

**FILED**

**AUG 26 2013**

**COUNTY CLERK  
ELLIS COUNTY, TEXAS**

**ELLIS COUNTY COMMISSIONERS' COURT  
OFFICIAL MINUTES // JULY 22, 2013**

A REGULAR MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, JULY 22, 2013 AT 3:00 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 PERRY, SECOND BY COMMISSIONER DODSON; MOTION CARRIES UNANIMOUSLY

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

**PUBLIC COMMENT\***     *RE: 2.4 CONRAD DOLQUIST, JAMES A. BROGUET*

**CONSENT AGENDA:**

**MINUTE ORDER NO 234.13**    APPROVING CONSENT AGENDA

**ADMINISTRATIVE:**

- A1    APPROVAL OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2    JUNE, 2013 TRAVEL REPORTS OF THE TEXAS AGRILIFE EXTENSION OFFICE
  - MARK ARNOLD, AGRICULTURE
  - PAGE BISHOP, 4-H
  - RITA HODGES, FAMILY & CONSUMER SCIENCES

**FINANCIAL:**

- F1    FROM 001-0370-50804 POSTAGE TO 001-0370-50801 SUPPLIES—JOHN BRIDGES, COUNTY TAX ASSESSOR/COLLECTOR
- F2    FROM 001-0360-40003 DA MISC REVENUES TO 001-0360-50801 DA-SUPPLIES—PATRICK WILSON, COUNTY AND DISTRICT ATTORNEY
- F3    FROM 001-0510-50819 COMPUTER, 001-0510-50874 DOCKET BOOKS & PRINTING TO 001-0510-50601 TRAVEL REIMBURSEMENT—BILL WOODY, JUSTICE OF THE PEACE, PCT 1

- F4 FROM 012-0755-50913 CHEMICALS, 012-0755-50908 LUMBER, 012-0755-50802 PURCHASE OF EQUIPMENT, 012-0755-50807 GENERAL MISC. TO 012-0755-50915 ASPHALT, 012-0755-50911 GRAVEL – RON BROWN, COMMISSIONER, PCT 4
- F5 FROM 006-0754-50908 LUMBER, 006-0754-50930 ROW PURCHASE, 006-0754-50900 YOUTH EXPO FUNDING TO 006-0754-50907 TIRES – RON BROWN, COMMISSIONER, PCT 4
- F6 FROM 010-0653-50807 FM2-GEN EXP TO 010-0653-50962 FM2 LUBRICANTS, 010-0653-50909 FM2 – REPAIRS PARTS – BILL DODSON, COMMISSIONER, PCT 2
- 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>
SELECT PORTFOLIO SERVICING, INC	151762	\$3,087.68

**SIMPLIFIED PLAT:**

SP1 TAYLOR RIDGE, PHASE 1, 1 LOT, BOWER INVESTMENTS, INC., PHASE 3.  
 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:

**No ACTION:** 1.1 FINAL PLAT – JORDAN RUN, PHASE II, 20 LOTS, HEALTHFIRST REAL ESTATE HOLDING III LTD AND MORRISON PARTNERS LTD, PCT 3.

**PURCHASING:**

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

**MINUTE ORDER NO 235.13** APPROVING A RESOLUTION FOR ELLIS COUNTY COMMISSIONERS’ COURT TO ADOPT THE NEW ELLIS COUNTY PURCHASING POLICIES AND PROCEDURES MANUAL EFFECTIVE OCTOBER 1, 2013  
 MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 236.13** APPROVING THE PURCHASE OF VIN# 1FDWW37RX8EB03290 F-350 TRUCK IN THE AMOUNT OF \$11,750.00 FOR PRECINCT 4  
 MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**MINUTE ORDER NO 237.13** LEASING A XEROX FOR THE COUNTY TREASURER’S OFFICE, MODEL NUMBER W5740PT WITH FAX OPTION FOR \$241.00 PER MONTH, 36 MONTH LEASE, IN ACCORDANCE WITH LOCAL GOVERNMENT CODE  
 MOTION TO APPROVE BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

2.4 **DISCUSSION** REGARDING THE RECOMMENDATION OF THE JAIL MANAGEMENT EVALUATION & FEASIBILITY COMMITTEE REGARDING RFP 2013-010 AND CONSIDERATION AND POTENTIAL ACTION TO SELECT THE HIGHEST RANKING APPLICANT FOR JAIL MANAGEMENT AND OPERATIONS AND TO COMMENCE CONTRACTUAL NEGOTIATIONS WITH SAID APPLICANT.

