



A2

TEXAS DEPARTMENT OF AGRICULTURE  
TEXANS FEEDING TEXANS:  
HOME DELIVERED MEAL GRANT PROGRAM

TODD STAPLES, COMMISSIONER

RESOLUTION AUTHORIZING COUNTY GRANT

A RESOLUTION OF THE COUNTY OF \_\_\_\_\_ TEXAS (County)  
CERTIFYING THAT THE COUNTY HAS MADE A GRANT TO

\_\_\_\_\_,  
(Organization) AN ORGANIZATION THAT PROVIDES HOME-DELIVERED MEALS TO  
HOMEBOUND PERSONS IN THE COUNTY WHO ARE ELDERLY AND/OR HAVE A  
DISABILITY AND CERTIFYING THAT THE COUNTY HAS APPROVED THE  
ORGANIZATION'S ACCOUNTING SYSTEM OR FISCAL AGENT.

**WHEREAS**, the Organization desires to apply for grant funds from the Texas Department of  
Agriculture to supplement and extend existing services homebound persons in the County who  
are elderly and/or have a disability, pursuant to the Home-Delivered Meal Grant Program  
(Program); and

**WHEREAS**, the Program rules require the County in which an Organization is providing home-  
delivered meal services to make a grant to the Organization, in order for the Organization to be  
eligible to receive Program grant funds; and

**WHEREAS**, the Program rules require the County to approve the Organization's accounting  
system or fiscal agent, in order for the Organization to be eligible to receive Program grant  
funds.

**BE IT RESOLVED BY THE COUNTY:**

SECTION 1: The County hereby certifies that it has made a grant to the Organization in the  
amount of \_\_\_\_\_ to be used between the:

\_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_ and the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_.  
Day Month Year Day Month Year

SECTION 2: The County hereby certifies that the Organization provides home-delivered meals  
to homebound persons in the County who are elderly and/or have a disability.

SECTION 3: The County hereby certifies that it has approved the Organization's accounting  
system or fiscal agent.

Introduced, read, and passed by the affirmative vote of the County on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Typed Name and Title

**NOTE:** All information shown in this resolution must be included in the resolution passed by the County.

RECEIVED

OCT 08 2014

ELLIS COUNTY AUDITOR

ELLIS COUNTY BUDGET  
2012/2013 LINE ITEM ADJUSTMENT  
*2013/2014 Old Budget*

I am requesting that the Ellis County Commissioners' Court make necessary Line Item adjustments to my 2012/2013 Budget as follows:

TRANSFER FROM:

| ACCOUNT NO.                       | ACCOUNT TITLE               | AMOUNT                     |
|-----------------------------------|-----------------------------|----------------------------|
| ✓ <u>001-0612-50803-00000-000</u> | <u>Furniture / Fixtures</u> | <u>(400.<sup>00</sup>)</u> |
|                                   |                             |                            |
|                                   |                             |                            |
|                                   |                             |                            |
|                                   |                             |                            |
|                                   |                             |                            |
|                                   |                             |                            |

TRANSFER TO:

| ACCOUNT NO.                       | ACCOUNT TITLE    | AMOUNT                   |
|-----------------------------------|------------------|--------------------------|
| ✓ <u>001-0612-50703-00000-000</u> | <u>Telephone</u> | <u>400.<sup>00</sup></u> |
|                                   |                  |                          |
|                                   |                  |                          |
|                                   |                  |                          |
|                                   |                  |                          |
|                                   |                  |                          |
|                                   |                  |                          |

|   |                               |                                       |
|---|-------------------------------|---------------------------------------|
| <u><i>[Signature]</i></u><br>Signature of Department Head | <u>10/7/14</u><br>Date Signed | <u>Constable Prec 2</u><br>Department |
|---|-------------------------------|---------------------------------------|

ELLIS COUNTY COMMISSIONERS' COURT FINDS THAT THIS TRANSFER OF FUNDS IS FOR COUNTY PURPOSES AND IS AN APPROPRIATE REQUEST.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012/2013

