

**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, December 10, 2007 at 10:00 A.M., in the Commissioners' Courtroom, 101 West Main Street (2nd Floor), Waxahachie, Texas** at which time the following will be discussed and considered, to-wit:

County Judge:

Judge Chad Adams

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 Dennis Robinson

2. CONSENT AGENDA – Consideration and Action:

Administrative:

A1 Approval of Regular Bills, Payroll, and Officers' Reports.

A2 Approval of the October 2007 Travel Reports of the Texas Cooperative Extension Office

Mark Arnold, Agriculture

Page Bishop, 4-H

Rita Hodges, Family & Consumer Sciences

A3 Approval of the Memorial Marker Highway Sign Agreement for the FM 55 Bridge at Chambers Creek.

A4 Approval of Advance Funding Agreements for the replacements of the following bridges:

Franks Rd @ Richland Cr, Bridge No. AA0280-002
 Morgan Rd @ Hog Creek Trib, Bridge No. AA0882-002
 Pecan Tree Rd @ Onion Cr., Bridge No. AA0322-001
 Pluto Road @ Mill Creek, Bridge No. AA0258-001
 Schield Rd @ Elm Br., Bridge No. AA0301-001

Financial:

F1 From 5-001-030-0502 Salary, 5-001-0030-0553 FICA, 5-001-0030-0554 Retire, 5-001-0030-0550 Hosp to 5-001-0030-0801 Supplies, 5-001-0030-0819 Computer – Mike Navarro, Auditor

F2 From 3-012-0000-0302 Fund Balance to 5-012-0754-0906 Culverts – Ron Brown, Commissioner, Pct. 4

Simplified Plat:

2.1 Crestview Acres, 2 lots, Elizabeth Lawrence, Pct. 1.

3. ADMINISTRATIVE

3.1 Update on NorthSTAR and review of local/strategic planning efforts. Discussion (input and suggestions from Commissioners' Court) on how best to assess the needs of Ellis County and the Court's preferences for ongoing communication from NTBHA.-

- Patricia Wooldridge, MSCJA / Clinical Systems Analyst

3.2 Consideration and action to approve a ***Work Order Under Interlocal Agreement*** as submitted by Don Keilers, City Councilmen with the City of Alma to grade Toth Road and Alma Dr. to the city limits for road work performed by Road and Bridge, Pct. 2 at an estimated costs of \$224.13.

- Bill Dodson, Commissioner, Pct. 2

3.3 Presentation of petitions and discussion regarding re-instating the Ellis County ordinance regarding animals on leashes in rural areas and in the city limits.

- Kennette Davis, Citizen

- Bill Dodson, Commissioner, Pct. 2

3.4 Consideration and action to rescind the Ellis County Burn Ban enacted on November 13, 2007 in minute order 419.07.

- Jim Pharr, Fire Marshal Investigator

3.5 Consideration and action to adopt an order to prohibit or restrict the sale or use of “restricted fireworks” which are defined as “skyrockets with sticks” and “missiles with fins” as stated in 49 Code of Federal Regulations, §173.100(r)(2).

- Jim Pharr, Fire Marshall Investigator

3.6 Consideration and action to approve the renewal of the contract with Comtex in the amount of \$33,000 for the maintenance and repair service agreement on the Ellis County radio towers and dispatch equipment effective October 1, 2007 through September 30, 2008.

- John Knight, Sheriff’s Office

3.7 Consideration and action to approve a Joint Resolution for a Joint Primary for the March 4, 2008 Primary Election as prescribed by the Texas Secretary of State.

- Jane Anderson, Elections Administrator

3.8 Consideration and action to approve billing the City of Midlothian for the November 2007 Local Option Elections.

- Jane Anderson, Elections Administrator

3.9 Consideration and action to approve an increase to the county mileage reimbursement from 48.5 cents per mile to 50.5 cents per mile in accordance with changes made by the Internal Revenue Service, effective January 1, 2008.

