

**FILED**  
**MAR 12 2012**  
**COUNTY CLERK**  
**ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT**  
**OFFICIAL MINUTES // FEBRUARY 13, 2012**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, FEBRUARY 13, 2012 AT 10:00 A.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

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 BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER BILL DODSON

**CONSENT AGENDA:**

**MINUTE ORDER NO 111.12 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 ACCEPTANCE OF A \$200 DONATION TO CONSTABLE PCT 3 FROM JOSHUA SIPES FOR PURCHASE OF MOBILE PHONE AT NO EXPENSE TO ELLIS COUNTY
- A3 APPROVAL OF THE JANUARY, 2012 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
  - MARK ARNOLD, AGRICULTURE
  - PAGE BISHOP, 4-H
  - RITA HODGES, FAMILY & CONSUMER SCIENCES
- A4 APPROVAL OF THE NECESSARY BOND RENEWALS FOR THE FOLLOWING ESD BOARD OF DIRECTORS:
  - ESD#4 A. LANCASTER, E. MARTINEK, D. NOWELL, S. SCHAFER, J. SMITH
  - ESD#7 L. MENTZER, D. WELDON, F. BLEDSUE, J. PRESSLER

- A5 ACCEPTANCE OF AN INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES REGARDING EAST TEXAS MEDICAL SERVICES DATED SEPTEMBER 30, 2011
- A6 APPROVAL OF THE STATEMENTS OF ELECTED/APPOINTED OFFICIALS AND OATHS OF OFFICE FOR THE FOLLOWING EMERGENCY SERVICE DISTRICT BOARD MEMBERS:  
     ESD#1: GARRY HARRIS  
     ESD#2: DANNY LONG  
     ESD#4: ANDY LANCASTER, ERNIE MARTINEK,  
     ESD#8: TEANER JOHNSON, RONNIE GATLIN
- A7 APPROVAL OF THE DEDICATION OF THE RAY STEWART TRAINING AREA AND LORI MCKENZIE PATROL BRIEFING ROOM WITHIN THE ELLIS COUNTY LAW ENFORCEMENT CENTER, AND ADDITIONAL ACTION TO APPROVE THE DEDICATION OF CAPT. DINO MARTIN ROAD ON WHICH THE ELLIS COUNTY LAW ENFORCEMENT CENTER IS LOCATED
- A8 APPROVAL OF COUNTY CLERK EMPLOYEE BLANKET BOND EFFECTIVE 01.01.2012 THROUGH 01.01.2013
- A9 APPROVAL OF THE REGULAR MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT FOR JANUARY 2012:  
     JANUARY 9, 2012 REGULAR                      JANUARY 23, 2012 REGULAR
- A10 APPROVAL OF A PROCLAMATION FOR AN ELLIS COUNTY EMPLOYEE

**FINANCIAL:**

APPROVING THE FOLLOWING BUDGET AMENDMENTS:

- F1 FROM 010-0653-50807, FM2 GEN EXP TO 010-0653-50906, FM2 CULVERTS. – BILL DODSON, RB2
- F2 FROM 005-0703-50807, RB3 MISC. TO 005-0703-50907, RB3 TIRES. – HEATH SIMS, RB3
- F3 FROM 047-0947-50807, GEN. MISC. TO 047-0947-50802, EQUIPMENT. – 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>
CHASE	150885	\$2,968.13
WELLS FARGO	152902	\$2,668.84
CHASE	216811	\$2,831.18
NATIONWIDE ADVANTAGE MORTGAGE CO.	218048	\$3,025.16
WASHINGTON MUTUAL	230121	\$2,743.35

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

**PURCHASING:**

**CONSIDERATION AND ACTION REGARDING THE FOLLOWING PRESENTED BY ALISHA WICKENS, PURCHASING AGENT:**

**MINUTE ORDER NO 112.12** APPROVING A 2 YEAR FACILITIES EMERGENCY GENERATOR PREVENTATIVE MAINTENANCE AGREEMENT BETWEEN ELLIS COUNTY AND EMERGENCY POWER SERVICES TO INCLUDE THE FOLLOWING GENERATORS (1) ORIGINAL JAIL GENERATOR SET #1; (2) JAIL GENERATOR SET #2; (3) 350KW JAIL FACILITY EMERGENCY GENERATOR SET #3; (4) HISTORIC COURTHOUSE GENERATOR SET; (5) 350KW COURTHOUSE FACILITY EMERGENCY GENERATOR SET; AND (6) "NEW" JUVENILE FACILITY EMERGENCY GENERATOR SET. (SEE ATTACHMENT FOR DETAILS)

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER SIMS TO ACCEPT 2 YEAR AGREEMENT CARRIES UNANIMOUSLY

**MINUTE ORDER NO 113.12** DECLARING AS SURPLUS AND AUTHORIZING SALE THE FOLLOWING EQUIPMENT FOR ROAD AND BRIDGE / FARM TO MARKET PCT 1:

ALAMO BOOM AXE (SERIAL NO. 02803-05667) W/ATTACHMENTS FOR 6405 NEW HOLLAND TRACTOR W/SPARE CUTTER; ONE FERGUSON MODEL NO. SP912 RUBBER TIRE ROLLER(SERIAL NO. 1423); 1,000 GAL. WATER TANK FOR TRUCK (NEEDS REPAIR); STEAM CLEANER ELECTRIC POWER (NEEDS REPAIR); PICKUP TRUCK BED FOR F250 FORD PICKUP, 1999 MODEL; NEW HOLLAND TRACTOR TYPE TN75D (SERIAL NO. 001236144); JOHN DEER MX8 CUTTER (SERIAL NO. W00MX8E015212); RHINO SIDE SHIFT MOWER MODEL NO. DB 150 (SERIAL NO. 11743) *[ONLINE AUCTION WITH RENE BATES]*

