

**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, October 25, 2010 at 6:00 P.M., in the Historic Ellis County Courthouse, Commissioners' Courtroom (2<sup>nd</sup> 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 OCT 22 AM 11:56  
COUNTY CLERK  
CINDY POLLEY  
101 WEST MAIN STREET  
WAXAHACHIE, TEXAS 75165

**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

**CONSENT AGENDA – Consideration and Action:**

**Administrative:**

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Approval of the September, 2010 Travel Reports of the Texas AgriLife Extension Office
  - Mark Arnold, Agriculture
  - Page Bishop, 4-H
  - Rita Hodges, Family & Consumer Sciences
- A3 Approval to place a 2003 Chevy Tahoe (VIN #1GNEC13Z43R198991) on the list of authorized vehicles that are allowed to display regular exempt plates and to remove a 1999 Chevy Silverado (Unit #139) from the Thirteenth Amended Commissioners' Court Order # 111.10.

- A4 Approval to extend the training period at current wage for a period of up to six additional months for a clerk within the County Clerk's Office at the discretion of the County Clerk.
- A5 Approval and certification of minutes from Commissioners' Court agendas dated:  
                     September 13, 2010 - Regular Meeting                      September 16, 2010 - Special Meeting  
                     September 27, 2010 - Regular Meeting
- A6 Approval of a change order in the amount of \$12,742.91 to the contract with Prime Inc., for construction of the sub-courthouse located in Ennis. This change order was approved previously at the October 1, 2010 Commissioners Court meeting, but was posted at a lower dollar amount.

**Financial:**

- F1     **From** 001-0035-50601, Travel Reimbursement; 001-0035-50801, Supplies **To** 001-0035-50703, Telephone; 001-0035-50819, Computer. – Teral Crawford, MIS
- F2     **From** 001-0210-40719, Chapter 19 State Funding **To** 001-0210-50800, Chapter 19 Expenditures. – Jane Anderson, Elections
- F3     **From** 001-0210-50802, Equipment **To** 001-0210-50805, Conference; 001-0210-50885, Sales Tax. – Jane Anderson, Elections
- F4     **From** 001-0425-50852, Prescriptions; 001-0425-50850, Medical; 001-0425-50805, Conference **To** 001-0425-50851, Hospital; 001-0425-50703, Telephone; 001-0425-50808, Auto Gas/Oil. – Diana Buckley, Human Services
- F5     **From** 001-0613-50801, Supplies **To** 001-0613-50809, Auto Repairs. – Jimmie Ray, Constable #3
- F6     **From** 005-0703-50502, Wages **To** 005-0703-50557, Workers Comp. – Heath Sims, RB #3
- F7     **From** 006-0754-30302, Fund Balance; 006-0754-40008, Interlocal **To** 006-0754-50916, Asphalt. – Ron Brown, RB #4
- F8     **From** 009-0602-50807, FM 1 Gen Expense **To** 009-0602-50962, FM 1 Lubricants. – Dennis Robinson, RB #1
- F9     **From** 010-0653-50807, Old FM 2, Gen Exp **To** 010-0653-50911, Old FM 2, Gravel. – Bill Dodson, FM #2
- F10    **From** 0010-0000-30302, Fund Balance Carryover **To** 001-0010-50811, Sheriff Auto Purchase. – Carol Bush, County Judge

**Simplified Plat:**

- SP.1 Simplified Plat- Koonce Addition, 2 lots, Matthew Dromey, Skinner Road, Pct. 4.

## DEPARTMENT OF COUNTY DEVELOPMENT

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

- 2.1 To grant a variance to County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the fire hydrant requirement to replat property, Hwy. 287, Reagor Gateway, Wayne Richerzhagen, Pct. 2
- 2.2 To approve the location of 2585 South Highway 77, Waxahachie for a salvage yard, Luis F. Galo, Pct. 2.
- 2.3 To grant a variance to County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the road frontage requirement of 150' on 15 lots for proposed subdivision off of Highway 66, North Texas District Council of the Assemblies of God, Inc., Pct. 3.
- 2.4 To approve a Preliminary Plat Hidden Hills Subdivision, 49 lots, North Texas District Council of the Assemblies of God, Inc., Pct. 3
- 2.5 To pass an On-Site-Sewage Inter-local agreement between the city of Ferris and Ellis County, Texas.
- 2.6 To pass an On-Site-Sewage Inter-local agreement between the city of Milford and Ellis County, Texas.
- 2.7 To approve a Replat – Hidden Lake Estates, lots 11 and 12, Hidden Lake Trail, Donald Patterson, Pct. 4.