- Holly Davis, Special Projects Director

3.10 Consideration and action to approve a “Clean Fleet Vehicle Ordinance” to comply with guidelines set by the Regional Transportation Council for vehicle acquisition, vehicle operation, and vehicle maintenance.

- Holly Davis, Special Projects Director

3.11 Consideration and action regarding the reappointment of the following individuals to the Ellis County Emergency Service District Boards. The appointees are to be reappointed to serve two-year terms effective January 1, 2008 through December 31, 2009:

Maypearl ESD #1	Garry Harris	Midlothian ESD #2	Tom
Manning			
	Norquist Wade		Ronnie
Russell			
	Don Frisbee		Frank
Hazzard			
Italy ESD #3	Jackie Dwayne Cate	Red Oak ESD #4	Andy Lancaster Ernie Martinek
Ferris ESD #5	Paul W. Jones Eddie Miner	Waxahachie ESD #6	James Self Jimmy Roy
Bristol ESD #7	Billie Tom Fulton	Avalon ESD #8	Dave
Bundrick			
	Ricky Sparkman		Debbie
Scruggs			
			Teaner Johnson

- Holly Davis, Special Projects Director

3.12 Consideration and action to accept the resignation of Thomas Leyfield from the Palmer Emergency Service District Board #9, effective immediately.

- Holly Davis, Special Projects Director
- Dennis Robinson, Commissioner, Precinct 1

3.13 Consideration and action to appoint Kenny Caldwell to the Palmer Emergency Service District Board #9, effective immediately, to fill the unexpired term of Thomas Leyfield and further to serve a regular two-year term on the board of ESD #9, effective January 1, 2008 through December 31, 2009.

- Holly Davis, Special Projects Director
- Dennis Robinson, Commissioner, Precinct 1

3.14 Consideration and action authorizing payment in an amount up to \$500.00 to Loretta Harper for repairs to a vehicle owned by her which was allegedly damaged by an employee of Ellis County during the course of his employment on or about November 6, 2007, in exchange for a full release of all claims against Ellis County related thereto.

- Lee Auvenshine, Assistant County and District Attorney

3.15 Consideration and action authorizing payment in the amount of \$637.65 (\$476.00 overpayment of fines and court costs and \$161.65 settlement) to Travis Matthew Tull for settlement of a potential claim against Ellis County for a cause

of action arising on November 12, 2007.

- Ann Montgomery, Assistant County and District Attorney

4. PURCHASING

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

4.1 To award the 2008 annual requirement for Lightweight Road Surfacing Aggregate to TXI.

4.2 To award the 2008 annual requirement for Metal Culverts for all precincts to Contech Construction Products in Irving, Texas.

4.3 To award the 2008 annual requirement for Printing Services to Office Depot as the Primary Supplier and Marfield Printing as the Secondary Supplier.

4.4 To award the 2008 annual requirement for Recycled Concrete Flex Base to Big City Crushed Concrete.

4.5 To award the 2008 annual requirement for Convenience Store Gas to Colwell Oil Company and to Pearman Oil Company.

4.6 To award the 2008 annual requirement for Wholesale Gas and Diesel for all Precincts to Avenue Fuel Distributors in Ennis, Texas (Primary Supplier) and Colwell Oil Company (Secondary Supplier).

5. RECESS TO CONVENE TO EXECUTIVE SESSION

6. 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 §551.071, 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 §551.071.”

6.1 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning approval of settlement with Loretta Harper for repairs to a vehicle owned by her which was allegedly damaged by an employee of Ellis County during the course of his employment on or about November 6, 2007.

6.2 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning approval of settlement with Travis Matthew Tull for settlement of a potential claim against Ellis Count for a cause of action arising on November 12, 2007.

8. ADJOURNMENT OF EXECUTIVE SESSION

9. ADJOURNMENT

Signed this the 6th day of December, 2007.

Chad Adams
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 6th day of December, 2007, at _____ a.m./p.m.

Cindy Polley, County Clerk

By _____

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.