

FILED

JUL - 9 2012

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // JUNE 25, 2012**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JUNE 25, 2012 AT 6:00 P.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 BROWN, SECOND BY COMMISSIONER DODSON; MOTION CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER HEATH SIMS, PCT. 3

CONSENT AGENDA:

MINUTE ORDER NO 192.12 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS

A2 APPROVAL OF INVOICE #0028936-IN FROM RCC CONSULTANTS, INC. IN THE AMOUNT OF \$13,749.19 FOR MAY 1, 2012 – MAY 31, 2012 AS PER THE CONSULTANT SERVICES AGREEMENT EFFECTIVE JUNE 27, 2011 (MINUTE ORDER 243.11) BETWEEN RCC AND ELLIS COUNTY

FINANCIAL:

F1 FROM 001-0050-50802, EQUIPMENT; 001-0050-50803, FURN/FIXTURES; 001-0050-50819, COMPUTER TO 001-0050-50843, 4-H TRAVEL. – MARK ARNOLD, TEXAS AGRILIFE EXTENSION

F2 FROM 004-0652-40010, RB2, SALE OF EQUIPMENT TO 004-0652-50703, RB2, TELEPHONE. – BILL DODSON, ROAD & BRIDGE PCT. 2

F3 FROM 006-0754-30302, FUND BALANCE CARRYOVER TO 006-0754-50919, ASPHALT. – RON BROWN, ROAD & BRIDGE PCT. 4

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>
CORELOGIC, ATTN RECOVERIES DEPT	201267	\$2,968.34

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

ADMINISTRATIVE:

MINUTE ORDER NO 193.12 APPROVING A PROCLAMATION EXPRESSING APPRECIATION TO DR. THOMAS GLENN LEDBETTER FOR HIS SERVICE AS THE ELLIS COUNTY HEALTH OFFICER SINCE 2006 TO THE PRESENT (CAROL BUSH, COUNTY JUDGE)

MOTION BY COMMISSIONER BROWN TO APPROVE PROCLAMATION, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY
MOTION BY COMMISSIONER DODSON TO ACCEPT RESIGNATION, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 194.12 APPOINTING DR. LEIGH NORDSTROM AS ELLIS COUNTY HEALTH OFFICER FOR A TWO YEAR TERM BEGINNING JULY 1, 2012 (CAROL BUSH, COUNTY JUDGE)

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 195.12 ENACTING THE ELLIS COUNTY BURN BAN EFFECTIVE IMMEDIATELY (CAROL BUSH, COUNTY JUDGE)

MOTION BY COMMISSIONER SIMS, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

DEPARTMENT OF COUNTY DEVELOPMENT

CONSIDERATION AND ACTION REGARDING THE FOLLOWING PRESENTED BY JUDY ARMSTRONG, DIRECTOR DEPARTMENT OF DEVELOPMENT:

MINUTE ORDER NO 196.12 ACCEPTING THE COMPLETED CONSTRUCTION OF THE INFRASTRUCTURE FOR THE PRIVATE MAYPEARL HIDDEN HILLS SUBDIVISION, HWY. 66, WAXAHACHIE, TX; MAYPEARL HIDDEN HILLS INC., PCT. 3

MOTION BY COMMISSIONER SIMS, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 197.12 RELEASING THE "GUARANTY AGREEMENT" TO CITIZENS NATIONAL BANK, 200 N. ELM, WAXAHACHIE, TX. FOR THE COMPLETED WORK OF THE INFRASTRUCTURE FOR THE PRIVATE SUBDIVISION, MAYPEARL HIDDEN HILLS, MAYPEARL HIDDEN HILLS, INC., PCT. 3

MOTION BY COMMISSIONER SIMS, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 198.12 CANCELLING THE LEGALLY PLATTED, UNDEVELOPED SUBDIVISION, TRE VASCA ESTATES, 3 LOTS; INCLUDING BUT NOT LIMITED TO ALL DEDICATED EASEMENTS AND ROADWAYS; AND REESTABLISHING THE ACREAGE TRACT AS IT EXISTED BEFORE THE SUBDIVISION, SUSAN JAMES, PCT. 1

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

ADMINISTRATIVE:

MINUTE ORDER NO 199.12 APPROVING AN INTER-LOCAL AGREEMENT BETWEEN ENNIS ISD AND THE ELLIS COUNTY TAX OFFICE PURSUANT TO THE AUTHORITY GRANTED BY TEXAS PROPERTY TAX CODE SECTIONS

6.23, 6.24 AND TEXAS GOVERNMENT CODE CHAPTER 791 TO PROVIDE TAX ASSESSMENT AND COLLECTIONS SERVICES FOR THE ENNIS ISD (JOHN BRIDGES, TAX COLLECTOR / ASSESSOR)

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

No ACTION: 3.4 CONSIDERATION AND ACTION TO APPROVE AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF BARDWELL AND THE ELLIS COUNTY TAX OFFICE PURSUANT TO THE AUTHORITY GRANTED BY TEXAS PROPERTY TAX CODE SECTIONS 6.23, 6.24 AND TEXAS GOVERNMENT CODE CHAPTER 791 TO PROVIDE TAX ASSESSMENT AND COLLECTIONS SERVICES FOR THE CITY OF BARDWELL TAXING UNIT.
- JOHN BRIDGES, TAX COLLECTOR / ASSESSOR

MINUTE ORDER NO 200.12 APPROVING AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF ENNIS AND THE ELLIS COUNTY TAX OFFICE TO PROVIDE TAX ASSESSMENT AND COLLECTIONS SERVICES FOR THE CITY OF ENNIS PURSUANT TO THE AUTHORITY GRANTED BY TEXAS PROPERTY TAX CODE SECTIONS 6.23, 6.24 AND TEXAS GOVERNMENT CODE CHAPTER 791. (JOHN BRIDGES, TAX COLLECTOR / ASSESSOR)
MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 201.12 APPROVING TAX RESALE OFFER BY MR. JOE SIFUENTES FOR THE PROPERTY AT 402 S. MULBERRY ST. ENNIS, TEXAS (BILL DODSON, COMMISSIONER PCT. 2)
MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

3.8 **UPDATE** ON RADIO PROJECT, NARROW BANDING AND TOWER PROJECT.
- KATHY ERIKSEN, PROJECTS COORDINATOR

MINUTE ORDER NO 202.12 ACCEPTING THE RESIGNATION OF DIANA BUCKLEY, HUMAN SERVICES DIRECTOR (CAROL BUSH, COUNTY JUDGE)
MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER SIMS CARRIES UNANIMOUSLY

RECESS TO CONVENE TO EXECUTIVE SESSION (6:50 PM)
MOTION BY COMMISSIONER SIMS, SECOND BY COMMISSIONER BROWN 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 551.072 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING THE POSSIBLE SALE OR LEASE OF REAL PROPERTY “IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.”

4.2 PURSUANT TO SECTION 551.074 OF THE GOVERNMENT CODE, DISCUSSION TO DELIBERATE THE TEMPORARY REASSIGNMENT OF DUTIES IN THE HUMAN SERVICES DEPARTMENT.

ADJOURNMENT OF EXECUTIVE SESSION (7:46 PM)

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

ADJOURNMENT

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JUNE 25, 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 JULY 9, 2012.



CINDY POLLEY, COUNTY CLERK

Deputy