

**COPY**

**NOTICE OF WORKSHOP  
ELLIS COUNTY COMMISSIONERS' COURT**


Notice is hereby given that a **Workshop** will be held on Monday, September 14, 2009 at 9:00 a.m. at the Ellis County Courthouse in the Commissioners' Courtroom, 101 West Main St, 2<sup>nd</sup> Floor, Waxahachie, Texas, the following item will be discussed:

**Workshop – no action will be taken**

Presentation of information by Randy Denton on Foreign Trade Zones and the Sub-Zone Process.

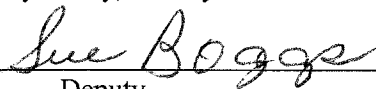
2009 SEP 11 AM 8:26  
FILED FOR RECORDS  
CINDY POLLEY  
ELLIS COUNTY CLERK

Signed this the 11<sup>th</sup> day of September, 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 Workshop Meeting of the Ellis County Commissioners' Court was posted at the doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the 11<sup>th</sup> day of September, 2009 at 8:26 A.M.

Cindy Polley, County Clerk

By   
\_\_\_\_\_  
Deputy

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 has 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.

**COPY**

**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, September 14, 2009 at 10:00 A.M., in the Commissioners' Courtroom, 101 West Main Street (2<sup>nd</sup> 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 To authorize and ratify payment to Richard H. Medina in the amount of \$120.00 in exchange for a full and final release resolving any potential liability of Ellis County.(Lee Auvenshine)

**Financial:**

- F1 From 001-0310-50873 Maint/Rps to 001-0310-50805 Conference, 001-0310-50801 Supplies – Melanie Reed, District Clerk
- F2 From 001-0375-50835 Training, 001-0375-50807 Gen. Misc. to 001-0375-50819 Computer, 001-0375-50801 Supplies, 001-0375-50869 Professional Fees – Joe White, Engineering
- F3 From 001-0430-50803 Furniture to 001-0430-50703 Telephone – John Patterson, Emergency Management
- F4 From 001-0450-50834 Crime Scene to 001-0450-50802 Equipment, 001-0450-50805 Conference – Jim Pharr, Fire Marshal
- F5 From 010-0653-50807 Gen. Misc. to 010-0653-50802 Equipment – Bill Dodson, Commissioner, Pct. 2