- \_\_\_\_\_ County Judge
- \_\_\_\_\_ Commissioner Precinct #1
- \_\_\_\_\_ Commissioner Precinct #2
- \_\_\_\_\_ Commissioner Precinct #3
- \_\_\_\_\_ Commissioner Precinct #4

Approved by County Auditor's Office: *[Signature]* 10/8/14

*Needs court approval.*



ELLIS COUNTY BUDGET  
2013/2014 LINE ITEM ADJUSTMENT

I am requesting that the Ellis County Commissioners' Court make necessary Line Item adjustments to my 2013/2014 Budget as follows:

TRANSFER FROM:

| ACCOUNT NO.    | ACCOUNT TITLE | AMOUNT  |
|----------------|---------------|---------|
| 001-0430-50802 | Equipment     | 1269.66 |
|                |               |         |
|                |               |         |
|                |               |         |
|                |               |         |

TRANSFER TO:

| ACCOUNT NO.    | ACCOUNT TITLE | AMOUNT  |
|----------------|---------------|---------|
| 001-0430-50819 | Computers     | 1269.66 |
|                |               |         |
|                |               |         |
|                |               |         |
|                |               |         |

*Joe Stewart*  
Signature of Department Head

10-22-14  
Date Signed

FM-EM  
Department

ELLIS COUNTY COMMISSIONERS' COURT FINDS THAT THIS TRANSFER OF FUNDS IS FOR COUNTY PURPOSES AND IS AN APPROPRIATE REQUEST.

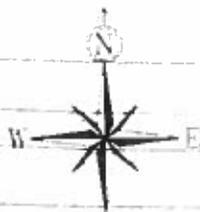
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013/2014

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- County Judge
- Commissioner Precinct #1
- Commissioner Precinct #2
- Commissioner Precinct #3
- Commissioner Precinct #4

Approved by County Auditor's Office: *Hallen 10/23/14*

*Needs court approval*



R=3879.72

A=299.42'

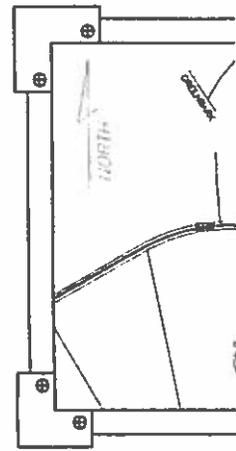
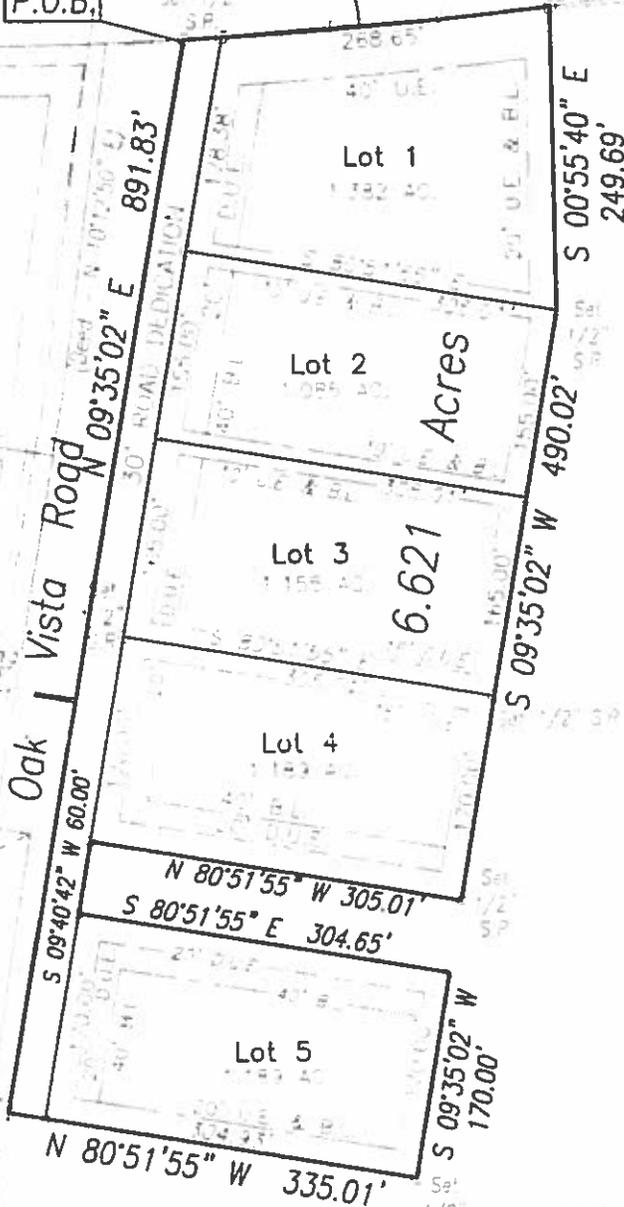
LC=N 84°48'44" E, 299.34'

