

2009 OCT 22 AM 11:40

FILED FOR RECORD
CINDY POLLEY
ELLIS COUNTY CLERK

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

ORIGINAL

Notice is hereby given that a regular meeting of the Ellis County Commissioners' Court will be held on **Monday, October 26, 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 Bill Dodson

2. CONSENT AGENDA – Consideration and Action:

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Approval of the September 2009 Travel Reports of the Texas Cooperative Extension Office
Mark Arnold, Agriculture
Page Bishop, 4-H
Rita Hodges, Family & Consumer Sciences
- A3 To approve a change in the rate of pay for one part-time road worker to \$16.7977, effective October 20, 2009. (Ron Brown)
- A4 To accept a grant to assist in the purchase of Ballistic vests in the amount of \$4,333.00 (Chuck Laubach).
- A5 Approval and Certification of the Minutes from the Commissioners' Court Regular Agenda dated October 12, 2009
- A6 To authorize and ratify payment to David Major in the amount of \$187.82 in exchange for a full and final release resolving any potential liability of Ellis County.

Financial:

- F1 From 042-0942-40087 Forfeiture, 042-0942-30302 Fund Balance to 042-0942-50811 Auto Purchase – Johnny Brown, Sheriff
- F2 From 001-0060-50808 Gas to 001-0060-50873 Maint/Rps Office – Delton Ake, Dept of Development

3. ADMINISTRATIVE

- 3.1 Presentation on the 2009 Employee Health Fair.
- Diana Buckley, Human Services
- 3.2 Consideration and action to establish the Ellis County Local Data Advisory Board per the Code of Criminal Procedure Chapter 60.10, amended by the 81st Texas Legislature. Said board to include the county sheriff or designee (Johnny Brown), an attorney who represents the state in district court (Patrick Wilson), an attorney who represents the state in county court (Kie Watkins), the county clerk or designee (Cindy Polley), the district clerk or designee (Melanie Reed), the police chief of the municipality with the greatest population in the county (Chief Edge/Waxahachie), a representative of the county's data services department (Teral Crawford) and a representative of the county's contracted data services company (LGS: Sandy Randall or Ed Hazeldean). The initial meeting will be set following a training that the District Clerk will attend on October 28, 2009. At the initial meeting the Board shall organize by choosing a Presiding Officer to preside at every meeting and a Secretary to keep the minutes. The District Clerk shall be the permanent custodian of the Records of the Board. This board will make recommendations and establish a data reporting and improvement plan to be submitted to the Department of Public Safety no later than June 1, 2010.
- Melanie Reed, District Clerk
- 3.3 Consideration and action to allow J & K Excavation to blade and adequately maintain approximately 1,000 feet of Sandtown Road immediately south of Hwy. 34 during the commencement and operation of a wash plant by J & K Excavation located on Sandtown Road. Said authority is subject to revocation by Ellis County
- Bill Dodson, Commissioner, Pct. 2
- 3.4 Discussion on 9-1-1 Address Display format standards as described in HB 2665. (81st Legislative Session: House Bill 2665 amends the Transportation Code to authorize the commissioners court of a county to adopt and impose standards and specifications for the design and installation of address number signs to identify properties located in its unincorporated areas. The bill also makes it a Class C misdemeanor to fail or refuse to comply with the adopted county order.)
- Bill Dodson, Commissioner, Pct. 2
- 3.5 Consideration and action to authorize the County Judge to execute an interlocal agreement between Ellis, Johnson, Hill and Somervell Counties and the Prairielands Groundwater Conservation District wherein said counties agree to loan monies to the District for the maintenance and operation of the District on a short-term basis, said monies to be repaid by the District to the counties once the District has its own source and stream of revenue pursuant to the provisions of Texas Water Code, Chapter 36, and Senate Bill 726, Acts of the 81st Texas Legislature, Regular Session, 2009.
- Lee Auvenshine, Assistant County and District Attorney

4. **PURCHASING**

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

- 4.1 To approve the purchase of five (5) new Auto Mark Voting Machines (includes scanner, table, pc card and ink cartridge), and the purchase of five (5) new M-100 Precinct Counters (includes scanner, steel ballot box, pc card and paper roll). Purchase is for the Elections Department and will cost \$27,000 for the Voting Machines and \$21,250 for the Counters (Total order = \$48,250 plus freight). Purchase will be made through Elections Systems and Software Company and funds for this purchase will be provided by HAVA.
- 4.2 Pursuant to Local Government Code Section 263.151(2), to declare 6,000 rounds of 9mm ammunition and 3,500 rounds of 45acp ammunition as surplus and pursuant to Section 263.152(2) to offer these rounds as trade-in through Bulot Company LLC for new property of the same general type in the best interest of the county. This surplus ammunition is designed for training use and will be resold to Cedar Valley College Police Academy.

5. **RECESS TO CONVENE TO EXECUTIVE SESSION**

6. **EXECUTIVE SESSION**

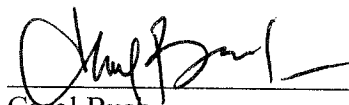
“The Commissioners’ Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code §551.071 or §551.072 or to seek 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 or §551.072.”

- 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”.

7. **ADJOURNMENT OF EXECUTIVE SESSION**

8. **ADJOURNMENT**

Signed this the 22 day of October, 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 22 day of October, 2009, at 11:40 (a.m.) p.m.

Cindy Polley, County Clerk

By

Carl Phillips

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.