- F6 From 001-0015-50814 Feeding Inmates to 001-0015-50802 Equipment – Johnny Brown, Sheriff
- F7 From 001-0370-50703 Telephone, 001-0370-50805 Conference, 001-0370-50803 Furniture to 001-0370-50801 Supplies, 001-0370-50601 Travel, 001-0370-50873 Maint/Rps – John Bridges, Tax Office
- F8 From 010-0653-50906 Culverts to 010-0653-50909 Repairs/Parts – Bill Dodson Commissioner, Pct. 2
- F9 From 001-0015-50865 Employee Screening, 001-0015-50701 Utilities to 001-0015-50702 Repairs – Johnny Brown, Sheriff
- F10 From 001-0370-50804 Postage to 001-0370-50801 Supplies – John Bridges, Tax Office
- F11 From 001-0430-50803 Furniture, 001-0430-50805 Conference to 001-0430-50801 Supplies, 001-0430-50802 Equipment – John Patterson, Emergency Management
- F12 From 001-0015-50814 Feeding Inmates to 001-0015-50819 Computer – Johnny Brown, Sheriff
- F13 From 001-0360-50808 Gas, 001-0360-50801 Supplies, 001-0360-50888 Computer Svc, 001-0360-50853 Legal Research, 001-0360-50873 Maintenance, 001-0360-50883 Microfiche to 001-0360-50833 Court Reporting, 001-0360-50846 Witness Fee - Joe Grubbs, County & District Attorney
- F14 From 001-0360-40612 1<sup>st</sup> Qtr Title IV-E Legal to 001-0360-50819 Computer – Joe Grubbs, County & District Attorney
- F15 From 005-0703-50910 Gas to 005-0703-50912 Bridge Repair – Heath Sims, Commissioner, Pct. 3
- F16 From 005-0703-50910 Gas to 005-0703-50930 ROW Purchase – Heath Sims, Commissioner, Pct. 3
- F17 From 001-0230-50802 Equipment, 001-0230-50803 Furniture to 001-0230-50890 Co Supply Room – Richard Denniston, Purchasing
- F18 From 006-0754-40008 Interlocal Agreement to 006-0754-50807 Gen Misc – Ron Brown, Commissioner, Pct. 4
- F19 From 001-0230-50873 Maint/Rps to 001-0230-50890 Co. Supply Room – Richard Denniston, Purchasing
- F20 From 001-0540-50601 Travel, 001-0560-50802 Equipment, 001-0540-50885 Sales Tax to 001-0540-50803 Furniture, 001-0540-50602 Staff Travel, 001-0540-50873 Maint/Rps – Linda Sibley, JP Pct. 4
- F21 From 001-0060-50805 Conference to 001-0060-50810 Auto Tires – Delton Ake, Dept of Dev't
- F22 From 001-0360-50801 Supplies to 001-0360-50819 Computers – Joe Grubbs, County & District Attorney
- F23 From 001-0015-50701 Utilities, 001-0015-50807 Gen Misc, 001-0015-50814 Feeding Inmates to 001-0015-50802 Equipment – Johnny Brown, Sheriff
- F24 From 001-0010-50809 Auto Repairs, 047-0947-30302 State Drug Forfeiture to 001-0010-50811 Auto Purchase, 047-0947-50811 Auto Purchase – Johnny Brown, Sheriff
- F25 From 001-0420-50802 Equipment to 001-0420-50807 Gen. Misc. – Darren Ray, Juvenile Services
- F26 From 001-0612-50808 Auto Gas to 001-0612-50819 Computer – Terry Nay, Constable, Pct. 2

### 3. ADMINISTRATIVE

- 3.1 Presentation of the Healthy County Employer rewards application by a representative from Texas Association of Counties.
  - Diana Buckley, Human Services
- 3.2 Consideration and action to accept the resignation of Mackie Owens as our representative to the North Texas Behavioral Health Authority Board of Directors and to appoint Janis Burdett as our new representative for a term of two years, eligible for reappointment at that time.
  - Carol Bush, County Judge

- 3.3 Consideration and action to approve the lease of one handicap voting machine (Auto Mark) to the City of Garrett.
- Jane Anderson, Elections Administrator
- 3.4 Consideration and action to appoint Mr. Jerry Crawford to Emergency Service District #6 Board, effective immediately, to serve out the unexpired term of Mr. Jack Dineen. Mr. Crawford's term will expire on December 31, 2010 and he will be eligible for reappointment at that time.
- Bill Dodson, Commissioner, Pct. 2
  - Heath Sims, Commissioner, Pct. 3
- 3.5 Consideration and action to approve the renewal of the lease agreement between Ellis County and Edwin Spaniel for the term of October 1, 2009 through September 30, 2010, for agricultural purposes, for \$6,461.23 which is \$20.01 an acre, for 322.9 acres of the property referred to as the Ellis County Farm.
- Bill Dodson, Commissioner, Pct. 2
- 3.6 Consideration and action to approve a Work Order under Interlocal Agreement between County of Ellis and the City of Ennis for chip seal overlay of Sleepy Hollow Rd. (approximately 3,685 linear feet) in the City of Ennis at an estimated cost of \$26,193.36.
- Bill Dodson, Commissioner, Pct. 2
- 3.7 Consideration and action to approve a hangar sub-lease agreement with Automation Support, Inc. dba: Technical Support.
- Dennis Brearley, Sheriff's Office
- 3.8 Consideration and action to renew the one year option (per contract #2008-003) with Correctional Food Services for inmate feeding at the Wayne McCollum Detention Center. This renewal also represents a two cent decrease in price per meal from last year prices.
- Dennis Brearley, Sheriff's Office
- 3.9 Consideration and action to renew the one year option with Correctional Health Management for inmate medical for budget year 2009-2010. CHM has agreed to keep their prices at current levels and forego the increase allowed by contract.
- Dennis Brearley, Sheriff's Office
- 3.10 Consideration and action to adopt a Maintenance and Operations tax rate of 0.303191, to adopt an Interest and Sinking tax rate of 0.056900 and to adopt a Farm to Market tax rate of 0.033508 for Ellis County FY 2009-2010, pursuant to Texas Local Government Code §81.006 and Texas Tax Code §26.05.
- Carol Bush, County Judge
- 3.11 Consideration and action to approve ratifying that the adoption of the 2009-2010 Ellis County tax rate will raise more property taxes than last year's budget by approximately \$479,457 and of that amount \$479,457 is the approximate tax revenue that will be raised from new property added to the tax roll this year with the total tax rate of \$0.393599 per \$100 of taxable value.
- Carol Bush, County Judge