F.M. 1446

Asphalt Road

Electric Line

P.O.B.



LOCATION MAP

Tract 1  
215.226 Ac.  
Vol. 2256, Pg. 2171  
CORRECT

1.149 Ac  
1447/792  
CORRECT  
STATE OF TEXAS  
COUNTY OF ELLIS

NOTE: Property is subject to a Town -  
Bland Vista waterline permit 581/704 CORRECT

Certificate of approval by the Commissioners Court of Ellis County, Texas  
Approved this date, the \_\_\_\_\_ day of \_\_\_\_\_, 2014

County Judge, Carol Bush

Dennis Robinson  
Commissioner Precinct # 1

B. J. Carlson  
Commissioner Precinct # 2

Paul Kelly  
Commissioner Precinct # 3

Ron Brown  
Commissioner Precinct # 4

This plan has been Preliminary/Final approved by the Department of Development for  
an on-site sewage facility system pending any and all information as may be required  
by the Ellis County Department of Development.

NOTE  
ALL LOTS SHALL BE SERVED BY  
AN ON-SITE SEWAGE FACILITY  
SYSTEM FOR RESIDENTIAL USE  
AN ON-SITE SOIL EVALUATION  
SHALL BE PERFORMED BY A  
REGISTERED ENGINEER AND/OR  
REGISTERED SANITARIAN

Owner & Dev.  
JIM STPAWN  
Phone 214-

STATE OF TEXAS

Before me the undersigned authority a  
on this day personally appeared Walter  
whose name is subscribed to the foregoing  
that he executed the same for the purposes  
stated.

Give under my hand and seal this the \_\_\_\_\_

Notary Public in and for the  
State of Texas

LEGEND

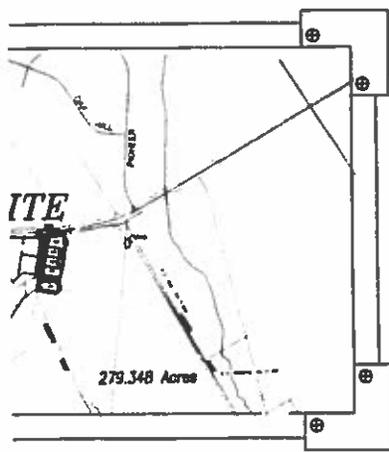
- = Property Corner Symbol
- Find = Found
- SR = Steel Rod
- UE = Unity Easement
- ROW = Right of Way
- POB = Point of Beginning
- BL = Building Line
- GUE = Grantee & Utility Esmt.

