

**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, March 9, 2009 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 Ron Brown

2. CONSENT AGENDA – Consideration and Action:

Administrative:

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

A2 Approval of a proclamation declaring the week of March 15-21, 2009 as "Poison Prevention Week" in Ellis County.

A3 To approve hiring seasonal workers from March through November for Road & Bridge Pct. 2

A4 To approve a revision to the elevator maintenance contract with ThyssenKrupp Elevator to \$642.73, effective June 1, 2009, for a three-month period, due to an increase in straight time hourly labor cost from \$35.37 to \$36.695.

Financial:

F1 From 001-0140-50558 Contingency/Reserve to 001-0375-50888 Service/GIS, 001-0400-50819 Computer – Chad Adams, County Judge

F2 From 001-0390-50801 Supplies to 001-0390-50819 Computer – Chad Adams, County Judge

F3 From 001-0614-50808 Gas/Oil to 001-0614-50821 Uniform – Mike Jones, Constable, Pct. 4

- F4 Approve refund of overpayment to the following accounts for payment in error (John Bridges):
- | | | |
|-----------------------------|--------|------------|
| Martin Foster | 169471 | \$2,977.27 |
| Countrywide Tax Refund Unit | 205687 | \$3,324.43 |
| Countrywide Tax Refund Unit | 217061 | \$3,892.16 |
| Countrywide Tax Refund Unit | 228953 | \$2,832.16 |
| JKLS Investments LLC | 209270 | \$2,643.28 |
| David McSpadden | 215829 | \$4,686.26 |
| William J. Vargo | 218078 | \$4,612.53 |
| Chase Home Finance | 228980 | \$4,701.70 |
- F5 Approve refund of overpayment to the following accounts for payment in error (John Bridges):
- | | | |
|--------------------|--------|------------|
| Greenpoint Mtg. | 236412 | \$2,593.79 |
| Regions Mortgage | 222826 | \$3,337.45 |
| Johnny Lee Stanley | 166523 | \$2,587.87 |
- F6 From 001-0330-40096 State LEO Payment to 001-0010-50820 LOESE – Johnny Brown, Sheriff
- F7 From 001-0370-50873 Maintenance, 001-0370-50804 Postage to 001-0370-50806 Official Bond/Dues, 001-0370-50801 Supplies – John Bridges, Tax Office

3. ADMINISTRATIVE

- 3.1 Consideration and action to approve a proclamation declaring the month of March 2009 as Meals on Wheels Awareness Month in Ellis County.
 - Chad Adams, County Judge
- 3.2 Presentation to the court from Judge Chad Adams.
- 3.3 Consideration and action to accept a Proclamation recognizing “World Kidney Day”.
 - Ron Brown, Commissioner, Pct. 4
- 3.4 Consideration and action to approve the following appointments Ellis County Emergency Service Districts to fill an unexpired term, effective March 9 through December 31, 2009. The appointees will be eligible to be reappointed to the board for a two year term at that time.
- | | |
|---------------|--------------|
| Ferris ESD #5 | Bruce Moore |
| Avalon ESD #8 | Sadie Tellez |
- Dennis Robinson, Commissioner, Pct. 1
 - Bill Dodson, Commissioner, Pct. 2
- 3.5 Consideration and action to approve an Interlocal Agreement between North Central Texas Council of Governments (NCTCOG) and Ellis County for implementation and administration of Local Initiative Projects that Ellis County has applied for funding for through the Texas Commission on Environmental Quality (TCEQ) for the Regional Smoking Vehicle Program initiatives aimed at complying with state and federal air quality rules and regulations.
 - Holly Davis, Special Projects Director
- 3.6 Consideration and action to approve a contract with the Waxahachie Civic Center for the Employee Appreciation Dinner on December 4, 2009.
 - Cindy Polley, County Clerk

- 3.7 Consideration and action to authorize the Ellis County Emergency Management Coordinator to seek and make application for grants that will be used to make necessary; improvements to the county's communications networks.
- John Patterson, Emergency Management

4. PURCHASING

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

- 4.1 To award the bid for purchase of ready mixed concrete for the period of 2/27/2009 through 4/31/2009 to Country Concrete, 610 Eagle Drive, Midlothian, TX. The award is based on the lowest and best bid. Bids received were for maximum yard/truck delivery. Bidders were:
- | | |
|------------------|-------------|
| Country Concrete | \$95.75/yd. |
| Liquid Stone | \$107/yd. |
| Southern Star | \$111/yd. |

- 4.2 To reject the existing open bids from Cleveland Asphalt and Ergon for emulsified asphalt and rebid, allowing primary and secondary contract to be placed.

5. RECESS TO CONVENE TO EXECUTIVE SESSION

6. 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.”

- 6.1 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”.
- 6.2 “Pursuant to Section 551.071 of the Texas Government Code, consultation with legal counsel regarding Cause No. 66466; *Julia P. Diaz, et. al. vs. Ellis County, Texas*, currently pending in the 40th Judicial District Court.”

7. ADJOURNMENT OF EXECUTIVE SESSION

8. ADJOURNMENT

Signed this the 5th day of March, 2009.

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 5th day of March, 2009, 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.