### ADMINISTRATIVE

- 3.1 Consideration and action on whether to accept any current or future monetary donations from Ricardo Hernandez, 1218 FM 984, Ennis Texas 75119, made to Ellis County, to be deposited into the General Fund.  
- *Carol Bush, County Judge*
- 3.2 Consideration and action on whether the County should waive, issue or reallocate its portion of the Recovery Zone Economic Development Bonds and the Recovery Zone Facility Bonds.  
- *Mike Navarro, Auditor*
- 3.3 Consideration and action to authorize Emergency Management to apply for a State Homeland Security grant that will allow the county to purchase equipment to enhance the communication system infrastructure to improve radio coverage throughout the county and purchase end user radio equipment to meet the Federal mandate to be narrow band compliant by January 1, 2013.  
- *John Patterson, Emergency Management*
- 3.4 Consideration and action to authorize an application to the Texas State Soil and Water Conservation Board to implement structural repairs to Chambers Creek Flood Preventions Sites No. 2F, 6, 23, 24, 100, 110, 115 and 126 and Ten Mile Creek Flood Prevention Site No. 9, pursuant to the existing Watershed

Protection Operation and Maintenance Agreement between Ellis County and the Ellis Prairie Soil and Water Conservation District. In the event the application is granted, ninety-five percent of the funding for the above described repairs will be provided by a matching grant funded by the Texas State Soil and Water Conservation Board pursuant to the Structural Repair Grant Program. In the event funding for this project is ultimately approved, a portion of the funding provided by Ellis County will be reimbursed due to the cost of administration provided by the Ellis County Engineer, Ellis County Dam Inspector and the Ellis County Purchasing Director.

- *David Ridgway, Engineering*

- 3.5 Consideration and action to authorize an application to the Texas State Soil and Water Conservation Board to implement structural repairs to Mountain Creek Flood Prevention Sites No. 10 and 11, pursuant to the existing Watershed Protection Operation and Maintenance Agreement between Ellis County and the Dalworth Soil and Water Conservation District. In the event the application is granted, ninety-five percent of the funding for the above described repairs will be provided by a matching grant funded by the Texas State Soil and Water Conservation Board pursuant to the Structural Repair Grant Program.

- *David Ridgway, Engineering*

- 3.6 Consideration and action to accept the re-plats by the City of Waxahachie in regard to the properties on which the Ellis County Courts and Administration building are presently located.

- *Joe White, Engineering*

- 3.7 Consideration and action to accept the resignation of ESD #7 Board member and treasurer, Darryl McGee, effective November 1, 2010.

- *Bill Dodson, Commissioner Pct 2*

- 3.8 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the City of Italy beginning October 1, 2010 to September 30, 2011.

- *Heath Sims, Commissioner Pct 3*

- 3.9 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and Italy ISD beginning October 1, 2010 to September 30, 2011.

- *Heath Sims, Commissioner Pct 3*

- 3.10 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the City of Milford beginning October 1, 2010 to September 30, 2011.

- *Heath Sims, Commissioner Pct 3*

- 3.11 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and Milford ISD beginning October 1, 2010 to September 30, 2011.

- *Heath Sims, Commissioner Pct 3*

- 3.12 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the Midlothian ISD beginning October 1, 2010 to September 30, 2011.

- *Heath Sims, Commissioner Pct 3*

- 3.13 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the City of Waxahachie beginning October 1, 2010 to September 30, 2011.

- *Heath Sims, Commissioner Pct 3*

- 3.14 Consideration and action as may be appropriate regarding an Interlocal Cooperation Contract between the County of Ellis and the Waxahachie ISD beginning October 1, 2010 to September 30, 2011.

- *Heath Sims, Commissioner Pct 3*

## **PURCHASING DEPARTMENT**

- 4.1 Consideration and action as may be appropriate to authorize the County Judge to execute the contract for Inmate Medical Services which was awarded at a previous Commissioners Court meeting. The award was approved for CHM (Correctional Healthcare Management).

## **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."

- 4.1 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."
- 4.2 Pursuant to 551.071(1)(a) of the Texas Government Code, consultation with legal counsel regarding Cause No. 80843, Ellis County, et. al. v. Michael McConnell, et. al., in the 40th Judicial District Court, Ellis County, Texas.

## **ADJOURNMENT OF EXECUTIVE SESSION**

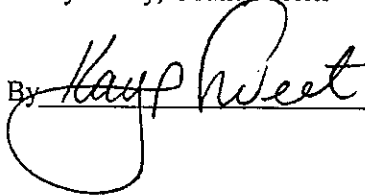
### **ADJOURNMENT**

Signed this the 22<sup>nd</sup> day of October, 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 22 day of October, 2010, at 11:58 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.