

**NOTICE OF REGULAR MEETING
ELLIS COUNTY COMMISSIONERS' COURT**

Notice is hereby given that a regular meeting of the Ellis County Commissioners' Court will be held on **Monday, December 22, 2008 at 10:00 A.M., in the Commissioners' Courtroom, 101 West Main Street (2nd Floor), Waxahachie, Texas** at which time the following will be discussed and considered, to-wit:

County Judge:

Judge Chad Adams

Commissioners:

Dennis Robinson, Commissioner, Pct. 1

Bill Dodson, Commissioner, Pct. 2

Heath Sims, Commissioner, Pct. 3

Ron Brown, Commissioner, Pct. 4

County Clerk:

Cindy Polley, County Clerk

County & District Attorney's Office:

Ann Montgomery, Assistant County Attorney

Lee Auvenshine, Assistant County Attorney

1. OPENING COURT

1.1 County Judge will call meeting to order, declare quorum if present, and declare notices legally posted pursuant to Open Meetings Act.

1.2 Motion to Open Court.

1.3 Invocation and Pledge of Allegiance - Commissioner Bill Dodson

2. CONSENT AGENDA – Consideration and Action:

Administrative:

A1 Approval of Regular Bills, Payroll, and Officers' Reports.

A2 Approval of the November 2008 Travel Reports of the Texas Cooperative Extension Office
Mark Arnold, Agriculture
Page Bishop, 4-H
Rita Hodges, Family & Consumer Sciences

A3 To approve the transfer of an employee in R&B 3 to 100% pay for Road Worker VI, increasing pay to \$16.70/hour; to approve the transfer of two (2) employees in R&B 3 to 92.8% of pay for Road Worker VI, increasing pay to \$15.50/hour.

A4 To accept Certificates of Participation in the 54th Annual Texas Vital Statistics Conference, December 10-12, 2008, for Cindy Polley and Ricole Glass.

A5 Approval and Certification of the Minutes from the Commissioners' Court Agenda dated:

October 3, 2008 Special
October 27, 2008 Regular
November 13, 2008 Special/Canvass

October 13, 2008 Regular
November 10, 2008 Regular

Financial:

- F1 From 001-0210-40719 Chapter 19 Funding to 001-0210-50800 Chapter 19 Expenditures – Jane Anderson, Elections
- F2 From 001-0000-30302 Fund Balance to 001-0612-50811 Auto Purchase – Chad Adams, County Judge
- F3 From 001-0000-30302 Fund Balance to 001-0612-50802 Equipment, 001-0612-50819 Computer – Chad Adams, County Judge
- F4 From 001-0010-50802 Equipment to 001-0010-50840 Imprest Funds – Ray Stewart, Sheriff

3. ADMINISTRATIVE

- 3.1 Presentation of general information about the 2010 census.
 - Stan Lewis - US Census Bureau - Dallas Regional Census Center
- 3.2 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and Palmer ISD for the term on January 1, 2009 to January 1, 2010.
 - Dennis Robinson, Commissioner, Pct. 1
- 3.3 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and City of Palmer for the term on January 1, 2009 to January 1, 2010..
 - Dennis Robinson, Commissioner, Pct. 1
- 3.4 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and the City of Ferris for the term on January 1, 2009 to January 1, 2010.
 - Dennis Robinson, Commissioner, Pct. 1
- 3.5 Consideration and action to accept the resignations of the following individuals from Ellis County Emergency Service Boards, effective December 31, 2008:

Red Oak ESD #4	Danny Green	Ferris ESD #5	Karen Markgraf
Bristol ESD # 7	Frank Norris	Avalon ESD #8	H.L. Southard
	Ben Rychlik		Gregg Rodriguez
Palmer ESD #9	Randy Stinson		

 - Holly Davis, Special Projects Director
- 3.6 Consideration and action to appoint the following individuals to Ellis County Emergency Service District Boards to serve a regular two-year term, effective January 1, 2009 through December 31, 2010:

Bristol ESD #7	Fred Bledsue	Avalon ESD #8	Everett Russell
	Larry Mentzer		

 - Holly Davis, Special Projects Director
- 3.7 Consideration and action regarding the reappointment of the following individuals to the Ellis County Emergency Service District Boards. The appointees are to be reappointed to serve two-year

terms effective January 1, 2009 through December 31, 2010:

Maypearl ESD #1	James Morrison Andy Mulvaney	Midlothian ESD #2	Danny F. Green Bart Hundt
Italy ESD #3	James Steele Vicente Guerrero Murrie Wainscott	Red Oak ESD #4	Stuart Schafer Dan Keller
Ferris ESD #5	Mark Hope	Waxahachie ESD #6	Bill Gilliland Jack Dineen Gary Beaty
Bristol ESD #7	Nancy Carson	Palmer ESD #9	Mike Greenlee John Hancock Marvin Rhoades

- Holly Davis, Special Projects Director

3.8 Consideration and action to approve an Interlocal Agreement between Ellis County, Hill County, Johnson County and Somervell County to designate the method that Ellis County will be reimbursed for legal costs by the other counties involved in the creation of the Groundwater Conservation District.

