

FILED

JUL 25 2011

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // JULY 11, 2011**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JULY 11, 2011 AT 9:00 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

HEATH SIMS, 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 RON BROWN

MINUTE ORDER NO 247.44 APPROVING CONSENT AGENDA

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Acceptance of the Statement of Cash Receipts and Disbursements for the year ended 12/31/10 for Ellis County Emergency Service Districts #7; pursuant to Sec. 775.082(b) of the Texas Health and Safety Code.
- A3 Approval and certification of the official minutes from the Commissioners Court Agenda:

June 13, 2011 Regular

June 27, 2011 Regular

- A4 Approval of payment of invoice in the amount of \$1,437.50 to Jason Willett for legal services rendered on behalf of Ellis Prairie SWCD in a matter involving the application of Galilee Partners, L.P., for the creation of Maypearl WCID No. 1. (Hearing set for Oct 10, 2011)

Financial:

- F1 **From** 001-0020-50704, Pest Control; 001-0020-50807, Gen. Misc.; 001-0020-50702, Repairs **To** 001-0020-50858, Custodial Supplies. – Keith Roberts, Maintenance
- F2 **From** 001-0400-50801, Supplies **To** 001-0400-50806, Official Bond/Dues. – Cheryl Chambers, Treasurer
- F3 **From** 001-0450-50834, Crime Scene **To** 001-0450-50801, Supplies. – Jim Pharr, Fire Marshal
- F4 **From** 001-0510-50602, Staff Travel; 001-0510-50802, Equipment; 001-0510-50805, Conference **To** 001-0510-50601, Travel Reimbursement. – Bill Woody, JP1
- F5 **From** 003-0601-30302, RB1 Fund Balance **To** 003-0601-50807, RB1 Gen. Misc. – Dennis Robinson, RB1
- F6 **From** 009-0602-30302, FM1 Fund Balance **To** 009-0602-50911, FM1 Gravel; 009-0602-50915, FM1 Asphalt; 009-0602-50807, FM1, Gen. Misc. – Dennis Robinson, RB1
- F7 **From** 010-0653-50868, FM2 Contract Labor **To** 010-0653-50910, FM2-Gas. –Bill Dodson, RB2
- F8 **From** 010-0653-50868, FM2 Contract Labor **To** 010-0653-50907, FM2-Tires. – Bill Dodson, RB2
- F9 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>
CoreLogic	174681	\$2462.60
AHMSI	219524	\$3,695.49
CoreLogic	227019	\$3,559.43
Nationstar Mortgage	236170	\$9,990.93

Motion to approve Consent Agenda by Commissioner Sims, second by Commissioner Dodson carries unanimously

DEPARTMENT OF COUNTY DEVELOPMENT

Consideration and action regarding the following presented by Delton Ake, Director Department of Development:

MINUTE ORDER NO 248.11 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 OF 150' PER LOT, YATES CORNER, LOT 2, BRIGMAN ROAD, *RANDY YATES, PCT 3*

Motion to approve variance by Commissioner Sims, second by Commissioner Dodson carries unanimously

MINUTE ORDER NO 249.11 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME PARKS AS IT RELATES TO THE FIRE HYDRANT REQUIREMENT OF A MINIMUM 6" WATER LINE. YATES CORNER, LOT 2, BRIGMAN ROAD, *RANDY YATES, PCT 3*

Motion to approve variance by Commissioner Sims, second by Commissioner Robinson carries unanimously

MINUTE ORDER NO 250.11 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME PARKS AS IT RELATES TO THE FIRE HYDRANT REQUIREMENT OF A MINIMUM 6" WATER LINE. MARTIN FARM UNIT 2 35-E, *PAUL AND MARCELLA MARTIN, PCT.*

Motion to approve variance by Commissioner Dodson, second by Commissioner Sims carries unanimously

MINUTE ORDER NO 251.11 APPROVING FINAL PLAT- GARDEN ESTATES, WITH REQUIREMENT OF SECURITY AT COMPLETION OF THE PROJECT 4 LOTS, WESTMORELAND ROAD, *CONNIE SMADES, PCT 4*

Motion to approve by Commissioner Brown, second by Commissioner Sims carries unanimously

