

FILED
FEB 11 2013
COUNTY CLERK
ELLIS COUNTY, TEXAS

ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // NOVEMBER 26, 2012

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, NOVEMBER 26, 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 - *ABSENT*

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:

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 APPROVE TO OPEN COURT BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—BILL DODSON, COMMISSIONER PCT. 2

CONSENT AGENDA:

MINUTE ORDER NO 331.12(A) APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVAL OF THE OCTOBER, 2012 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
 - MARK ARNOLD, AGRICULTURE
 - PAGE BISHOP, 4-H
 - RITA HODGES, FAMILY & CONSUMER SCIENCES
- A3 APPROVAL OF THE NECESSARY BOND RENEWAL FOR THE FOLLOWING ESD #4 BOARD OF DIRECTORS:
 - POSITION BOND OF \$100,000 FOR THE SECRETARY/TREASURER
 - POSITION BONDS OF \$10,000 EACH FOR THE OTHER FOUR MEMBERS FOR A TERM EFFECTIVE NOVEMBER 15, 2012 TO NOVEMBER 15, 2013
- A4 APPROVAL OF INVOICE #13923236 FROM MOTOROLA SOLUTIONS, INC. IN THE AMOUNT OF \$13,065.13 (NARROWBAND IMPLEMENTATION) FOR EQUIPMENT ONLY AS PER THE CONSULTANT SERVICES AGREEMENT EFFECTIVE JUNE 27, 2011 (MINUTE ORDER 243.11) BETWEEN RCC AND ELLIS COUNTY
- A5 APPROVAL OF THE RE-APPOINTMENT OF KAREN COX TO THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENT'S REGIONAL AGENCY ON AGING ADVISORY COMMITTEE FOR A THREE YEAR TERM, JANUARY 1, 2013 THROUGH DECEMBER 31, 2015

FINANCIAL:

- F1 FROM 001-0230-50502, SALARY TO 001-0230-50703, TELEPHONE; 001-0230-50819, COMPUTER. – KIM GOULD, PURCHASING
- F2 FROM 001-0385-50802, EQUIPMENT; 001-0385-50801, SUPPLIES TO 001-0385-50819, COMPUTER. – JUDGE CALVERT, COUNTY COURT AT LAW 2
- F3 FROM 006-0754-40008, INTERLOCAL TO 006-0754-50802, PURCHASE OF EQUIPMENT. – RON BROWN, RB4
- MOTION TO APPROVE BY COMMISSIONER SIMS, SECOND BY COMMISSIONER DODSON TO APPROVE CONSENT AGENDA CARRIES UNANIMOUSLY

DEPARTMENT OF COUNTY DEVELOPMENT:

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

MINUTE ORDER NO 332.12 APPROVING PRELIMINARY PLAT – MCGREGOR ESTATES, 13 LOTS, FM 66, IVAN BRIGMAN, PCT. 3

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

No ACTION: 2.2 A VARIANCE TO COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME PARKS AS IT RELATES TO THE 10' REAR UTILITY EASEMENT, RIDGE CREST ESTATES, PHASE II, LOT 48, BLOCK 3, ANDY LANCASTER, PCT. 1.

PURCHASING:

CONSIDERATION AND ACTION REGARDING THE FOLLOWING PRESENTED BY KIM GOULD, PURCHASING AGENT:

MINUTE ORDER NO 333.12 AWARDING RFP-2012-011 TO **AMERICAN MECHANICAL SERVICE** FOR RE-INSULATION OF CHILLED WATER PIPING & AIR DUCT SYSTEM-WAYNE MCCOLLUM DETENTION CENTER (JAIL). THE LENGTH OF THIS CONTRACT IS JANUARY 1, 2013 THROUGH DECEMBER 31, 2013. CONTRACT IS SUBJECT TO REVIEW BY COUNTY ATTORNEY.

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

MINUTE ORDER NO 334.12 AWARDING RFP-2012-012 TO **PERFORMANCE A/C INC.** FOR PREVENTIVE MAINTENANCE SERVICE AGREEMENT FOR HVAC & MECHANICAL SYSTEMS –DENTENTION CENTER SHERIFF'S SUBSTATION & LAW ENFORCEMENT CENTER. THE TERMS OF THIS AGREEMENT IS JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 WITH EXTENSIONS OF TWO (2) ADDITIONAL TWELVE (12) MONTH PERIODS. CONTRACT IS SUBJECT TO REVIEW BY COUNTY ATTORNEY.

