

FILED
MAR 25 2013
COUNTY CLERK
ELLIS COUNTY, TEXAS

ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // FEBRUARY 25, 2013

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, FEBRUARY 25, 2013 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

PAUL PERRY, 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 OPEN COURT BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

INVOCATION AND PLEDGE OF ALLEGIANCE—COMMISSIONER RON BROWN, PCT. 4

CONSENT AGENDA:

MINUTE ORDER NO 128.13 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVAL OF INVOICE #0029838-IN FROM RCC CONSULTANTS, INC. IN THE AMOUNT OF \$8,345 (RADIO TOWER PROJECT) FOR DECEMBER 1, 2012 – DECEMBER 31, 2012 AS PER THE CONSULTANT SERVICES AGREEMENT EFFECTIVE JUNE 27, 2011 (MINUTE ORDER 243.11) BETWEEN RCC AND ELLIS COUNTY
- A3 JANUARY, 2013 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
 - MARK ARNOLD, AGRICULTURE
 - PAGE BISHOP, 4-H
 - RITA HODGES, FAMILY & CONSUMER SCIENCES
- A4 ACCEPTANCE OF THE NECESSARY BOND RENEWALS FOR THE FOLLOWING ESD BOARD OF DIRECTORS:
ESD #2 POSITION BONDS

- ESD # 3 JACKIE DWAYNE CATE, VINCENTE GUERRERO, HOWARD MORGAN, JAMES STEELE,
MURRIE WAINSCOTT
- ESD #9 KENNY CALDWELL, MIKE GREENLEE, JOHN HANCOCK, DOUGLAS YOUNG
- A5 CERTIFICATION OF THE MINUTES FROM THE COMMISSIONERS' COURT AGENDAS DATED:
JANUARY 14, 2013 JANUARY 28, 2013
- A6 ACCEPTANCE OF 2012 RACIAL PROFILE REPORT FROM CONSTABLE PCT. 4, MIKE JONES.
- A7 THE STATEMENTS OF ELECTED/APPOINTED OFFICIALS AND OATHS OF OFFICE FOR THE FOLLOWING EMERGENCY
SERVICE DISTRICT BOARD MEMBERS:
JANIS COLEMAN, ESD #7 ALLEN LANE, ESD #8
MICHAEL GREENLEE, ESD #9 JOHN HANCOCK, ESD #9

FINANCIAL:

- F1 FROM 011-0704-50802, PURCHASE OF EQUIPMENT TO 011-0704-50909, REPAIR / PARTS – PAUL PERRY,
COMMISSIONER, PCT. 3
- F2 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>
MIDLAND MORTGAGE	140368	\$3,135.12
PNC MORTGAGE	155119	\$2,987.15
GREEN PLANET SERVICING	210936	\$3,630.28
MORTGAGE SERVICE CENTER	217950	\$3,306.62
WELLS FARGO HOME MORTGAGE	222543	\$4,714.77
WELLS FARGO HOME MORTGAGE	224497	\$4,830.94
JON V. JOHNSON	230697	\$6,525.12
WASTE MANAGEMENT	65143508510020000	\$65,674.64

SIMPLIFIED PLAT:

SP1 WEBB ACRES, 1 LOT, F.M. 1181, RICHARD WEBB, PCT. 2
MOTION BY COMMISSIONER ROBINSON, 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:

MINUTE ORDER NO 129.13 APPROVING FINAL PLAT MCGREGOR ESTATES, PHASE 3, 13 LOTS, IVAN
BRIGMAN, PCT. 3

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

PURCHASING:

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

- 3.2 **PRESENTATION OF FLEET CARD PROGRAM THAT PROVIDES THE OPPORTUNITY TO PROCURE FUEL ON THE EXXONMOBIL – UNIVERSAL WRIGHT EXPRESS CARD WITH REBATES SPONSORED THROUGH THE HARRIS COUNTY DEPARTMENT OF EDUCATION.**

MINUTE ORDER NO 130.13 APPROVING INTERLOCAL CONTRACT BETWEEN HARRIS COUNTY DEPARTMENT OF EDUCATION AND ELLIS COUNTY

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

MINUTE ORDER NO 131.13 APPROVING THE RENEWAL OF BIDS -2012-003 #2, 2012-003 #5, 2012-003 #7, 2012-003#9, 2012-003 #11, 2012-003 #12, AND 2012-003 # 13 WITH TXI. LIMESTONE FLEX BASE TYPE A, GRADE 2, CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 4, 3/8" ROCK, CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 4, 1/2" ROCK, CRUSHED LIMESTONE CHIP SEAL TYPE D, GRADE 3, 5/8" ROCK, LIGHT WEIGHT SURFACE AGGREGATE TYPE L, GRADE 3, LIGHT WEIGHT SURFACE AGGREGATE TYPE L, GRADE 4, LIGHT WEIGHT SURFACE AGGREGATE TYPE L, GRADE 5. RENEWAL EFFECTIVE DATES MARCH 15, 2013 THROUGH MARCH 14, 2014.

