

FILED

AUG 12 2013

**COUNTY CLERK
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // JUNE 24, 2013**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JUNE 24, 2013 AT 3:00 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:

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 RON BROWN, PCT. 4

CONSENT AGENDA:

MINUTE ORDER NO 200.13 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVAL OF ESD#3 STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS FOR YEAR ENDING DECEMBER 31, 2012
- A3 TO DECLARE MISCELLANEOUS INOPERABLE VIDEO EQUIPMENT AND COMPUTER MONITORS AS WASTE IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 263.152, FOR DISPOSAL BY E-WASTE RECYCLING

FINANCIAL:

- F1 FROM 001-0370-50804 POSTAGE TO 001-0370-50601 TRAVEL REIMBURSEMENT AND 001-0370-50801 SUPPLIES — JOHN BRIDGES, TAX ASSESSOR / COLLECTOR.
- F2 FROM 004-0652-50807 RB2 GEN EXP TO 004-0652-50703 RB2 TELEPHONE — BILL DODSON, COMMISSIONER, PCT. 2
- F3 FROM 001-0612-50803 FURNITURE/FIXTURES TO 001-0612-50801 SUPPLIES — TERRY NAY, CONSTABLE PCT. 2
- F4 FROM 047-0947-30302 FUND BALANCE TO 047-0947-50802 EQUIPMENT AND 047-0947-50807 GENERAL MISC. — JOHNNY BROWN, SHERIFF
- F5 FROM 011-0704-30301 FUND BALANCE TO 011-0704-50909 REPAIR/PARTS — PAUL PERRY, COMMISSIONER, PCT. 3

F6 FROM 005-0703-30301 FUND BALANCE TO 005-0703-50915 ASPHALT AND 005-0703-50802 EQUIPMENT – PAUL PERRY, COMMISSIONER, PCT. 3

F7 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>
DANIEL AND PATTI CARTER	157120	\$2,817.17
AMERICAN HOMES 4 RENT	149799	\$2,527.98
AMERICAN HOMES 4 RENT	219524	\$3,273.77
AMERICAN HOMES 4 RENT	241239	\$2,704.96
JP MORGAN CHASE BANK NA	241337	\$4,176.16

SIMPLIFIED PLAT:

SP1 GEARTNER ADDITION, 1 LOT, TIMOTHY PALMER, PCT. 2.

MOTION TO APPROVE CONSENT AGENDA BY COMMISSIONER ROBINSON, 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 201.13 GRANTING A ONE-TIME VARIANCE FROM COUNTY OF ELLIS RULES, REGULATIONS AND SPECIFICATIONS FOR SUBDIVISIONS AND MANUFACTURED HOME PARKS AS RELATED TO THE ROAD FRONTAGE REQUIREMENT, TO PROPERTY LOCATED ON PLAINVIEW ROAD IN DUVALL PLACE, NEAR MIDLOTHIAN, TEXAS, AT THE REQUEST OF PAUL PROCTOR. THIS PROPERTY IS LOCATED WITHIN THE UNINCORPORATED AREA IN ELLIS COUNTY, SPECIFICALLY WITHIN ELLIS COUNTY ROAD AND BRIDGE PCT. 4.

MOTION TO GRANT VARIANCE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

MINUTE ORDER NO 202.13 APPROVING PRELIMINARY PLAT – ALLISON ADDITION, PHASE TWO, 6 LOTS, BAUCUM ROAD, STEPHEN ALLISON, PCT. 3

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

MINUTE ORDER NO 203.13 APPROVING PRELIMINARY PLAT – JORDAN RUN, PHASE II, 20 LOTS, JAYCEE DRIVE/SERENE COURT, STEVE DONOSKY, PCT. 3

MOTION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

PURCHASING:

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

MINUTE ORDER NO 204.13 LEASING A XEROX W5845P WITH FAX: \$188.37 PER MONTH ALONG WITH A XEROX W5845P: \$174.18 PER MONTH FOR THE DISTRICT CLERK'S OFFICE; LEASING A XEROX W5845P: \$187.52 PER MONTH FOR THE LAW LIBRARY; AND, LEASING A XEROX W5845P: \$174.18 PER MONTH FOR THE COUNTY CLERK'S OFFICE

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 205.13 APPROVING A RENTAL AGREEMENT FOR 1 CAT CW14OLTJ00134 ROLLER THIS RENTAL CONTRACT IS FOR A 60 DAY PERIOD TO END ON AUGUST 15, 2013. THE MONTHLY RENTAL COST FOR THIS EQUIPMENT IS \$2,000 PER MONTH.

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER ROBINSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 206.13 GRANTING DISCRETIONARY EXEMPTIONS FROM THE COMPETITIVE BIDDING REQUIREMENTS SET FORTH IN LGC 262.023, FOR THE FOLLOWING: (C) ELECTRIC POWER, GAS, WATER, AND OTHER UTILITY SERVICES; AND (D) CAPTIVE REPLACEMENT PARTS OR COMPONENTS FOR EQUIPMENT; (11) VEHICLE AND EQUIPMENT REPAIRS, ACCORDING TO LOCAL GOVERNMENT CODE, SEC. 262.024 (C), (D), AND (11), TO BE EFFECTIVE UNTIL POLICY REVISIONS ARE DEEMED NECESSARY BY COMMISSIONERS' COURT

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

No ACTION: 2.4 CONSIDERATION AND ACTION TO APPROVE A RESOLUTION FOR ELLIS COUNTY COMMISSIONERS' COURT TO ADOPT A NEW ELLIS COUNTY PURCHASING POLICIES AND PROCEDURE MANUAL EFFECTIVE OCTOBER 1, 2013. MOTION BY COMMISSIONER DODSON TO APPROVE...COMMISSIONER PERRY WOULD LIKE MORE TIME TO REVIEW...MOTION DIES FOR LACK OF 2ND

MINUTE ORDER NO 207.13 APPROVING AN AGREEMENT FOR ON DEMAND ENGINEERING AND CONSULTING SERVICES BETWEEN ELLIS COUNTY AND RCC

MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

ADMINISTRATIVE:

3.1 **PRESENTATION** BY TXDOT AND HALFF ASSOCIATES REGARDING THE PROPOSED US 287 PROJECT FROM SH 34 TO I-45. – BARBARA LEFTWICH, COUNTY PLANNER INTRODUCED PRESENTERS FOR PROJECT BRIEFING: PROJECT MANAGER - BRUCE NOLLEY, PE – TXDOT, CONSULTANT PROJECT MANAGER - JEREMY MCGAHAN PE - HALFF ASSOCIATES, INC AND SCOTT MORROW, TXDOT ENGINEER

3.2 **DISCUSSION** REGARDING THE POTENTIAL HOUSING OF ICE DETAINEES IN THE ELLIS COUNTY DETENTION FACILITY. – CHIEF DENNIS BREARLEY, SHERIFF'S OFFICE

MINUTE ORDER NO 208.13 AUTHORIZING THE COUNTY JUDGE TO EXECUTE A LETTER OF INTENT TO INITIATE A CONTRACT BETWEEN ELLIS COUNTY AND THE FEDERAL GOVERNMENT TO HOUSE ICE DETAINEES IN THE ELLIS COUNTY DETENTION FACILITY (CAROL BUSH, COUNTY JUDGE)

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

MINUTE ORDER NO 209.13 ENTERING INTO AN INTERLOCAL COOPERATIVE AGREEMENT WITH THE CITY OF MILFORD FOR THE PURPOSE OF PROVIDING TLETS (TEXAS LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM) ACCESS THROUGH OUR STATE AUTHORIZED TERMINAL (CHUCK LAUBACH, ECSO)

MOTION BY COMMISSIONER PERRY, 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 JUNE 24, 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 12TH DAY OF AUGUST, 2013



CINDY POLLEY, COUNTY CLERK