That We, Jim Strawn et al, being the owners of that certain tract of land hereinafter described as follows:

FIELD NOTES  
6.621 ACRES

BEING all that certain lot, tract or parcel of land in the S.B. Orton Survey Abstract No. 813 in Ellis County, Texas, and being a portion of a called 218.225 acres tract conveyed to Richard Makimon by deed recorded in Volume 2256 Page 2173, Official Public Records, Ellis County, Texas (OPREC), and being more particularly described as follows:

BEGINNING at a 1/2" steel rod set at the intersection of the south line of FM 1446 and the east line of Oak Vista Road (a county road) for the north-west corner of the aforesaid Makimon tract, and being the same for this tract and also being at the beginning of a curve to the left,  
 THENCE along the arc of said curve (R = 3973.72'; LC = N 84° 48' 44" E; 259.34') a distance of 299.42 feet (with the bearing base for its description from GPS observation Texas Co-Granite System, North Central Zone with a beginning co-ordinate of Northing = 5815314.627 Easting = 2444100.218) along the north line of said Makimon tract, and same for this tract, and along the south line of FM 1446 to a 1/2" steel rod set for the northeast corner of this tract,  
 THENCE entering said Makimon tract South 00°31'30" East, 259.53 feet along an east line of this tract to a 1/2" steel rod set for an easterly corner of this tract,  
 THENCE South 00°55'40" East, 249.69 feet along an east line of this tract to a 1/2" steel rod set for a southeast corner of this tract,  
 THENCE South 09°25'03" West, 430.02 feet along an east line of this tract to a 1/2" steel rod set for an inset corner of this tract,  
 THENCE North 80°51'55" West, 305.01 feet along a north line of this tract to a 1/2" steel rod set for an interior corner of this tract,  
 THENCE South 09°40'43" West, 60.00 feet along an east line of this tract to a 1/2" steel rod set for an inset corner of this tract,  
 THENCE South 80°51'55" East, 304.65 feet along a north line of this tract to a 1/2" steel rod set for a northeast corner of this tract,  
 THENCE South 09°35'02" West, 170.00 feet along an east line of this tract to a 1/2" steel rod set for a southeast corner of this tract,  
 THENCE North 80°51'55" West, 335.01 feet along a south line of this tract to a 1/2" steel rod set at the northwest line of said Makimon tract for the southwest corner of this tract, and also being in an east line of a called 1.149 acres tract as described by deed and recorded in Volume 1447 Page 732 OPREC,  
 THENCE North 05°25'02" East (Deed = N 10°12'50" E) along the west line of said Makimon tract and this tract, and along the centerline of said Oak Vista Road right-of-way, and continuing a total distance of 291.83 feet to the POINT OF BEGINNING and containing approximately 6.621 acres of land.



SCALE : 1" = 2000'

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS

That We, Jim Strawn et al, do hereby adopt this plat designating the hereinabove described property as a Final Plat of OAK VISTA ESTATES, PHASE 1, and do hereby dedicate to Ellis County, for public use, the streets and alleys shown hereon, and do hereby reserve the easement strips shown on this plat for the accommodation of all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with the construction or maintenance of its respective system on any of these easement strips, and any public utility shall, at all times, have the right of ingress and egress to and from and upon said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

IN TESTIMONY WHEREOF, WITNES MY HAND THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014

\_\_\_\_\_  
 JIM STRAWN

STATE OF TEXAS

Before me the undersigned authority, a notary public in and for said state on this day personally appeared Jim Strawn, known to me to be the person whose name is subscribed to the foregoing and acknowledged to me that he executed the same for the purposes here expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014

\_\_\_\_\_  
 Notary Public

SURVEYOR'S DECLARATION

THIS is to declare that I, Water Allen Davis, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey made on the ground, and that all lot corners, angle points, and points of curve have been properly marked on the ground and that this plat correctly represents that survey made by me.