- Holly Davis, Special Projects Director

3.9 Consideration and action to approve a Tax Abatement on real property between Ellis County, Texas and Austin Bridge and Road, located in the Waxahachie, Texas Enterprise Zone, City of Waxahachie, Texas. Austin Bridge and Road will be constructing an equipment operations facility in Waxahachie, west of Hwy. 35 that will employ 42 people, with an investment of \$2.5 million construction cost. Under the Ellis County Tax Abatement Guidelines they will qualify for a 35% tax abatement for a period of three years.

- Holly Davis, Special Projects Director

3.10 Consideration and action to approve an amended tax abatement agreement between Ellis County and ABPC, LLC.

- Ann Montgomery, Assistant County and District Attorney

3.11 Presentation and report from Gabriel Roeder Smith on Ellis County post-employment benefits (OPEB).

- Mike Navarro, Auditor

3.12 Consideration and action to amend the Ellis County Personnel Policy Manual, Section 8.01, first paragraph, regarding medical coverage for future eligible retirees of Ellis County and their dependents.

- Diana Buckley, Human Services

3.13 Presentation from and discussion with the Waxahachie Daily Light concerning the "Profiles" special edition.

- Chad Adams, County Judge

4. ENGINEERING

Consideration and action regarding the following presented by Joe White, County Engineer:

- 4.1 To authorize the County Judge to sign an Easement and Right of Way Agreement between Ellis County and Oncor Electric Delivery Company for relocation of Oncor power lines associated with the Ellis County Bond Program.
- 4.2 To contract with Oncor Electric Delivery to provide Street Light Facilities Extension for the County Bond Program at a cost of \$15, 787.00.

5. PURCHASING

Consideration and action regarding the following presented by Richard Denniston, Purchasing Agent:

- 5.1 To reject the bid for Asphalt Emulsions from Cleveland Asphalt Company and rebid due to having received only one bid.
- 5.2 To award the 2009 contract for Bulk Gasoline and Diesel to Avenue Fuel company for the period 1/1/2009 through 12/31/2009.
- 5.3 To award the 2009 contract for Lightweight Road Surfacing Aggregate to TXI Operations, LP for the period 1/1/2009 through 12/31/2009.
- 5.4 To award the 2009 contract for Proprietary Asphalt Treatments to P2 Emulsions Company for the period 1/1/2009 through 12/31/2009.
- 5.5 To award the 2009 contract for Recycled Crushed Concrete to Big City Crushed Concrete for the period 1/1/2009 through 12/31/2009.
- 5.6 To award the 2009 contract for Letterhead and Business Cards to Marfield Corp. Stationary and envelopes to Gingerbread Press for the period 1/1/2009 through 12/31/2009.
- 5.7 To award the contract for a drainage project on Pierce Road (Pct. 1) Red Oak to Concrete Structural Services for the amount of \$32,347. Extra work prices are \$16/cu yd additional excavation, \$27.50/sq yd additional paving, \$5.00/lin. ft additional toe wall, \$80.00/sq yd for rip rap on blanket.

7. RECESS TO CONVENE TO EXECUTIVE SESSION

8. 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 §551.071, 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 §551.071.”

- 8.1 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”.

9. ADJOURNMENT OF EXECUTIVE SESSION

10. ADJOURNMENT

Signed this the 19th day of December, 2008.

Chad Adams
Ellis County Judge

I, the undersigned, County Clerk of the Ellis County Commissioners Court do hereby certify that the above Notice of Regular Meeting of the Ellis County Commissioners Court is a true and correct copy of said Notice, that I received said Notice, and it was posted at the doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the 19th day of December, 2008, at _____ a.m./p.m.

Cindy Polley, County Clerk

By _____
Deputy

The Commissioners Court reserves the right to consider and take action on the above agenda items in any particular order.

Anyone wishing to address the Commissioners Court concerning a posted agenda item must make a formal request by presenting a "Participation Form" to the County Clerk at least 10 minutes prior to the beginning of the meeting.

If you or your representative, have a disability that requires special arrangements and you plan to attend this public meeting, please contact the County Judge's Office at (972) 825-5011 within 72 hours of the meeting. Reasonable accommodations will be made to meet your needs at the meeting.