MINUTE ORDER NO 132.13 APPROVING THE RENEWAL OF BIDS -2012-003 #14, 2012-003 #15 WITH TRINITY MATERIALS. WASHED PEA GRAVEL TYPE A, GRADE 5, 3/8", WASHED PEA GRAVEL TYPE A, GRADE 4, 1/2" RENEWAL EFFECTIVE DATES MARCH 15, 2013 THROUGH MARCH 14, 2014.

MINUTE ORDER NO 133.13 APPROVING THE RENEWAL OF BIDS -2012-003 #3, 2012-003 #4 WITH CJ & SONS AND BIG CITY. RECYCLED CONCRETE FLEX BASE TYPE D, GRADE 1 OR 2, FLEXPHALT TYPE D, GRADE 1. RENEWAL EFFECTIVE DATES MARCH 15, 2013 THROUGH MARCH 14, 2014.

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON *TO APPROVE AGENDA ITEMS 3.3, 3.4 & 3.5* CARRIES UNANIMOUSLY *(MINUTE ORDER No 131.13, 132.13 & 133.13)*

No ACTION: 3.6 APPROVE THE RENEWAL OF BIDS -2012-003 #17, 2012-003 #18 WITH CENTRAL SAND AND GRAVEL. NATURAL GRADED GRAVEL, PIT RUN GRAVEL. RENEWAL EFFECTIVE DATES MARCH 15, 2013 THROUGH MARCH 14, 2014.

MINUTE ORDER NO 134.13 APPROVING THE RENEWAL OF BID -2012-003 #19, WITH HANSON AGGREGATES. LIMESTONE POT HOLE PATCH MATERIAL TYPE A, 1/4" TO #10. RENEWAL EFFECTIVE DATES MARCH 15, 2013 THROUGH MARCH 14, 2014.

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

No ACTION: 3.8 APPROVE THE RENEWAL OF BID -2012-007 A #1, LIMESTONE FLEX BASE TYPE A, GRADE 1, WITH J & K EXCAVATIONS, LLC. LIMESTONE FLEXBASE TYPE A, GRADE 1. RENEWAL EFFECTIVE DATES APRIL 10, 2013 THROUGH APRIL 9, 2014.

MINUTE ORDER NO 135.13 APPROVING THE RENEWAL OF BID -2012-007 B #1, WITH CJ & SONS. LIMESTONE FLEX BASE TYPE A, GRADE 1 & 4. RENEWAL EFFECTIVE DATES APRIL 10, 2013 THROUGH APRIL 9, 2014.

MINUTE ORDER NO 136.13 APPROVING THE RENEWAL OF BID -2012-007 C, WITH LONE STAR AGGREGATES. LIMESTONE FLEX BASE TYPE A, GRADE 1 & 4. RENEWAL EFFECTIVE DATES APRIL 23, 2013 THROUGH APRIL 22, 2014.

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY TO APPROVE AGENDA ITEMS 3.9 & 3.10 CARRIES UNANIMOUSLY
MINUTE ORDER No 135.13-136.13

ADMINISTRATIVE:

MINUTE ORDER NO 137.13 APPOINTING RICK DAVIS TO THE EMERGENCY SERVICES DISTRICT #9 BOARD FOR A TERM EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2013
(DENNIS ROBINSON COMMISSIONER PCT 1)

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

MINUTE ORDER NO 138.12 PURCHASING TWO 2013 CHEVROLET TAHOES AND ONE 2013 CHEVY AVALANCHE FOR THE SHERIFF'S OFFICE USING FUNDS FROM THE STATE SEIZURE ACCOUNT. ALL VEHICLES WILL BE PURCHASED PURSUANT TO CHAPTER 262 OF THE TEXAS LOCAL GOVERNMENT CODE. (\$34,584)
(CHUCK LAUBACH, SHERIFF'S OFFICE)

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

MINUTE ORDER NO 139.12 AUTHORIZING THE SHERIFF TO SIGN AN INTERAGENCY AGREEMENT FOR CONTINUED PARTICIPATION IN THE TRI-COUNTY AUTO THEFT TASK FORCE FOR PERIOD SEPTEMBER 1, 2012 THRU AUGUST 31, 2013
(DENNIS BREARLEY, SHERIFF'S OFFICE)

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

MINUTE ORDER NO 140.13 AUTHORIZING THE COUNTY JUDGE TO SIGN THE NATIONAL DATA EXCHANGE (N-DEX) USER/EQUIPMENT AGREEMENT BETWEEN TEXAS DEPARTMENT OF PUBLIC SAFETY AND THE ELLIS COUNTY SHERIFF'S OFFICE
(DENNIS BREARLEY, SHERIFF'S OFFICE)

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

No Action: 4.5 CONSIDERATION AND ACTION TO APPROVE AN AGREEMENT WITH HPN PUBLISHING REGARDING THE PUBLICATION OF AN ELLIS COUNTY PICTORIAL BOOK AT NO COST TO THE COUNTY.
- CAROL BUSH, COUNTY JUDGE

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 FEBRUARY 25, 2013 ARE HEREBY APPROVED.

PRESIDING OFFICER:



CAROL BUSH, COUNTY JUDGE



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 MARCH 25, 2013



CINDY POLLEY, COUNTY CLERK

