

**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, March 26, 2012 at 6:00 p.m., in the Historic Ellis County Courthouse, Commissioners' Courtroom (2nd flr), 101 W. Main Street, Waxahachie, Texas** at which time the following will be discussed and considered, to-wit:

County Judge: Carol Bush

County Clerk: Cindy Polley

Commissioners:

Assistant County Attorneys:

Dennis Robinson, Commissioner, Pct. 1

Ann Montgomery-Moran

Bill Dodson, Commissioner, Pct. 2

Lee Auvenshine

Heath Sims, Commissioner, Pct. 3

Ron Brown, Commissioner, Pct. 4

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 invoice #0028494-IN from RCC Consultants, Inc. in the amount of \$10,998.40 for February 1, 2012 – February 29, 2012 as per the Consultant Services Agreement effective June 27, 2011 (Minute order 243.11) between RCC and Ellis County.
- A3 Approval of the Statement of Elected/Appointed Official and Oath of Office for Raymond Miner, Emergency Service District #5 Board Member.

Financial:

- F1 **From** 001-0050-50805, Conference **To** 001-0050-50843, 4-H Travel. Mark Arnold, Texas AgriLife Extension
- F2 **From** 001-0370-50804, Postage **To** 001-0370-50601, Travel. – John Bridges, Tax Assessor/Collector
- F3 **From** 001-0385-50801, Supplies **To** 001-0385-50805, Conference; 001-0385-50842, Conference (Judge). Gene Calvert, County Court at Law #2
- F4 **From** 009-0602-50807, FM 1 Gen. Misc. **To** 009-0602-50802, FM 1 Equipment. –Dennis Robinson, Commissioner, Road & Bridge Pct 1

F5 **From** 010-0653-50807, FM 2 – General Expense **To** 010-0653-50910, FM 2, Gas. Bill Dodson, Commissioner, Road & Bridge Pct 2

F6 Approve refund of overpayment to the following accounts for payment in error:

<u>Refund to be issued to:</u>	<u>Account</u>	<u>Amount Due</u>
BAC Tax Services Corporation	152675	\$4,376.20
Jack in the Box	206761	\$3,304.75
James B. Nutter & Company	210806	\$2,615.07
BAC Tax Services Corporation	236241	\$4,790.85
Ellis County Abstract	225966	\$2,588.96

DEPARTMENT OF COUNTY DEVELOPMENT

Consideration and action regarding the following presented by Judy Armstrong, Director Department of Development:

- 2.1 Accept the completed construction of the road, Sisters Lane, in the completed subdivision Garden Estates, Anderson Sargent Homes, Pct. 4.
- 2.2 Approve the release of the remainder of the Escrow Agreement in the amount of \$22,179.20 for the completed construction of the subdivision, Garden Estates, Anderson Sargent Homes, Pct. 4.

ADMINISTRATIVE

- 3.1 Consideration and action to enact the Ellis County Burn Ban effective immediately.
 - *Carol Bush, County Judge*
- 3.2 Presentation by Jason Brown and Shannon Stevenson, North Central Texas Council of Governments, on the FY 2012 AirCheckTexas Drive a Clean Machine Program Administrative Agreement and Operational Plans.
 - *Barbra Leftwich, County Planner*
- 3.3 Consideration and action to reauthorize the purchase of approximately 2.5 acres of land from J.B. Mercer on I-45 Business in Palmer, Texas, immediately adjacent to property owned by Ellis County and utilized by Ellis County Road and Bridge Precinct No. 1. This purchase was originally authorized by the Ellis County Commissioners Court on July 26, 2010 pursuant to Minute Order No. 247.10.
 - *Dennis Robinson, Commissioner Pct. 1*
- 3.4 Consideration and action to authorize the placement of a gate across Cowan Road, a third class county roadway, in a manner meeting not less than the minimum requirements of Section 251.010 of the Transportation Code.
 - *Heath Sims, Commissioner, Pct. 3*
- 3.5 Consideration and action to set the maximum reasonable & prudent speed as allowed under Chapter 251, Sec. 251.154 of the Texas Transportation Code inside the Plum Creek subdivision at 30 mph. The streets include Plum Creek, Plum Creek Court, Creekside Court and Bent Creek Court.
 - *Heath Sims, Commissioner, Pct. 3*

- 3.6 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and Red Oak ISD for term agreement February 1, 2012 to February 1, 2013.

- Ron Brown, Commissioner, Pct. 4

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, 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.”

- 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 Section 551.074 of the Government Code, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee. (Purchasing Agent)

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the _____ day of March, 2012.

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 South doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the ____ day of March, 2012, 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.

**ADDENDUM TO NOTICE OF REGULAR MEETING
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ADMINISTRATIVE

3.7 Discussion: Engineering project status report.

- *Joe White, Engineer*

ADJOURNMENT

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Carol Bush
Ellis County Judge

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