

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

POSTED
7-24-10

Notice is hereby given that a regular meeting of the Ellis County Commissioners' Court will be held on **Monday, September 27, 2010 at 6:00 P.M., in the Historic Ellis County Courthouse, Commissioners' Courtroom (2nd flr), 101 West 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

10-27-10 24 511 1:44
COUNTY CLERK
CINDY POLLEY

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 Dennis Robinson

CONSENT AGENDA – Consideration and Action:

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Approval of the August, 2010 Travel Reports of the Texas AgriLife Extension Office
 - Mark Arnold, Agriculture
 - Page Bishop, 4-H
 - Rita Hodges, Family & Consumer Sciences
- A3 Approval of the appointment of Lisa Diane Heine as the Ellis County representative to the Lakes Regional Mental Health and Mental Retardation Center's Board of Directors for a two year term.
- A4 Approval of appointment of Debra Wakeland as the Ellis County representative to the North Central Texas Workforce Development Board of Directors for a two year term.

- A5 Approval of the Treasurer's Office spending of up to \$3,210.37 on supplies and equipment.
- A6 Approval to accept a donation of tactical gear to the Sheriff's office in the amount of \$6,743.00.
-Chuck Laubach, Sheriff's Office

Financial:

- F1 **From** 001-0010-50502, Staff Salary; 001-0010-50505, Longevity; 001-0010-50553, Soc Sec; 001-0010-50801, Supplies; 001-0010-50554, Retirement; 001-0010-50815, Deputy Uniforms **To** 001-0010-50703, Telephone; 001-0010-50807, Gen. Misc.; 001-0010-50808, Auto Gas & Oil; 001-0010-50810, Auto Tires; 001-0010-50819, Computers; 001-0010-50802, Equipment; 001-0010-50811, Auto Purchase. – Johnny Brown, Sheriff
- F2 **From** 001-0015-50502, Salary-Jailers/Cooks/Nurses; 001-0015-50553, Soc Sec; 001-0015-50554, Retirement; 001-0015-50807, Gen. Misc.; 001-0015-50814, Feeding Inmates; 001-0015-50865, Employee Screening; 001-0015-50888, Computer Services; 001-0015-50905, Jail Petty Cash **To** 001-0015-50802, Equipment; 001-0015-50803, Furn/Fixtures; 001-0015-50808, Auto Gas/Oil; 001-0010-50811, Auto Purchase; 001-0015-50819, Computer; 001-0015-50702, Repairs. – Johnny Brown, Sheriff
- F3 **From** 001-0140-50802, Equip/Maint/Repairs **To** 001-0230-50819, Computer. – Carol Bush, County Judge
- F4 **From** 001-0210-40719, Chapter 19 State Funding **To** 001-0210-50800, Chapter 19 Expenditures. -Jane Anderson, Elections
- F5 **From** 001-0370-50804, Postage **To** 001-0370-50801, Supplies. – John Bridges, Tax Office
- F6 **From** 001-0375-50835, Training Education **To** 001-0375-50703, Telephone. – Joe White, Engineering
- F7 **From** 001-0425-50808, Auto Gas/Oil **To** 001-0425-50873, Maint/Repairs Office Equip. – Diana Buckley, Human Services
- F8 **From** 001-0425-50808, Auto Gas/Oil **To** 001-0425-50703, Telephone. – Diana Buckley, Human Services
- F9 **From** 001-0430-50601, Travel Reimbursement; 001-0430-50802, Equipment; 001-0430-50805, Conference; 001-0430-50810, Auto Tires **To** 001-0430-50801, Supplies; 001-0430-50803, Furniture/Fixtures; 001-0430-50809, Auto Repair. – John Patterson, Emergency Management
- F10 **From** 001-0450-50834, Crime Scene **To** 001-0450-50809, Auto Repairs. – Jim Pharr, Fire Marshal
- F11 **From** 001-0520-50801, Supplies **To** 001-0520-50502, Clerks Salary. – Jackie Miller, Jr., JP 2
- F12 **From** 003-0601-50807, Gen Misc. **To** 003-0601-50911, Gravel. – Dennis Robinson, RB 1
- F13 **From** 005-0703-50502, Wages **To** 005-0703-50910, Gas/Oil. – Heath Sims, R

- F14 **From** 005-0703-30302, Current Fund Balance **To** 005-0703-50819, Computer. – Heath Sims, RB 3
- F15 **From** 006-0754-40008, Interlocal Agreement **To** 006-0754-50807, Gen. Misc. - Ron Brown, RB 4
- F16 **From** 019-0919-50802, Equipment; 019-0919-50601, Travel Reimbursement **To** 019-0919-50882, Books. - Carol Bush, County Judge

PURCHASING

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

- 2.1 To award the bid for Inmate Medical Services to CHM for a period of three (3) years with one (1) renewal option for another three (3) years. Award is based on best evaluated bidder.
- 2.2 To award bid for outfitting 12 Sheriff's vehicles.