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

ADMINISTRATIVE:

MINUTE ORDER NO 335.12 ACCEPTING THE FY 2008, 2010 AND 2012 CHAPTER 59 ASSET FORFEITURE REPORTS AND THE FEDERAL EQUITABLE SHARING AGREEMENT AND CERTIFICATION REPORT (CHUCK LAUBACH, SHERIFF'S OFFICE)

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

MINUTE ORDER NO 336.12 APPROVING AND ADOPTING THE PROPOSED ELLIS COUNTY FIRE CODE PURSUANT TO CHAPTER 233, SUBCHAPTER C, OF THE LOCAL GOVERNMENT CODE
(JOE STEWART, FIRE MARSHAL / EMERGENCY MANAGEMENT COORDINATOR)
MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 337.12 APPROVING THIRD QUARTER 2012 ELLIS COUNTY INVESTMENT REPORT
(CHERYL CHAMBERS, TREASURER)
MOTION TO APPROVE BY COMMISSIONER SIMS, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 338.12 TRANSFERRING OF ADMINISTRATION DUTIES AND ADMINISTRATION FEE FROM THE ELLIS PRAIRIE SOIL AND WATER CONSERVATION DISTRICT TO THE ELLIS COUNTY ASSISTANT ENGINEER FOR THE STRUCTURAL REPAIR PROJECT ON CHAMBERS CREEK FLOOD PREVENTION SITE NO. 2F
(JOE WHITE, ENGINEER)
MOTION TO APPROVE BY COMMISSIONER SIMS, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

MINUTE ORDER NO 339.12 AUTHORIZING AN APPLICATION TO THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD TO IMPLEMENT STRUCTURAL REPAIRS TO MOUNTAIN CREEK FLOOD PREVENTION SITE NO.10, PURSUANT TO THE EXISTING WATERSHED PROTECTION OPERATION AND MAINTENANCE AGREEMENT BETWEEN ELLIS COUNTY AND THE DALWORTH SOIL AND WATER CONSERVATION DISTRICT. IF APPLICATION GRANTED, NINETY-FIVE PERCENT OF THE FUNDING FOR THE DESCRIBED REPAIR WILL BE PROVIDED BY A MATCHING GRANT FUNDED BY THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD PURSUANT TO THE STRUCTURAL REPAIR GRANT PROGRAM. IF FUNDING FOR THIS PROJECT IS ULTIMATELY APPROVED, A PORTION OF THE MATCH FUNDING WILL BE PROVIDED BY ELLIS COUNTY AND OTHER PARTIES AS DETAILED IN THE AGREEMENT MADE BY SAID PARTIES ON APRIL 25, 2012.
(MAEGAN MOON, ENGINEERING DEPARTMENT)
MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER SIMS CARRIES UNANIMOUSLY

MINUTE ORDER NO 340.12 AUTHORIZING AN APPLICATION TO THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD TO IMPLEMENT STRUCTURAL REPAIRS TO CHAMBERS CREEK FLOOD PREVENTION SITES NO. 1, 4, 5, 9, 10, 79B, 106 AND 113, PURSUANT TO THE EXISTING WATERSHED PROTECTION OPERATION AND MAINTENANCE AGREEMENT BETWEEN ELLIS COUNTY AND THE ELLIS PRAIRIE SOIL AND WATER CONSERVATION DISTRICT. IF THE APPLICATION IS GRANTED, NINETY-FIVE PERCENT OF THE FUNDING FOR THE DESCRIBED REPAIRS WILL BE PROVIDED BY A MATCHING GRANT FUNDED BY THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD PURSUANT TO THE STRUCTURAL REPAIR GRANT PROGRAM. IN THE EVENT FUNDING FOR THESE PROJECTS IS ULTIMATELY APPROVED, A PORTION OF THE FUNDING PROVIDED BY ELLIS COUNTY WILL BE REIMBURSED DUE TO THE COST OF ADMINISTRATION PROVIDED BY THE ELLIS COUNTY ASSISTANT ENGINEER, ELLIS COUNTY DAM INSPECTOR AND THE ELLIS COUNTY PURCHASING DIRECTOR.
(MAEGAN MOON, ENGINEERING DEPARTMENT)
MOTION TO APPROVE BY COMMISSIONER SIMS, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 341.12 APPOINTING GENE CALVERT TO THE ELLIS COUNTY BAIL BOND BOARD IN THE SLOT STATUTORILY DESIGNATED FOR A JUDGE OF A COUNTY COURT OR COUNTY COURT AT LAW IN THE COUNTY HAVING JURISDICTION OVER CRIMINAL MATTERS AND DESIGNATED BY

THE COMMISSIONERS COURT TO SERVE FROM JANUARY THROUGH DECEMBER, 2013
(CAROL BUSH, COUNTY JUDGE)

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

MINUTE ORDER NO 342.12 APPOINTING KATHY ERIKSON TO THE ELLIS COUNTY BAIL BOND BOARD
IN THE SLOT STATUTORILY DESIGNATED FOR THE COUNTY JUDGE DESIGNATED BY THE
COMMISSIONERS COURT TO SERVE FROM JANUARY THROUGH DECEMBER, 2013
(CAROL BUSH, COUNTY JUDGE)

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

ADJOURNMENT

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF NOVEMBER 26, 2012 ARE
HEREBY APPROVED.

PRESIDING OFFICER:



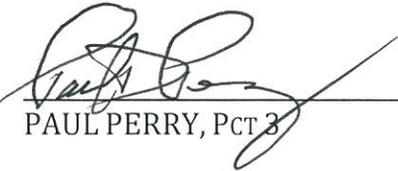
CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER PCT 1



BILL DODSON, COMMISSIONER, PCT 2



PAUL PERRY, PCT 3



RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS FEBRUARY 11, 2013.



CINDY POLLEY, COUNTY CLERK