**MINUTE ORDER NO 238.13** RETAINING BRACEWELL & GIULIANI, L.L.P., AS BOND COUNSEL RELATED TO MATTERS PERTAINING TO THE TAX EXEMPT BONDS UTILIZED TO CONSTRUCT A PORTION OF THE ELLIS COUNTY JAIL PURSUANT TO SECTION 262.024(A)(4) LOCAL GOVERNMENT CODE  
MOTION TO APPROVE BY COMMISSIONER DODSON, SECOND BY COMMISSIONER ROBINSON CARRIES 4/1;  
COMMISSIONER PERRY OPPOSED

**ADMINISTRATIVE:**

**MINUTE ORDER NO 239.13** REJECTING AN ADDITIONAL FEE, BEGINNING ON JANUARY 1, 2014, APPLICABLE TO THE REGISTRATION OF VEHICLES IN AN AMOUNT UP TO \$1.50 PER VEHICLE PURSUANT TO SECTION 502.403 OF THE TRANSPORTATION CODE.  
*PURPOSE OF FEE WAS TO FUND A SCHOOL CROSSING GUARD PROGRAM AND/OR OTHER PROGRAMS PROMOTING CHILD SAFETY, HEALTH OR NUTRITION PURSUANT TO ARTICLE 102.014(G) OF THE CODE OF CRIMINAL PROCEDURE. FEE WAS IN ADDITION TO OTHER REGISTRATION FEES IMPOSED PURSUANT TO CHAPTER 502 OF THE TRANSPORTATION CODE.* (CAROL BUSH, COUNTY JUDGE)  
MOTION TO REJECT BY JUDGE BUSH, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

**MINUTE ORDER NO 240.13** AMENDING THE INTERGOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT (CONTRACT # 582-8-89953) BETWEEN THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND ELLIS COUNTY, FOR THE LOW INCOME VEHICLE REPAIR ASSISTANT, RETROFIT AND ACCELERATED VEHICLE RETIREMENT PROGRAM (LIRAP), ALSO KNOWN AS THE AIRCHECK TEXAS DRIVE A CLEAN MACHINE (DACM)  
MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 241.13** AMENDING THE INTERGOVERNMENTAL COOPERATIVE REIMBURSEMENT AGREEMENT (CONTRACT #582-12-20276) BETWEEN THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND ELLIS COUNTY, FOR THE LOCAL INITIATIVE PROJECT (LIP) GRANT  
MOTION BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**No ACTION:** 3.4 CONSIDERATION AND ACTION AS APPROPRIATE TO RENEW EMPLOYEE HEALTH INSURANCE COVERAGE THROUGH THE TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFITS POOL  
ANNE PRICE, HUMAN RESOURCES DIRECTOR.

**No ACTION:** 3.5 CONSIDERATION AND POSSIBLE ACTION TO UPGRADE THE COMMISSIONERS' COURT AUDIO SYSTEM TO BEGIN VIDEO RECORDINGS FOR ARCHIVAL PURPOSES AND VIEWING ON THE COUNTY WEBSITE  
PAUL PERRY, COMMISSIONER, PCT 3.

**No ACTION:** 3.6 CONSIDERATION AND POTENTIAL ACTION REGARDING THE PURCHASE OF TIRES FOR ROAD & BRIDGE PRECINCTS AND OTHER DEPARTMENTS  
PAUL PERRY, COMMISSIONER, PCT 3.

