’s designee, pursuant to Section 751.003 of the *Texas Health and Safety Code*. A person commits an offense if the person violates Section 751.003. An offense under this section is a misdemeanor punishable of a fine of not more than \$1,000.00, confinement in the county jail for not more than 90 days, or both. The Ellis County Department of Fire Marshal office will coordinate the hearing date and time with all affected parties. The hearing will be posted as a public meeting.

Representatives from the county health officer, fire marshal, and the Sheriff’s office will attend the hearing to ensure that the minimum standards in health and sanitation, fire safety and public safety and order are maintained at the gathering as prescribed by state and local laws, rules and orders.

Following the public hearing, the County Judge or County Judges designee will grant or deny the permit as authorized by Section 751.007 of the *Texas Health and Safety Code*. A copy of the applicable sections of the statute may be found on the website for Ellis County.

THIS PERMIT DOES NOT INCLUDE REQUIRED FIRE CODE PERMITS



ELLIS COUNTY

Mass Gathering

Permit Application



All Applications must be submitted to Ellis County Fire Marshal's Office by event promoters at least forty-five (45) days prior to the first day on which any event that requires a Mass Gathering Permit will be held.

No Application shall be considered to have been submitted until it is accompanied by an Application Fee. Fees shall be paid with Cashier's Check or Money Order, payable to "Ellis County, Texas." The standard application fee for a Mass Gathering Permit is \$250.00 for events for 2500 or more.

Not later than the tenth (10th) day before the event for which an application is filed, the County Judge, or the County Judge's authorized designee, shall hold a public hearing to determine whether the application for a Mass Gathering Permit shall be granted. Applications may be denied for any of the reason enumerated in Section 751.007 of the Texas Health and Safety Code.

Applicants are encouraged to review Chapter 751 of the Texas Health and Safety Code for a comprehensive perspective on Mass Gatherings and the application of Texas law to such events.

Name / Business Promoter: _____

Address: _____

City _____ State: _____ ZIP: _____ Phone _____ Cell _____

Owner of Property Name: _____

Address: _____

City _____ State: _____ ZIP: _____ Phone _____ Cell _____

Type of Event: _____

Date(s) of the Event: _____ Time(s): _____ Start _____ End _____

Physical Location: _____

Maximum Number Attending: _____ Expected Attendance _____

Average Age of Attendees _____ Percent below 21 Years of Age _____

Will Alcohol Beverages Be Sold, Served, or Consumed YES _____ NO _____

Documents Checklist (Attach to Application with 3 bound copies)

1. Financial Statement that reflects the funds being supplied to finance the mass gathering and each person supplying the funds
2. Certified copy of the agreement between the promoter and the property owner.
3. Description and Rendering of the property on which the mass gathering will be held identifying parking/stages/vendors/emergency operations plan
4. Description and plan on how the promoter intends to limit attendance to maximum number attending
5. Name and Address of each performer who has agreed to appear at the mass gathering and the name and address of each performers agent
6. A description of each agreement between the promoter and the performer
7. A description of each step the promoter has taken to ensure that minimum standards of sanitation and health will be maintained during the mass gathering. *Following the minimum standards of the Texas Administrative Code, Title 25, Section 265.3 (water supply, toilet facilities, vector control, solid waste facilities, noise control, food sanitation, medical and nursing care and final site cleanup)*
8. A description and plan of all preparations being made to provide traffic control, to ensure that the mass gathering will be conducted in a n orderly manner, and to protect the physical safety of the persons who attend the mass gathering. *Following minimum standards of the Texas Administrative Code Title 37 Chapter 1, Subchapter L, Copy of agreements with Police or Sheriff's Departments and Fire Department.*
9. A description of the preparations made to provide adequate medical and emergency care including copy of agreement or contract for ambulance service
10. A description of the preparations made to supervise minors who may attend the mass gathering.
11. A copy of permit from TABC and description of how alcohol will be sold, served, or allowed to be consumed.

THIS PERMIT AND DOCUMENTS DO NOT INCLUDE THE REQUIRED FIRE CODE PERMITS FOR STRUCTURES, TEMPORARY STRUCTURES, FIRE WORKS DISPLAYS, OR OTHER RELATED FIRE CODE ISSUES.

