

FILED

DEC 12 2011

COUNTY CLERK
ELLIS COUNTY, TEXAS

**ELLIS COUNTY COMMISSIONERS' COURT
OFFICIAL MINUTES // NOVEMBER 7, 2011**

A SPECIAL MEETING OF THE ELLIS COUNTY COMMISSIONERS' COURT WAS HELD ON MONDAY, NOVEMBER 7, 2011 AT 11:00 A.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS' COURTROOM, 101 WEST MAIN STREET (2ND FLOOR), WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED TO WIT:

PRESENT WERE:

COUNTY JUDGE:

JUDGE CAROL BUSH

COMMISSIONERS:

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-MORAN, ASSISTANT COUNTY ATTORNEY

LEE AUVENSHINE, ASSISTANT COUNTY ATTORNEY

OPENING COURT:

THE COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO THE OPEN MEETINGS ACT

MOTION TO OPEN COURT BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

MINUTE ORDER NO 371.11 AUTHORIZING COUNTY JUDGE TO EXECUTE ALL NECESSARY DOCUMENTS WITH TEXZON UTILITIES TO SET ELLIS COUNTY'S ELECTRICITY RATES AT 0.05587 CENTS PER KWH FOR 18 MONTHS. (ALISHA WICKENS, PURCHASING)

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN TO ACCEPT 18 MONTHS AT 0.05587

MOTION CARRIES 3/1 WITH COMMISSIONER SIMS OPPOSED

MINUTE ORDER NO 372.11 APPROVING THE 2ND AND FINAL RENEWAL TO EXTEND BID NUMBER BPA170 FOR AN ADDITIONAL 12 MONTHS (1/1/2012 – 12/31/2012) FOR EMULSIFIED ASPHALT AT THE REQUESTED PRICE REDETERMINATION ADJUSTMENT ALLOWED UNDER THE ORIGINAL CONTRACT, ARTICLE I. NEW PRICING REFLECTS AN INCREASE OF \$23.59 PER TON FOR BOTH FOB PLANT AND DELIVERED FOR HFRS-2, CRS-2, MS-2 AND CRS-2H. NEW PRICING REFLECTS AN INCREASE OF \$35.44 PER TON FOR BOTH FOB PLANT AND DELIVERED FOR AE-P AND CRS-2P. CONTRACTOR WILL NOT AGREE TO EXTEND AT EXISTING CONTRACT PRICE. (ALISHA WICKENS, PURCHASING)

MOTION TO APPROVE BY COMMISSIONER BROWN, SECOND BY COMMISSIONER SIMS CARRIES UNANIMOUSLY

RECESS TO CONVENE TO EXECUTIVE SESSION (11:54 AM)

MOTION BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

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, 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."

- 3.1 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."
- 3.2 PURSUANT TO SECTION 551.074 OF THE GOVERNMENT CODE, CONSULTATION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, DUTIES, OR HIRING OF THE ELLIS COUNTY FIRE MARSHAL / EMERGENCY MANAGEMENT COORDINATOR.

ADJOURNMENT OF EXECUTIVE SESSION (12:09 AM)

MOTION BY COMMISSIONER DODSON, SECOND BY COMMISSIONER BROWN; MOTION CARRIES UNANIMOUSLY

ADJOURNMENT

MOTION TO ADJOURN BY COMMISSIONER BROWN, SECOND BY COMMISSIONER DODSON CARRIES UNANIMOUSLY

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT SPECIAL MEETING OF NOVEMBER 7, 2011 ARE HEREBY APPROVED.

PRESIDING OFFICER:



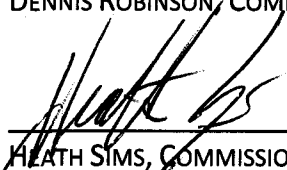
CAROL BUSH, COUNTY JUDGE



DENNIS ROBINSON, COMMISSIONER PCT 1



BILL DODSON, COMMISSIONER, PCT 2



HEATH SIMS, COMMISSIONER, PCT 3



RON BROWN, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS DECEMBER 12, 2011:


CINDY POLLEY, COUNTY CLERK