**No ACTION:** 3.7 CONSIDERATION AND POSSIBLE ACTION ON PROPOSED EXEMPTIONS AND EMERGENCY PURCHASES ALREADY INCORPORATED ON PAGE 10 OF THE PROPOSED POLICIES AND PROCEDURES MANUAL REGARDING REQUISITION PROCEDURES  
PAUL PERRY, COMMISSIONER, PCT 3.

3.8 **DISCUSSION** REGARDING THE PROPOSED POLICIES AND PROCEDURES MANUAL, SPECIFICALLY INCLUDING BUT NOT LIMITED TO THE NUMBER OF NEW EMPLOYEES IN THE PURCHASING DEPARTMENT AND IN THE AUDITOR'S OFFICE WHICH MIGHT BE REQUIRED TO IMPLEMENT THE NEW POLICY.  
PAUL PERRY, COMMISSIONER, PCT 3.

**MINUTE ORDER NO 242.13** LIFTING COUNTY BURN BAN (PAUL PERRY, COMMISSIONER, PCT 3)  
MOTION TO LIFT BURN BAN BY COMMISSIONER ROBINSON, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

**MINUTE ORDER NO 243.13** APPROVING APPOINTMENT OF JOE WILLIAMSON TO THE ELLIS COUNTY  
EMERGENCY SERVICES DISTRICT #6 BOARD (PAUL PERRY, COMMISSIONER, PCT 3)  
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BROWN CARRIES UNANIMOUSLY

**MINUTE ORDER NO 244.13** AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE DEED AND ALL RELATED  
CLOSING DOCUMENTS PERTAINING TO THE CONVEYANCE OF PROPERTY OWNED BY ELLIS COUNTY  
WHICH IS GENERALLY DESCRIBED AS 114 S. ROGERS, 109 W. FRANKLIN, 111 W. FRANKLIN, 113 W.  
FRANKLIN, 115 W. FRANKLIN, 117 W. FRANKLIN, 200 S. COLLEGE ST., AND AN UNNUMBERED LOT ON S.  
ROGERS ST. IMMEDIATELY ADJACENT TO 115 W. FRANKLIN AND 117 W. FRANKLIN, IN WAXAHACHIE,  
TEXAS, AND FURTHER DESCRIBED AS LOT 1 BLK 8 O T WAXAHACHIE 0.086 AC; LOT 3 BLK 15 O T 0.086  
AC; LOT 4A, 5A, 5B, 4B BLK 15 O T WAXAHACHIE 0.162 AC; LOT 9 BLK 15 O T WAXAHACHIE 0.1069 AC;  
LOT 6A BLK 15 O T WAXAHACHIE 0.089 AC. ORIGINAL CONTACT FOR SALE WAS APPROVED BY THE  
COMMISSIONERS COURT ON JANUARY 28, 2013 PURSUANT TO MINUTE ORDER 116.13, AND AMENDED  
ON MAY 28, 2013. (CAROL BUSH, COUNTY JUDGE)  
MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER PERRY CARRIES UNANIMOUSLY

**ADJOURNMENT**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT REGULAR MEETING OF JULY 22, 2013 ARE HEREBY  
APPROVED.

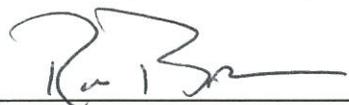
PRESIDING OFFICER:

  
\_\_\_\_\_  
CAROL BUSH, COUNTY JUDGE

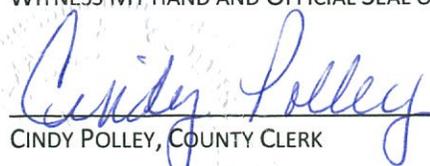
  
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DENNIS ROBINSON, COMMISSIONER, PCT 1

  
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BILL DODSON, COMMISSIONER, PCT 2

  
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PAUL PERRY, COMMISSIONER, PCT 3

  
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RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS AUGUST 26, 2013

  
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CINDY POLLEY, COUNTY CLERK