- 3.12 Consideration and action to approved the revised application for Emergency Service District Board  
- Holly Davis, Special Projects Director
- 3.13 Consideration and action to approve a renewal of the salary supplements to the justices on the Tenth Court of Appeals in the amount of \$1,624.00 for fiscal year 2009-2010.  
- Holly Davis, Special Projects Director
- 3.14 Consideration and action to approval of the resolution for the 2010 Indigent Defense Grant Program that assists the County in the implementation of the provisions of the Fair Defense Act and the improvement of the indigent criminal defense services in the County, enabling Ellis County to obtain approximately \$69,273.00 for indigent defense.  
- Mike Navarro, Auditor
- 3.15 Consideration and action to approve the support of Ellis County for inclusion in the Service Area of Foreign-Trade Zone (FTZ) 113 and give the County Judge authority to sign a letter of support .  
- Ron Brown, Commissioner, Pct. 4

#### **4. PURCHASING**

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

- 4.1 To approve an interlocal agreement with TXDOT for asphalt resurfacing on Victoria Drive in Waxahachie, TX. Estimated cost is \$65,000 for 1000 tons. Contractor will be Lindsey Contractors Inc. from Waco, TX.
- 4.2 To correct agenda item 8.3 from Commissioner's Court held August 24, 2009 to reflect that the Roscoe #915 roller for Precinct 1 will be purchased from HGAC and not the Buyboard. Cost remains the same, \$50,898. The vendor will be Closner Highway Equipment and not ESS.
- 4.3 To approve the purchase of one (1) 2010 Ford F-150 for a total cost of \$26,315.35 from Paul Murrey Ford for the Sheriff's office.

#### **5. DEPARTMENT OF COUNTY DEVELOPMENT**

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

- 5.1 To grant a variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to road frontage requirement for water wells, Delia Mitchell, Pct. 3.
- 5.2 To grant a variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to road frontage requirement, Pct. 2.
- 5.3 Simplified Plat - Ledesma Addition, 2 lots, Victor H. Ladesma, Pct. 2.

#### **6. RECESS TO CONVENE TO EXECUTIVE SESSION**

## 7. EXECUTIVE SESSION

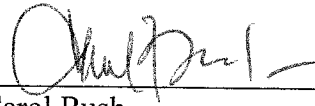
“The Commissioners’ Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code §551.071, or to seek the advice 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.”

- 7.1 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”.

## 8. ADJOURNMENT OF EXECUTIVE SESSION

## 9. ADJOURNMENT

Signed this the 11<sup>th</sup> day of September, 2009.



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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 11<sup>th</sup> day of September, 2009, at 8:27 (a.m./p.m.).

Cindy Polley, County Clerk

By Sue Baggs  
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.