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

**MINUTE ORDER NO 114.12** DECLARING AS SURPLUS AND AUTHORIZING SALE OF THE FOLLOWING VEHICLES FOR ROAD AND BRIDGE / FARM TO MARKET (PCT1):

(1) 1983 C70 CHEVY VIN 1GBJ7D1B7DV107616; AND (3) 1999 C6500 SERIES TRUCK VIN GBJ7H1D4XJ102121; 1GBJ7H1D4XJ101826; AND 1GBJ7H1D1XJ102075 *[ONLINE AUCTION WITH RENE BATES]*

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

**ADMINISTRATIVE:**

**RECOGNITION** OF THE COUNTY CLERK AND SPECIAL RECOGNITION TO TINA CHAMBERS, ADMINISTRATIVE ASSISTANT; TAMMY BLANKENSHIP, LEAD CLERK; AND KRystal CASAREZ, CLERK FOR ELLIS COUNTY VITAL STATISTICS ON RECEIVING THE 2010 AND 2011 "FIVE STAR AWARD FOR EXCELLENCE IN VITAL REGISTRATION IN THE STATE OF TEXAS" FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES. - CINDY POLLEY, COUNTY CLERK

**RECOGNITION** OF TAMMY BLANKENSHIP, LEAD CLERK FOR ELLIS COUNTY VITAL STATISTICS, FOR BECOMING A MASTER REGISTRAR AFTER COMPLETING THE MASTER REGISTRAR CERTIFICATION COURSE FOR TEXAS VITAL STATISTICS AND THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES. TAMMY IS THE FIRST IN ELLIS COUNTY TO ACHIEVE MASTER REGISTRAR STATUS.

CINDY POLLEY, COUNTY CLERK

**MINUTE ORDER NO 115.12** APPROVAL TO LEASE THE COUNTY'S HANDICAP VOTING EQUIPMENT TO CITIES AND SCHOOL DISTRICTS IN ELLIS COUNTY FOR THE MAY 12, 2012 ELECTION. SEE CITIES AND SCHOOLS LISTED BELOW: (JANE ANDERSON, ELECTIONS)

<u>CITY</u>	<u>CITY</u>	<u>SCHOOL</u>
BARDWELL	OVILLA	ENNIS
ENNIS	PALMER	FERRIS

FERRIS  
ITALY  
MAYPEARL  
MILFORD  
OAK LEAF

PECAN HILL  
RED OAK  
WAXAHACHIE

ITALY  
MAYPEARL  
MILFORD  
PALMER  
RED OAK  
WAXAHACHIE

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

**MINUTE ORDER NO 116.12** DECLARING FEBRUARY 19 – 25, 2012 SEVERE WEATHER AWARENESS WEEK IN ELLIS COUNTY (JOE STEWART, FIRE MARSHAL / EMERGENCY MANAGEMENT COORDINATOR)

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

3.5 **DISCUSSION** REGARDING INSTALLATION OF AN ATM MACHINE IN THE ELLIS COUNTY TAX OFFICE AT 109 S. JACKSON ST. IN WAXAHACHIE. JOHN, BRIDGES, TAX COLLECTOR / ASSESSOR

**MINUTE ORDER NO 117.12** RECLASSIFYING TWO ROAD WORKER III POSITIONS TO OPERATOR AT \$14.75 PER HOUR; ONE ROAD WORKER III POSITION TO ROAD WORKER IV AT \$14.25 PER HOUR AND ONE ROAD WORKER III POSITION TO ROAD WORKER IV AT \$13.75 PER HOUR

(DENNIS ROBINSON, COMMISSIONER PCT. 1)

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

**MINUTE ORDER NO 118.12** APPROVING SALE OF MODULAR WALL UNITS AND CUBICLES PREVIOUSLY DECLARED AS SURPLUS BY THE ELLIS COUNTY COMMISSIONERS COURT ON SEPTEMBER 13, 2010 (MINUTE ORDER NO. 305.10) TO NAVARRO COUNTY, PURSUANT TO THE LOCAL GOVERNMENT CODE SECTION 263.152(A)(1) (BILL DODSON, COMMISSIONER PCT. 2)

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

**DISCUSSION** REGARDING PROPERTY/CONTENTS IN TEJAS STORAGE AND DISPOSITION OF PROPERTY.

- CAROL BUSH, COUNTY JUDGE

**NO ACTION:** 3.9 CONSIDERATION AND ACTION TO ENACT THE ELLIS COUNTY BURN BAN EFFECTIVE IMMEDIATELY.

**ADJOURNMENT**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF FEBRUARY 13, 2012 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE

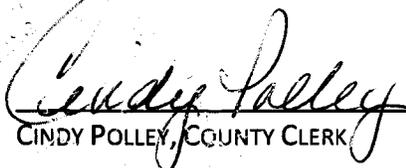
  
DENNIS ROBINSON, COMMISSIONER PCT 1

  
BILL DODSON, COMMISSIONER, PCT 2

  
HEATH SIMS, COMMISSIONER, PCT 3

  
RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 12<sup>TH</sup> DAY OF MARCH, 2012.

  
CINDY POLLEY, COUNTY CLERK