

**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, May 10, 2010 at 10:00 A.M., in the Historic Ellis County Courthouse, Commissioners' Courtroom (2<sup>nd</sup> flr), 101 W. Main Street, 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

**Financial:**

F1 From 009-0602-30301 FM1 Fund Balance to 009-0602-50807 Gen Misc., 009-0602-50911 Gravel, 009-0602-50802 Equipment, 009-0602-50909 Repairs/Parts, 009-0602-50915-Asphalt – Dennis Robinson, Pct. 1

F2 From 006-0754-40008 RB Interlocal Revenue to 006-0754-50807 General Misc.– Ron Brown, Pct. 4

**3. ADMINISTRATIVE**

3.1 Consideration and action to approve a proclamation declaring May 10-May 15, 2010 as National Police Week and May 15, 2010 as Peace Officers Memorial Day in Ellis County.

- Carol Bush, County Judge

- 3.2 Consideration and action to approve an application for the 2010 Bulletproof Vest Partnership Grant offered by the U.S. Dept of Justice. This year's grant is jurisdictional and will cover all Ellis County Law Enforcement agencies.
- Chuck Laubach, Sheriff's Office
- 3.3 Consideration and action to approve an application for a state grant to cover the cost of safety equipment in the new jail. This grant requires no matching funds and will be used to outfit a 12-member extraction team to handle major disturbances in the jail. Acceptance of this grant requires the funds to be returned to the state if not used for its intended purpose.
- Chuck Laubach, Sheriff's Office
- 3.4 Consideration and action to enter into a contract with the Department of the Army Corp of Engineers to provide law enforcement services to the Lake Bardwell Project.
- Chuck Laubach, Sheriff's Office
- 3.5 Consideration and action as necessary to authorize Sheriff Johnny Brown to sign an interagency agreement to participate in an auto burglary task force through the City of Mansfield.
- Chuck Laubach, Sheriff's Office
- 3.6 Consideration and action regarding selection of three (3) public members of Elected Official Salary Grievance Committee for FY 2010-2011. (Names drawn from Grand Jury List obtained from County Clerk from District Clerk) (TX Local Government Code §152.014 and §152.015).
- Cindy Polley, County Clerk
- 3.7 Consideration and action to approve a settlement agreement between Ellis County, the City of Midlothian, the Corporation for the Economic Development of Midlothian and Kehe Foods which will resolve all issues and release all claims pertaining to Cause No. 71-181-00458-08; City of Midlothian and County of Ellis vs. Kehe Foods, presently pending before the American Arbitration Association.
- Lee Auvenshine, Assistant County and District Attorney
- 3.8 Consideration and action to approve an application by Quik N Tasty Foods, Inc. for tax abatement and a proposed agreement granting an abatement of taxes on the real property value to be added to Lot 7 Block 1 RailPort Business Park Addition, an addition to the City of Midlothian, to be considered for designation by the City of Midlothian as RailPort Commercial-Industrial Tax Abatement Reinvestment Zone Number 5, City of Midlothian.
- Lee Auvenshine, Assistant County and District Attorney
- 3.9 Consideration and action to consent to a proposed tax abatement between the City of Midlothian, and Quik N Tasty Foods, Inc. on real property value and personal property value to be added to Lot 7 Block 1 RailPort Business Park Addition, an addition to the City of Midlothian, to be considered for designation by the City of Midlothian as the RailPort Commercial-Industrial Tax Abatement Reinvestment Zone No. 5 and located within Tax Increment Reinvestment Zone Number 2 of the City of Midlothian.
- 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 abandon an alley located in Skyline Acres between Breezy Hill and Cecelia, block 17, lots 6, 7, and 8; lots 23, 24, and 25. Casey Harris, Precinct 4

**5. PURCHASING**

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

- 5.1 To purchase one (1) Caterpillar Model 430EIT4X Backhoe Loader for Precinct 2. Purchase will be through the BuyBoard and will be supplied by Holt Caterpillar. Total cost will be \$108,493. (This price reflects a 16% discount through the BuyBoard program.)
- 5.2 To award the property insurance for Ellis County to Hibbs-Hallmark for the term 5/22/2010 to 5/22/2011 in the amount of \$400,605.00.
- 5.3 To approve the bidding in an online auction for a rubber tire roller for Precinct 3. Also to approve the payment, should Ellis County Precinct 3 be the selected bidder, not to exceed the amount of \$5,000 inclusive of buyer's premium.
- 5.4 To approve the maintenance agreement with KONE Elevators for the jail for May, 2010 through May, 2011. Rates to be per the U.S. Communities Interlocal Agreement.

**6. ENGINEERING**

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

- 6.1 To select the lowest qualified move contractor for the relocation of the county offices and courts into the new courts building. Price not to exceed \$85,000. These funds are allocated within the Bond budget.
- 6.2 To increase the contract amount with Terracon for geotechnical drilling, engineering, material testing and inspection for the Ellis County Bond Program from \$122,978.50 to \$207,978.50. These funds are allocated within the Bond construction budget.

**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 6th day of May, 2010.

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Ron Brown / Presiding Officer

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 6<sup>th</sup> day of May, 2010, 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.