

**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, July 27, 2009 at 6:00 P.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 Carol Bush

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 Heath Sims

2. CONSENT AGENDA – Consideration and Action:

Administrative:

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

A2 Approval of the June 2009 Travel Reports of the Texas Cooperative Extension Office

Mark Arnold, Agriculture

Page Bishop, 4-H

Rita Hodges, Family & Consumer Sciences

Financial:

F1 From 011-0704-50926 Debt Service to 011-0704-50911 Gravel – Heath Sims, Commissioner, Pct. 3

F2 From 011-0704-50926 Debt Service to 011-0704-50807 Gen Misc. – Heath Sims, Commissioner, Pct. 3

F3 From 001-0010-50801 Supplies to 011-0010-50702 Repairs, 001-0010-50806 Official Bond/Dues, 011-0010-50812 Radio, 011-0010-50819 Computer – Johnny Brown, Sheriff

F4 From 001-0425-50851 Hospital to 011-0425-50502 Salary – Diana Buckley, Human Services

F5 From 011-0050-50805 Conference to 011-0050-50884 Auto Insurance – Mark Arnold, Extension

- F6 From 010-0653-40008 Interlocal Agreement Revenue to 010-0653-50911 Gravel – Bill Dodson, Commissioner, Pct. 2
- F7 Approve refund of overpayment to Chase Home Finance, account #167424 for \$2,779.67 payment in error (John Bridges).
- F8 From 006-0754-50807 Gen Misc. to 006-0754-50907 Tires – Ron Brown, Commissioner, Pct. 4

3. ADMINISTRATIVE

- 3.1 Consideration and action to approve a request for funds for FY 2009-2010 for Meals on Wheels services to needy elderly and disabled persons throughout Ellis County
 - Holly Davis, Special Projects Director
- 3.2 Consideration and action to approve the appointment of Shree Kent and Don Davis to the Child Welfare Board to replace members whose terms of service have ended.
 - Holly Davis, Special Projects Director
- 3.3 Consideration and action to approve a request for funds for FY 2009-2010 for the Child Protective Services Board, DBA Ellis County Child Welfare Board
 - Holly Davis, Special Projects Director
- 3.4 Consideration and action to approve a request for funds for FY 2009-2010 for the Ellis County Historical Commission
 - Holly Davis, Special Projects Director
- 3.5 Consideration and action to accept the resignation of Mr. Jack Dineen from the board of Emergency Service District #6, effective immediately.
 - Heath Sims, Commissioner, Pct. 3
- 3.6 Consideration and action to renew employee health insurance coverage through the Texas Association of Counties Health and Employee Benefits Pool,, realizing a renewal credit of \$313,634, passing along a 3.5% increase in the cost of dependent premiums and extending the new employee waiting period from 60 to 90 days.
 - Diana Buckley, Human Services
- 3.7 Consideration and action to authorize consolidation of Judge Calvert's and Judge Wilhelm's Westlaw subscription service in order to get best rates and allow a change to the original contract.
 - Gretchen Kitzman, Law Librarian
- 3.8 Consideration and action to authorize the Ellis County and District Attorney Office to file a civil lawsuit against Holly Brooksher for damages resulting from her negligence which caused a collision with a county owned vehicle on August 25, 2008.
 - Lee Auvenshine, Assistant County and District Attorney
- 3.9 Consideration and action to accept the donation of a 1997 boat, trailer and motor from the Texas Parks and Wildlife Department to be used in patrolling Lake Bardwell.
 - Chuck Laubach, Sheriff's Office

- 3.10 Consideration and action to acquire exempt license plates for the boat trailer donated to the Ellis County Sheriff's Office by the Texas Parks and Wildlife Department.
 - Chuck Laubach, Sheriff's Office
- 3.11 Consideration and action to approve and ratify a contract with Shield of Faith Films for filming a scene of movie at the Ellis County Courthouse on July 25, 2009.
 - Holly Davis, Special Projects Director
- 3.12 Consideration and action to approve a two year extension to the contract agreement between Ellis County and Comerica Bank.
 - Judy Burden, Treasurer

4. RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING

5. PUBLIC HEARING

- 5.1 Public hearing and opportunity for comment on the application for 2009 JAG grant CFDA# 16.738 funding

6. ADJOURNMENT OF PUBLIC HEARING

7. RECONVEVE TO REGULAR SESSION

- 7.1 Consideration and action to approve an application for the Edward Byrne Memorial Justice Assistance Grant Program CFDA# 16.738 in the amount of \$18,718.
 - Chuck Laubach, Sheriff's Office

8. DEPARTMENT OF COUNTY DEVELOPMENT

Consideration and action regarding the following presented by Delton Ake, Director Department of Development:

- 8.1 To accept the portion of La Rinconada Drive, that is located in Phase Three as county owned and maintained, Pct. 4.
- 8.2 To release the Irrevocable Letter of Credit #125 to Vintage Bank for the accepted portion of La Rinconada Drive, located in Phase Three, Pct. 4.

9. PURCHASING

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

- 9.1 To declare the outdated law books from the Law Library as salvage and authorize disposal since no bids were received as surplus.
- 9.2 To approve the purchase of a used 1992 International 4900 Truck with 12 foot bed. Total cost is \$5000 and is for Precinct 4.

- 9.3 To declare one 1999 Ford Crown Victoria, located at Constable 4 facility, VIN # 2FAFP71W2XX168371, as salvage which must be destroyed according to the terms of the Emissions Enforcement grant from TCEQ which paid for half of a replacement vehicle.
- 9.4 To declare as surplus a 1990 model Mustang VIN #1FACP40AOLF175509 located at Constable Pct. 4 yard and authorize disposal at auction.
- 9.5 To declare the following equipment as salvage for Commissioner Pct. 2 and authorize disposal at auction: 1991 Ford F-150 Pickup, 1993 Ford F-150 Pickup, 1994 Dodge ½ ton Pickup, 1981 International Dump Truck (6 yard), 1987 Ford F-700 Dump Truck, 1988 CAT 12-G Motor Grader, 1981 Ford 9000 Water truck-1,600 gallon
- 9.6 Discussion of TXI Lightweight vs. Gravel as a road topping.

10. ENGINEERING

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

- 10.1 Discussion concerning the Ellis County Bond Program.
- 10.2 Discussion concerning the possible sale of county buildings.

11. RECESS TO CONVENE TO EXECUTIVE SESSION

12. 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.”

- 12.1 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”.
- 12.2 Pursuant to Section 551.071 of the Texas Government Code, consultation with legal counsel regarding contemplated litigation against Holly Brooksher for her negligence which caused damage to a county owned vehicle driven by a county employee on August 25, 2008.

13. ADJOURNMENT OF EXECUTIVE SESSION

14. ADJOURNMENT

Signed this the 23rd day of July, 2009.

Carol Bush
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 23rd day of July, 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.