

**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, November 23, 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 Ron Brown

2. CONSENT AGENDA – Consideration and Action:

Administrative:

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

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

Mark Arnold, Agriculture

Page Bishop, 4-H

Rita Hodges, Family & Consumer Sciences

A3 Approval of a check to Mail Presort Complex Printing, not to exceed \$20,000.00, for the mailing of voter registration cards (Jane Anderson).

Financial:

F1 From 010-0653-40928 FM2 Auction Proceeds to 010-0653-50802 Equipment – Bill Dodson, Commissioner, Pct. 2

F2 From 001-0520-50502 Clerk's Salary to 001-0520-50801 Supplies, 001-0520-50602 Staff Travel, 001-0520-50601 Travel, 001-0520-50874 Docket Books – Jackie Miller, Jr. JP Pct. 2

F3 To approve refund of overpayment to Tax Ease Funding, account #176871, for \$2,611.74 (John Bridges).

- F4 To approve refund of overpayment to BAC Tax Services Corporation, account #169363, for \$3,768.83. (John Bridges)

3. ADMINISTRATIVE

- 3.1 Consideration and action for the Ellis County Commissioners' Court to cast votes for the candidates for the Ellis Central Appraisal Board for the 2010-2011 term. The Court has 904 votes to cast. There are five nominations for five positions. The candidates are Linda Alvarez, Johnny Johnson, Phillip Lynch, Ken Marks and Joe Pitts.
- Holly Davis, Special Projects Director
- 3.2 Pursuant to Section 545.355 of the Texas Transportation Code, consideration and action to alter the speed limit on Ruby Avenue, Lewis Avenue, Cecelia Avenue, Charles Avenue, Elizabeth Avenue, Griffing Avenue, and Dawson Drive in the Skyline Acres subdivision from 35 MPH to 30 MPH due to the Commissioners Court's determination that the previous prima facie speed limit on the roads is unreasonable and unsafe.
- Ron Brown, Commissioner, Pct. 4
- 3.3 Consideration and action to approve a Work Order under Interlocal Agreement between County of Ellis and the City of Alma for use of the Grader for 2 hours at a cost of \$75/hour on Old Alma North.
- Bill Dodson, Commissioner, Pct. 2
- 3.4 Consideration and action to approve Work Order under Interlocal Agreement between County of Ellis and the City of Alma for use of the Grader for 16 hours at a cost of \$75/hour on Old Alma South.
- Bill Dodson, Commissioner, Pct. 2
- 3.5 Consideration and action to approve Work Order under Interlocal Agreement between County of Ellis and the City of Alma for use of the Grader for 4 hours at \$75/hour, Boom Ax for 2 hours at \$45/hour and 15 trucks of gravel at \$12.20/ton (351 tons) on Lyons Rd, .25 miles.
- 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 Alma for use of the Grader for 2 hours at a cost of \$75/hour and 12 trucks of gravel (286 tons) at \$12.10/ton on Alma Drive, 0.2 miles.
- Bill Dodson, Commissioner, Pct. 2
- 3.7 Consideration and action to increase the part-time Clerk I in Human Services from 20 hours per week to 35 hours per week for the remainder of fiscal year 2009-2010 at a cost not to exceed \$7,600.
- Diana Buckley, Human Services
- 3.8 Consideration and action to apply for a rebate grant for the purchase of a tractor for Precinct 3 through the Texas Commission on Environmental Quality (TCEQ) TERP (Texas Emissions Reduction Plan) rebate grant program and have the County Judge sign the application when it is complete.
- Holly Davis. Special Projects Director

- 3.9 Consideration and action to accept payment in the amount of \$1,785.18, which fully compensates Ellis County for its property damages resulting from a vehicular collision which occurred on August 25, 2008, in exchange for a release of all additional claims, and to authorize the Ellis County and District Attorney's Office to file a motion for non-suit in regard to Cause No. 09-C-3646, presently pending in the Ellis County Court at Law No. 1.

- Lee Auvenshine, Assistant County and District Attorney

4. DEPARTMENT OF COUNTY DEVELOPMENT

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

- 4.1 To approve preliminary plat Delanie Park, 15 lots, Lynn Way, Jim Sargent, Pct. 4.
- 4.2 To approve the location of 855 Slama Road for slaughter house use, Shamsul Ahmed, Pct. 2.

5. ENGINEERING

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

- 5.1 Consideration and action for Rodman Companies Inc. of Frisco, Texas to provide equipment at an hourly rate for excavation and grading necessary for the remodel of the new Adult Probation Building. Cost not to exceed \$20,000.
- 5.2 Consideration and action for Ellis County to enter into an agreement with Southwest Solutions Group, Inc of Addison, Texas to provide labor, supervision, materials, equipment and tools to completely disassemble, move, deliver and install high density files and shelving for the Ellis County Bond Program. This includes, but is not limited to shelving in current use and in storage. The cost, not to exceed \$349,998.11, is in the Bond Program budget.
- 5.3 Consideration and action as necessary to authorize the County Judge to sign all legal documents and/or to authorize the Ellis County Attorney to initiate any and all necessary legal action to sell the real property located at 217 Rogers Street in downtown Waxahachie.

6. PURCHASING

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

- 6.1 To reject bids that were received for the Ballistic Vest for the Sheriff's Office, due to the newspaper notice not including "Only Sealed Bids will be Accepted". There were two bids that were sent in that were not sealed.
- 6.2 Pursuant to Local Government Code Section 263.151(2), to declare a 1999 Ford Crown Victoria (VIN # 2FAFP71W4XX170574), a 1998 Ford Crown Victoria (VIN #2FAFP71W1WX119676, and a 2001 Dodge Pick up (VIN# 1B7HC16Y81S738535) as surplus and pursuant to Section 263.152(2), sell these three vehicles as county surplus by competitive bid or auction.

- 6.3 To approve the purchase of one (1) Caterpillar 289C Multi Terrain Loader for Precinct 4. The purchase will be made through the Buy Board at a total cost of \$54,892. (Price Sheet Attached)
- 6.4 To purchase a 2010 Chevrolet one ton pickup for Precinct 2. Purchase will be from the BuyBoard

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 §551.072, 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 §551.072.”

- 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 ___ day of November, 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 _____ day of November, 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.