ADMINISTRATIVE

- 3.1 Consideration and action to adopt a proclamation declaring Friday, October 1, 2010 as "Pink Out Day" and encouraging all residents to wear pink in an effort to educate our community on the ever prevalent issue of breast cancer and to continue to be a beacon of hope that one day a cure might be found for this disease.
- Carol Bush, County Judge
- 3.2 Consideration and action to acknowledge a proclamation recognizing the Ellis County Sheriff's Office Explorer Post 106 in celebration of its one year anniversary.
- Carol Bush, County Judge
- 3.3 Consideration and action to adopt a General Maintenance and Operations tax rate of 0.360091 (consisting of an Interest and Sinking rate of 0.059006 and a Operations rate of 0.301085), and to adopt a Farm to Market tax rate of 0.033508 for Ellis County FY 2010-2011, pursuant to Texas Local Government Code §81.006 and Texas Tax Code §26.05. This will make the total tax rate 0.393599 per \$100 of taxable value.
- Carol Bush, County Judge
- 3.4 Consideration and action to continue participation in the Texas County and District Retirement System as approved in the 2010/2011 Budget, authorizing the County Judge to sign necessary forms.
- Carol Bush, County Judge
- 3.5 Consideration and action to approve a contract between the NCTCOG for the Cities Readiness Initiative project implementation and authorize the County Judge to sign the contract for the year running August 1, 2010 through July 31, 2012.
- John Patterson, Emergency Management

3.6 Consideration and action to approve the proposed changes to the Ellis County Sheriff and Constable Fees, effective January 1, 2011, as required under Local Government Code Section 118.131. This law requires commissioners' courts to set fees charged for civil services by the offices of the sheriff and constables and directs that these fees be reported to the Texas Comptroller.

- *Terry Nay, Constable, Pct. 2*

3.7 Consideration and action to approve of the purchase of five (5) Chevy Crewcab pickups from Buy-Board, in the amount of \$150,631.00 for the Ellis County Sheriff's Office.

- *Chuck Laubach, Sheriff's Office*

3.8 Approval of the purchase of a UFED (Universal Forensic Extraction Device), to analyze cell phones, smartphones and PDA devices from Cellebrite USA Corporation in the amount of \$10,095.00. This price includes software and all future updates for the system.

- *Chuck Laubach, Sheriff's Office*

3.9 Consideration and action as may be appropriate to approve the East Texas Medical Center EMS request for CPI (Consumer Price Index) percentage adjustment as allowed in contract. The Ellis County subsidy for the next contract year will be \$108,032.

- *Mike Navarro, Auditor*

3.10 Consideration and action to approve a resolution in support of the Meals-on-Wheels of Johnson & Ellis County applying for a grant from the Texas Department of Agriculture Home –Delivered Meal Grant Program.

- *Carol Bush, County Judge*

RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING

PUBLIC HEARING

4.1 Public Hearing to consider a plan for the County Clerk Archive Fund pursuant to Local Government Code §118.025, for the preservation and restoration of the County Clerk's records.

- *Cindy Polley, County Clerk*

4.2 Public Hearing to consider a plan for the District Clerk Technology Fund pursuant to Government Code § 51.305, for the preservation and restoration of the District Clerk's records.

- *Melanie Reed, District Clerk*

ADJOURNMENT OF PUBLIC HEARING

RECONVENE TO REGULAR SESSION

- 5.1 Consideration and action to approve a plan for the County Clerk Archive Fund pursuant to Local Government Code §118.025, for the preservation and restoration of the County Clerk's records.
- *Cindy Polley, County Clerk*
- 5.2 Consideration and action to approve a plan for the District Clerk Technology Fund pursuant to Government Code § 51.305, for the preservation and restoration of the District Clerk's records.
- *Melanie Reed, District Clerk*
- 5.3 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the City of Ennis beginning October 1, 2010 to September 30, 2011.
- *Bill Dodson, Commissioner Pct. 2*
- 5.4 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the Avalon Independent School District beginning October 1, 2010 to September 30, 2011.
- *Bill Dodson, Commissioner Pct. 2*
- 5.5 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the City of Alma beginning October 1, 2010 to September 30, 2011.
- *Bill Dodson, Commissioner Pct. 2*
- 5.6 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the City of Garrett beginning October 1, 2010 to September 30, 2011.
- *Bill Dodson, Commissioner Pct. 2 and Dennis Robinson, Commissioner Pct. 1*
- 5.7 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the City of Bardwell beginning October 1, 2010 to September 30, 2011.
- *Bill Dodson, Commissioner Pct. 2*
- 5.8 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the Ennis Independent School District beginning October 1, 2010 to September 30, 2011.
- *Bill Dodson, Commissioner Pct. 2*
- 5.9 Consideration and action as may be appropriate to file a Notice of Intent by September 30, 2010 for Ellis County to participate in the Texas Department of Agriculture Feral Hog Abatement Technologies Program. Mark Arnold, Ellis County Extension Agent, will head up the program and be responsible for the grant application process. Ellis County farmers lose hundreds of thousands of dollars every year due to the feral hog population.
- *Heath Sims, Commissioner Pct. 3*
- 5.10 Consideration and action to approve a work order under an Inter-local agreement with the City of Italy.
- *Heath Sims, Commissioner Pct. 3*

5.11 Consideration and action as necessary to authorize an employee to be paid from two cost centers in accordance with the 2010-2011 budget as approved, as required under paragraph 4.01 of the personnel policy manual.

- Carol Bush, County Judge and Joe White, County Engineer

5.12 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 for fiscal year 2010-2011.

- Carol Bush, County Judge

RECESS TO CONVENE TO EXECUTIVE SESSION

EXECUTIVE SESSION

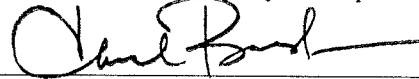
"The Commissioners' Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code §551.072, or to seek the advice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

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."

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 24th day of September, 2010.



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 24th day of September, 2010 at 1:46 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.