Water Allen Davis  
 Texas Registration No. 4456

GENERAL NOTES  
 1. 100 YEAR FLOOD NOTE  
 NO 100 YEAR FLOODPLAIN PER FIRM MAP # 48 3900325F ZONE 1 UNSHADDED DATED 5-03-2013  
 2. DRAINAGE NOTE  
 PERMANENT FENCING SHALL NOT BE ALLOWED WITHIN DRAINAGE EASEMENTS

NOTE  
 THE EXISTING CREEKS OR DRAINAGE CHANNELS TRaversing ALONG OF ACROSS THE SUBDIVIDED TRACTS WILL REMAIN AS OPEN CHANNELS, AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRaversed BY OR ADJACENT TO THE CREEKS OR DRAINAGE CHANNELS, AND ELLIS COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF DRAINAGEWAYS FOR THE CONTROL OF EROSION LOCATED ON PRIVATE PROPERTY.

3-45.00

NOTE  
 ALL PROPERTY AND LOT CORNERS ARE SET 1/2" STEEL RODS UNLESS OTHERWISE SPECIFIED ON THE PLAT

Notary Public in and for the State of Texas, in Davis, known to me to be the person who executed and acknowledged to me the instrument and acknowledged to me as herein expressed and in the capacity.

\_\_\_\_ day of \_\_\_\_\_, 2014

**FINAL PLAT**  
**OAK VISTA ESTATES**  
**PHASE 1**  
 Being a 6.621 Acre Addition in  
 S.B. Orton Survey, Abst. 813  
 Extra Territorial Jurisdiction (ETJ)  
 of the City of Waxahachie  
 Ellis County, Texas

ENGINEERS  
**D & M**  
 SURVEYORS  
**DAVIS & McDILL, Inc.**  
 P.O. Box 428, Waxahachie, Texas 75168  
 Phone: Metro 972-938-1185 Fax: 972-937-0307  
 (A Texas licensed surveying firm # 101504-00, and a Texas licensed engineering firm # F-8439)

Drawn by: K. Bohanon Date August 11, 2014 Job no. 212-0383-FINAL-PLAT

**INTERLOCAL COOPERATION CONTRACT**  
**BETWEEN**  
**COUNTY OF ELLIS AND CITY OF OAK LEAF**

**WHEREAS,** the hereinafter below described government entities desire to increase their efficiency and effectiveness by entering into this contract one with the other; and

**WHEREAS,** such contracts are authorized under Chapter 791 of the Government Code of the State of Texas, said law cited as the Interlocal Cooperation Act of the State of Texas; and

**WHEREAS,** the function or service contracted for and to be provided by this agreement is with the definition of "Governmental function and services" as defined by Section 791.003 of the Government Code; and

**WHEREAS,** the function or service contracted to be provided is a function or service that each party to the contract is authorized to perform individually;

**NOW, THEREFORE,** the parties agree and covenant one with the other as follows:

- A) The County of Ellis (hereinafter COUNTY) shall be the party providing the function or service which shall include the maintenance, repair and / or construction of streets, roads, alleys, bridges, and parking areas, as well as the maintenance and construction of waterways and ditches. The COUNTY shall be further authorized to sell to the CITY goods and services.
- B) The City of Oak Leaf (hereinafter CITY) shall be the party receiving the function, goods, or service and providing payment for such function, goods and / or services.
- C) CITY, as paying party, acknowledges and certifies, as required by the Interlocal Cooperation Act, that all payments shall be made from current revenues available to CITY.
- D) The term of this agreement shall be from October 1, 2014 to September 30 2015.

E) Both parties acknowledge and understand, in reference to any project undertaken under this contract involving the construction, improvement, or the repair of a road, building or other facility, the following:

- 1) That prior to beginning said project, a work order in the form similar to Exhibit A attached hereto shall be adopted describing the project to be undertaken and identifying the project's location, and
- 2) That the payment and penalty provisions set out in Section 791.014 (c) and (d) of the Government Code Interlocal Cooperation Act shall apply to this contract.

F) CITY agrees to pay to COUNTY within thirty (30) days of billing by COUNTY for the goods, governmental function, and / or services provided in an amount that fairly compensates COUNTY for service or functions performed by COUNTY under this Contract.