MINUTE ORDER NO 252.11 APPROVING FINAL PLAT - ALLISON ADDITION, 3 LOTS, CAMPBELL ROAD, STEPHEN ALLISON, PCT 3
Motion to approve by Commissioner Sims, second by Commissioner Brown carries unanimously

ADMINISTRATIVE

MINUTE ORDER NO 253.11 APPROVING THE EARLY VOTING SCHEDULE AND ELECTION DAY POLLING LOCATIONS FOR
THE NOVEMBER 8, 2011 AMENDMENT ELECTION. *Jane Anderson, Elections Administrator*
Motion to approve by Commissioner Brown, second by Commissioner Dodson carries unanimously

PRESENTATION BY THE MELANIE REED, DISTRICT CLERK AND CINDY POLLEY, COUNTY CLERK REGARDING INTERNET SERVICES
NOW AVAILABLE ON THE ELLIS COUNTY WEBSITE. *Cindy Polley, County Clerk* *Melanie Reed, District Clerk*

MINUTE ORDER NO 254.11 APPROVING REDISTRICTING MODEL PLAN 3 FOR SUBMISSION TO ELLIS COUNTY'S LEGAL
CONSULTANT, MICHAEL MORRISON, WHO WILL PREPARE DOCUMENTS WHICH WILL BE UTILIZED TO OBTAIN PRE-
CLEARANCE FROM THE UNITED STATES DEPARTMENT OF JUSTICE FOR THE PURPOSES OF REDISTRICTING ELLIS
COUNTY'S COMMISSIONER PRECINCTS. MODEL PLANS 3 AND 7 WERE THE SUBJECT OF A SPECIAL MEETING OF THE
ELLIS COUNTY COMMISSIONERS COURT ON JULY 6, 2011, AT WHICH TIME PUBLIC COMMENT WAS PROVIDED BY THE
MEMBERS OF THE COMMISSIONERS COURT, THE ELLIS COUNTY CITIZENS ADVISORY COMMITTEE AND THE GENERAL
PUBLIC *Carol Bush, County Judge*

Motion by Commissioner Dodson, second by Commissioner Robinson to accept plan 3 and ask Professor Morrison to
consider possible small changes

In favor and voting yes: Commissioners Robinson, Dodson and Brown and Judge Bush

Opposed and voting no: Commissioner Sims stating objections

Motion carries 4/1

MINUTE ORDER NO 255.11 APPROVAL TO ACCEPT A DEDICATION FROM THE STATE OF TEXAS UPON COMPLETION OF
IMPROVEMENTS TO AN APPROXIMATE 1.5 MILE SECTION OF RIGHT OF WAY KNOWN AS OLD HIGHWAY 287, NEAR THE
COMMUNITY OF REAGOR SPRINGS, IN EXCHANGE FOR THE PROMISE OF THE STATE OF TEXAS TO IMPROVE, MILL, PLACE
A HMAC OVERLAY AND RESTRIPE THE ROADWAY WITHIN SAID RIGHT OF WAY." *Bill Dodson, Commissioner Pct 2*
Motion to approve by Commissioner Dodson, second by Commissioner Sims carries unanimously

MINUTE ORDER NO 256.11 APPROVING A REQUEST FROM THE CITY OF RED OAK TO REPAIR SHAWNEE ROAD, FAWN
RIDGE DRIVE, BEAVER CREEK DRIVE, FOX GROVE DRIVE AND DEER CREEK DRIVE AS PER THE INTER-LOCAL
AGREEMENT:

MINUTE ORDER NO 257.11 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY PRECINCT 4
AND THE CITY OF GLENN HEIGHTS;

MINUTE ORDER NO 258.11 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY PRECINCT 4
AND THE CITY OF OVILLA;

MINUTE ORDER NO 259.11 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY PRECINCT 4
AND THE CITY OF PECAN HILL;

MINUTE ORDER NO 260.11 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY PRECINCT 4
AND THE CITY OF OAK LEAF;

Motion to approve agenda items 3.5 through 3.9 by Commissioner Brown, second by Commissioner Sims
Motion carries unanimously (*Minute Order Nos. 256.11, 257.11, 258.11, 259.11 and 260.11*)

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 JULY 11, 2011 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER PCT 1



BILL DODSON, COMMISSIONER, PCT 2



HEATH SIMS, COMMISSIONER, PCT 3

RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS JULY 25, 2011.



CINDY POLLEY, COUNTY CLERK