

**FILED**  
**FEB 25 2013**  
COUNTY CLERK  
ELLIS COUNTY, TEXAS

**ELLIS COUNTY COMMISSIONERS' COURT  
OFFICIAL MINUTES // JANUARY 28, 2013**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JANUARY 28, 2013 AT 6:00 P.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
- PAUL PERRY, 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 BILL DODSON, PCT. 2

**CONSENT AGENDA:**

**MINUTE ORDER NO 109.13 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1 REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 RESIGNATION OF STEPHEN SPRADLING FROM EMERGENCY SERVICE DISTRICT #3 BOARD EFFECTIVE IMMEDIATELY
- A3 ELLIS COUNTY INVESTMENT REPORT, 4<sup>TH</sup> QUARTER 2012
- A4 ACCEPTANCE OF THE 2012 RACIAL PROFILING REPORT FOR THE ELLIS COUNTY SHERIFF'S OFFICE

**FINANCIAL:**

- F1 FROM 001-0370-50804, POSTAGE TO 001-0370-50806, BONDS/DUES— JOHN BRIDGES, TAX OFFICE
- F2 FROM 047-0947-50807, GENERAL EXPENSES TO 047-0947-50802, EQUIPMENT— JOHNNY BROWN, SHERIFF



**MINUTE ORDER NO 114.13** APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF OAK LEAF FOR TERM AGREEMENT FEBRUARY 1, 2013 TO OCTOBER 1, 2013 (RON BROWN, COMMISSIONER PCT 4)

**MINUTE ORDER NO 115.13** APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF MIDLOTHIAN FOR TERM AGREEMENT FEBRUARY 1, 2013 TO OCTOBER 1, 2013 (RON BROWN, COMMISSIONER PCT 4)

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON TO APPROVE AGENDA ITEMS 3.6 & 3.7 CARRIES UNANIMOUSLY *MINUTE ORDERS No 114.13 & 115.13*)

**MINUTE ORDER NO 116.13** AUTHORIZING THE COUNTY JUDGE TO EXECUTE A CONTRACT OF SALE PERTAINING TO THE CONVEYANCE OF PROPERTY OWNED BY ELLIS COUNTY WHICH IS GENERALLY DESCRIBED AS A TWO-STORY BUILDING CONTAINING APPROXIMATELY 19,320 SQUARE FEET AT 109-117 W. FRANKLIN STREET AND A TWO-STORY BUILDING CONTAINING APPROXIMATELY 6,946 SQUARE FEET AT 114 S. ROGERS STREET IN WAXAHACHIE, TEXAS, THE LAND PORTION OF WHICH IS FURTHER DESCRIBES AS LOTS 3, 4 & 5 BLOCK 15 ORIGINAL TOWN ADDITION AND LOT 1 BLOCK 8 ORIGINAL TOWN ADDITION (CAROL BUSH, COUNTY JUDGE)

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**RECESS TO CONVENE TO EXECUTIVE SESSION (7:20 PM)**

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON 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.”

**ADJOURNMENT OF EXECUTIVE SESSION (7:29 PM)**

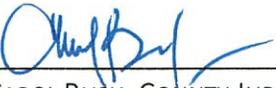
MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**ADJOURNMENT**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JANUARY 28, 2013 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
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CAROL BUSH, COUNTY JUDGE

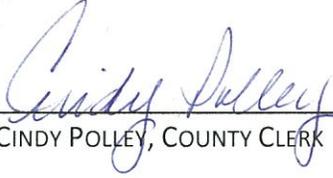
  
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DENNIS ROBINSON, COMMISSIONER PCT 1

  
\_\_\_\_\_  
BILL DODSON, COMMISSIONER, PCT 2

  
\_\_\_\_\_  
PAUL PERRY, COMMISSIONER, PCT 3

  
\_\_\_\_\_  
RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS FEBRUARY 25, 2013.

  
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CINDY POLLEY, COUNTY CLERK