EXECUTED in duplicate this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
COUNTY JUDGE  
ELLIS COUNTY, TEXAS

Attest:

\_\_\_\_\_  
Ellis County Clerk

*Craig Wilz*  
\_\_\_\_\_  
MAYOR  
City of Oak Leaf

Attest:

*Ronda Quintana*  
\_\_\_\_\_  
City Secretary



EXHIBIT A

WORK ORDER UNDER INTERLOCAL AGREEMENT

Service Provider: Ellis County, Texas

Department to Provide Service: \_\_\_\_\_

Basis of Authority to Provide Service: *Interlocal Agreement dated:* \_\_\_\_\_

*per Commissioners Count Minute Order* \_\_\_\_\_

Local Government Requesting Service: \_\_\_\_\_

Description of Project to be Undertaken: \_\_\_\_\_

Location of Project to be Undertaken: \_\_\_\_\_

Requested by: \_\_\_\_\_  
*Ron Brown*

Department: Ellis County Commissioner, Pct. 4

APPROVED in Open Commissioners Court per Minute Order No. \_\_\_\_\_ on the  
day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*Carol Bush*  
*County Judge, Ellis County, Texas*

\*\*\*\*\*

ACCEPTED AND AGREED TO this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

*Signature:* \_\_\_\_\_

*Title:* \_\_\_\_\_

*On Behalf of:* \_\_\_\_\_

**INTERLOCAL COOPERATION CONTRACT  
BETWEEN  
COUNTY OF ELLIS AND CITY OF MAYPEARL**

**WHEREAS,** the hereinafter below described government entities desire to increase their efficiency and effectiveness by entering into this contract one with the other: and

**WHEREAS,** such contracts are authorized under Chapter 791 of the Government Code of the State of Texas. said law cited as the Interlocal Cooperation Act of the State of Texas: and

**WHEREAS,** the function of service contracted for and to be provided by this agreement is within the definition of "Governmental Function and Services" as defined by Section 791.003 of the Government Code: and

**WHEREAS,** the function of service contracted to be provided is a function or service that each party to the contract is authorized to perform individually:

**NOW THEREFORE,** the parties agree and covenant one with the other as follows:

- A. The County of Ellis (hereinafter COUNTY) shall be the party providing the function or service which shall include the maintenance, repair and/or construction of streets, roads, alleys, bridges and parking areas, as well as the maintenance and construction of waterways and ditches. The COUNTY shall further be authorized to sell the CITY goods and services.
- B. The City of Maypearl (hereinafter CITY) shall be the party receiving the function, goods, or service and providing payment for such function, goods and/or services.
- C. The CITY, as paying party acknowledges and certifies, as required by the Interlocal Cooperation Act, that all payments shall be made from the current revenues available to City.
- D. The terms of this agreement shall be from Oct. 1, 2014 to Sept. 30, 2015.
- E. Both parties acknowledge and understand, in reference to any project undertaken under this contract involving the construction, improvement, or the repair of a road, building, or other facility, the following:
  1. that prior to beginning said project, a work order in the form similar to Exhibit A attached hereto shall be adopted describing the project to be undertaken and identifying the project's location: and

2. that the payment and penalty provisions set out in Section 791.014 (c and d) of the Government Code Interlocal Cooperation Act shall apply to this contract.

F. CITY agrees to pay COUNTY within (30) days of billing by COUNTY for the goods, governmental function, and/or services provided in an amount that fairly compensates COUNTY for service or functions performed by COUNTY under this Contract.

EXECUTED in duplicate this the 6th day of Oct, 2014.