By signing below, I attest that all the information on this document and attachments are true and fact to the best of my knowledge;

Printed Name: _____ Signature _____

Date: __/__/__

OFFICE USE ONLY

FEE PAID _____

County Judge or Judge's Designee

Date

Permit Number _____

Approved _____ Not Approved _____ Approved with Conditions _____

Conditions:

**INTERLOCAL COOPERATION CONTRACT
BETWEEN
COUNTY OF ELLIS AND CITY PALMER**

WHEREAS, the hereinafter below described government entities desire to increase their efficiency and effectiveness by entering into this contract one with the other; and

WHEREAS, such contracts are authorized under Chapter 791 of the Government Code Of the State of Texas, said law cited as the Interlocal Cooperation Act of the State of Texas; and

WHEREAS, the function or service contracted for and to be provided by this agreement is with the definition of "Governmental function and services" as defined by Section 791.003 of the Government Code; and

WHEREAS, the function or service contracted to be provided is a function or service that each party to the contract is authorized to perform individually;

NOW THEREFORE, the parties agree and covenant one with the other as follows:

- A) The County of Ellis (hereinafter COUNTY) shall be the party providing the function or service which shall include the maintenance, repair and/or construction of street, road, alleys, bridges and parking areas, as well as the maintenance and construction of waterways and ditches. The COUNTY shall be further authorized to sell to CITY OF PALMER goods and services.
- B) The CITY OF PALMER (hereinafter CITY) shall be the party receiving the function, goods, or service and providing payment for such function, goods and/or services.
- C) CITY, as paying party, acknowledges and certifies, as required by the Interlocal Cooperation Act, that all payments shall be made from current revenues available to CITY.
- D) The term of this agreement shall be from January 1, 2018 to December 31, 2018.
- E) Both parties acknowledge and understand, in reference to any project undertaken under this contract involving the construction, improvement, or the repair of a road, building or other facility, the following:
 - 1) that prior to beginning said project, a work order in the form similar to Exhibit A attached hereto shall be adopted describing the project to be undertaken and identifying the project's location, and

2) That the payment and penalty provisions set out in Section 791.014 (c) and (d) Of the Government Code Interlocal Cooperation Act shall apply to this contract.

F) CITY agrees to pay to COUNTY within thirty (30) days of billing by COUNTY for the goods, governmental function, and/or services provided in an amount that fairly compensates COUNTY for service or functions performed by COUNTY under this Contract.

EXECUTED in duplicate this _____ day of _____, 2017.

COUNTY JUDGE,
ELLIS COUNTY, TEXAS

Attest:

Ellis County Clerk



MAYOR
CITY OF PALMER

Attest:



Secretary

**WORK ORDER UNDER INTERLOCAL AGREEMENT
EXHIBIT A**

Service Provider: *Ellis County Texas*

Department to Provide Service: ROAD & BRIDGE, PCT. 1

Basis of Authority to Provide Services: *Interlocal Agreement dated* _____
Per Commissioners Court Minute No. _____

Local Government Requesting Service: _____

Description of Project to be undertaken: _____

Location of Project to be undertaken: _____

Commissioner, Precinct 1, Texas

APPROVED in open Commissioners Court per Minute Order No. _____ on the
_____ day of _____, 2018.

County Judge, Ellis County, Texas

.....
ACCEPTED AND AGREED TO this _____ day of _____, 2018.

Signature: _____

Title: _____

On Behalf of: _____

3.4

WORK ORDER UNDER INTERLOCAL AGREEMENT

Service Provider: Ellis County Texas

Department to Provide Service: Road and Bridge, Pct. 1

Basis of Authority to Provide Service:

Interlocal Agreement dated December 13, 2017

Per Commissioner's Court Minute Order No. 505.16

Local Government Requesting Services: Palmer ISD

Description of Project to be undertaken: Repair Pot Holes

Location of Project to be undertaken: (1) Parking Lot at the High School, including rear parking lot (2) Middle School parking lot (3) Administration Bldg. (4) Fieldhouse driveway

Requested by: Randy Stinson, County Commissioner, Pct.1

Department: Road and Bridge Pct. 1

APPROVED in Open Commissioner's Court per Minute Order No. _____

On the _____ **day of** _____ **,2017.**

County Judge
Ellis County, Texas

ACCEPTED AND AGREED TO this 13 **day of** December **2017.**

Signature:

Chad Blakey

Title:

Director of Operations



Palmer

Independent School District

Kevin Noack, *Superintendent*

December 13, 2017

Ellis County Precinct 1

600 I-45 Business

Palmer, TX 75152

To Whom It May Concern:

We are requesting parking lot repair during the Christmas holiday break, December 25 – January 5 at the following locations:

Palmer High School, 422 W. Jefferson St.

Palmer Middle School, 112 FM 813 West

Palmer ISD Administration Building, 303 Bulldog Way

Palmer High School Field House Driveway, 414 W. Jefferson St.

Palmer ISD gives Ellis County Precinct 1 permission to be on our property to do the necessary repairs. Please contact Chad Blankenship at 214-606-5655 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "K. Noack". The signature is written in a cursive, flowing style.

Kevin Noack

Superintendent