COUNTY OF ELLIS

\_\_\_\_\_  
CAROL BUSH  
County Judge, Ellis County, Texas

Attest:

\_\_\_\_\_  
Ellis County Clerk

CITY OF MAYPEARL

Adele Mooney  
ADELE MOONEY  
Mayor, City of Maypearl

Attest:

Jeannie Evans  
City Secretary

**WORK ORDER UNDER INTERLOCAL AGREEMENT**

**Service Provider:** Ellis County, Texas

**Department to Provide Service:** Road & Bridge, Pct. 3

**Basis of Authority to Provide Service:** *Interlocal Agreement dated:* \_\_\_\_\_

*per Commissioners Count Minute Order* \_\_\_\_\_

**Local Government Requesting Service:** \_\_\_\_\_

\_\_\_\_\_

**Description of Project to be Undertaken:** \_\_\_\_\_

\_\_\_\_\_

**Location of Project to be Undertaken:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Requested by:** \_\_\_\_\_

**Department:** \_\_\_\_\_

**APPROVED** in Open Commissioners Court per Minute Order No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2014/2015.

\_\_\_\_\_  
*County Judge, Ellis County, Texas*

\*\*\*\*\*

**ACCEPTED AND AGREED TO** this 6<sup>th</sup> day of Oct., 2014/2015.

**Signature:** Adela Mooney

**Title:** Mayor

**On Behalf of:** City of Maypearl

ELLIS COUNTY COMMISSIONERS' COURT

30

ORDER NO. \_\_\_\_\_

AN ORDER PROHIBITING OUTDOOR BURNING

On this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the Ellis County Commissioners' Court of Ellis County, Texas, convened in a regular session of said Court at 101 West Main, Waxahachie, Texas, the following member present, to-wit:

|                          |                 |
|--------------------------|-----------------|
| County Judge             | Carol Bush      |
| Commissioner Precinct #1 | Dennis Robinson |
| Commissioner Precinct #2 | Bill Dodson     |
| Commissioner Precinct #3 | Paul Perry      |
| Commissioner Precinct #4 | Ron Brown       |

And among other proceedings, on motion of Commissioner \_\_\_\_\_, seconded by \_\_\_\_\_, duly put and carried the following Order was passed:

**WHEREAS**, Section 352.081 of the Texas Local Government Code provides that the commissioners court of a county by order may prohibit or restrict outdoor burning in the unincorporated area of the county if drought conditions have been determined to exist in all of Ellis County, Texas by the Texas Forest Service; or the commissioners court makes a finding that circumstances present in the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning; and,

**WHEREAS**, the Ellis County Commissioners' Court does hereby find that circumstances present in all of the unincorporated area of Ellis County create a public safety hazard that would be exacerbated by outdoor burning;

**NOW, THEREFORE**, it is **ORDERED** that outdoor burning is prohibited in all of the unincorporated areas of Ellis County as follows:

**(A) ACTIONS PROHIBITED:**

Except as is specifically set out herein, a person violates this order if he burns or otherwise dispenses, emits, explodes, detonates, throws off, or otherwise delivers any spark or fire to, or in the area of any combustible material, including but not limited to all, trash, debris, leaves, trees, paper.

**(B) This order does not apply to outdoor burning activities:**

(1) Domestic wastes that normally result from the function of life within a residence—for example, kitchen garbage, untreated lumber, cardboard boxes, packaging, clothing, grass, leaves, and branch trimmings, may be burned in compliance with the following requirements creating a controlled environment and safeguards on each day performed:

(a) Such material is wholly enclosed in a single receptacle adequate to completely contain all such flames and/or sparks.

- (b) Begin burning no earlier than one hour after sunrise, end it the same day and no later than one hour before sunset
- (c) A responsible party is present while the burn is active.
- (d) Area near burn must be clear of vegetation and/or combustible materials or debris.
- (e) Adequate fire suppression equipment in the form of either a properly operating fire extinguisher or water hose attached to a constant supply will suffice for this requirement.

**No domestic waste burning is allowed on days designated as Red Flag Warning Days by the National Weather Service. Such things as tires, construction debris, furniture, carpet, electrical wire, and appliances are not considered to be domestic waste and cannot be burned.**

(2) Outdoor Cooking allowed with the restrictions listed below:

- (a) The cooking device is propane, natural gas, wood or charcoal and has a complete and full enclosure that is utilized at all times.
- (b) The cooking device shall be clear of vegetation and/or combustible materials or debris.
- (c) Adequate fire suppression equipment in the form of either a properly operating fire extinguisher or water hose attached to a constant supply will suffice for this requirement.

(3) These prohibitions do not apply to the sale or detonation of fireworks.

(4) That involve the performance of outdoor combustible operations, including but not limited to, outdoor welding, cutting or grinding operations by any person if the operations are performed in compliance with the following requirements creating a controlled environment and safeguards on each day when operations are performed:

- (a) An additional responsible person designated as a fire watcher who remains at all times within 100 feet of any welding, grinding, cutting, or any other activity that emits a spark and who remains on the scene of any such activity for a minimum of 30 minutes after cessation of any outdoor welding, grinding, cutting, or other activity that emits a spark;
- (b) Each location where outdoor welding, cutting or grinding operations are being performed must have cellular telephone communications for emergency response;
- (c) Adequate fire suppression equipment which must include, at a minimum, either a properly operating 2A-20BC fire extinguisher, kept within 30 feet of any outdoor welding, grinding, cutting, or other activity that emits a spark or a water hose connected to a continuous water source under pressure with sufficient length of hose to reach at least 100 feet beyond any welding, grinding, cutting or activity that emits a spark.

**No outdoor welding, cutting or grinding operations is allowed on days designated as Red Flag Warning Days by the National Weather Service.**

- (5) Related to public health and safety that are authorized by the Texas Commission on Environmental Quality for:
  - (a) firefighter training;
  - (b) public utility, natural gas pipeline, or mining operations;
  - (c) planting or harvesting of agriculture crops.
- (6) Burns that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code.
- (7) Burns authorized by both the Ellis County Fire Marshal's Office and the fire department assigned to provide service to the area in which the burn would take place, then conducted under the direct supervision of that same department.

**(C) ENFORCEMENT:**

- (1) Upon notification of suspected outdoor burning, the fire department with jurisdiction for the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire.
- (2) Fire Departments should complete and submit the Illegal Burn Reporting Form supplied by the Ellis County Fire Marshal's Office.
- (3) In accordance with Section 352.081 of the Local Government Code, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine up to \$500.
- (4) This order may be enforced by any duly-commissioned peace officer.

**(D) EFFECTIVE DATE:**

This order shall take effect immediately.

**(E) DURATION:**

This order shall remain in effect for 90 days from effective date of this order, or prior to such expiration date if the Ellis County Commissioners' Court by order determines that circumstances present in the unincorporated areas of Ellis County no longer create a public safety hazard that would be exacerbated by outdoor burning, whichever occurs earlier. The Ellis County Commissioners' Court may adopt an additional order that takes effect on the expiration of this order if the Ellis County Commissioners' Court finds at such time that circumstances then present in the unincorporated areas of Ellis County continue to create a public safety hazard that would be exacerbated by outdoor burning.

**(F) SEVERABILITY:**

If any section, article, paragraph, sentence, clause, phrase or word in this order, or application thereto, or any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this order; and the Commissioners' Court hereby declares it would have passed such remaining portions of the order despite such invalidity, which remaining portions shall remain in force and effect.

**Approved By:**

Ellis County Commissions' Court on \_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Carol Bush  
Ellis County Judge

\_\_\_\_\_  
Commissioner Dennis Robinson  
Precinct #1

\_\_\_\_\_  
Commissioner Bill Dodson  
Precinct #2

\_\_\_\_\_  
Commissioner Paul Perry  
Precinct #3

\_\_\_\_\_  
Commissioner Ron Brown  
Precinct #4

Attest:

\_\_\_\_\_  
Cindy Polley  
County Clerk