

**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 **Tuesday, May 27, 2008 at 6:00 P.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 Ron Brown

2. CONSENT AGENDA – Consideration and Action:

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports.
- A2 Approval of the April 2008 Travel Reports of the Texas Cooperative Extension Office
 - Mark Arnold, Agriculture
 - Page Bishop, 4-H
 - Rita Hodges, Family & Consumer Sciences
- A3 Acceptance of certificates of completion for Judy Robertson and Diana Buckley for the Indigent Healthcare Solutions Release VII Training Conference April 16 and 17, 2008.
- A4 Acceptance of a donation to the Ellis County Sheriff's Office as a thank you from an individual who was helped by Deputy Peter Steuer of the Sheriff's Office.

Financial:

- F1 From 3-005-0000-0302 Fund Balance to 5-005-0703-0840 Contract Labor – Heath Sims, Commissioner, Pct. 3
- F2 From 5-005-0703-0502 Wages to 5-005-0703-0911 Gen Misc – Heath Sims, Commissioner, Pct. 3
- F3 From 5-001-0360-0853 DA-Legal Research to 5-001-0360-0846 Witness Fee, 5-001-0360-0833 Court Reporting, 5-001-0360-0807 Gen Misc, 5-001-0360-0802 Equipment – Joe Grubbs, District Attorney
- F4 From 5-001-0370-0802 Supplies to 5-001-0370-0803 Furniture – John Bridges, Tax Office

- JP
- F5 From 4-004-0652-0950 R & B FEMA Funds to 5-004-0652-0911 Gravel, 5-004-0652-0915 Asphalt – Bill Dodson, Commissioner, Pct. 2
 - F6 From 5-001-0520-0874 Docket Books & Printing to 5-001-0520-0801 Supplies – Jackie Miller, Pct. 2
 - F7 From 5-001-0140-0558 Contingency to 5-001-0450-0802 Equipment – Chad Adams, County Judge
 - F8 From 3-009-0000-0302 Fund Balance to 5-009-0601-0910 Equipment, 5-009-0601-0911 Gen Misc, 5-009-0601-0920 Contract Labor, 5-009-0601-0906 Culverts, 5-009-0601-0907 Tires, 5-009-0601-0901 Repairs/Parts, 5-009-0601-0902 Gas, 5-009-0601-0914 Signs, 5-009-0601-0903 Gravel, 5-009-0601-0962 Lubricants – Dennis Robinson, Commissioner Pct. 1
 - F9 From 3-003-0000-0302 Fund Balance to 5-003-0601-0701 Utilities, 5-003-0601-0807 Gen Misc – Dennis Robinson, Commissioner, Pct. 1

Simplified Plat:

- 2.1 Taylor Bright Addition, 2 lots, Taylor Bright, Pct.1

3. ADMINISTRATIVE

- 3.1 Consideration and action to approve a proclamation recognizing the 100th anniversary of Truevine Missionary Baptist Church in Ferris, Texas.
 - Chad Adams, County Judge
- 3.2 Consideration and action to enter into a Tax Abatement Agreement for Taxable Real and Personal Property between Ellis County, Texas and Walgreens, located in the Waxahachie, Texas Enterprise Zone, City of Waxahachie, Texas.
 - Holly Davis, Special Projects Director
- 3.3 Consideration and action to approve an Order approving Waste Management, Inc and its Subsidiaries project being financed with industrial revenue bonds to be issued by the Mission Economic Development Corporation. The project consists of capital improvement to Waste Management’s existing solid waste facilities located in 14 counties within the State of Texas. There is no financial obligation on the part of Ellis County.
 - Holly Davis, Special Projects Director
- 3.4 Consideration and action to appoint Mr. Bart Hundt to the board of Ellis County Emergency Service District #2-Midlothian, to fill the unexpired term of Mr. Larry Marlow, effective immediately. Mr. Hundt is eligible for reappointment to the board in December 2008.
 - Ron Brown, Commissioner, Pct. 4
- 3.5 Consideration and action to approve the addition of American Law Reports (ALRs) to the online service (Westlaw) on the three patron access computers: two in the Law Library and one in the District Clerk’s office.
 - Leanne Brindle, Law Librarian
- 3.6 Consideration and action to allow the county judge to sign a contract with Apex Geoscience Inc. for geotechnical testing services associated with the design and construction of the bond project.
 - Joe White, County Engineer

- 3.7 Consideration and action to approve a Work Order Under Interlocal Agreement between City of Milford and Ellis County Pct. 3
 - Heath Sims, Commissioner Pct. 3
- 3.8 Consideration and action to approve the Interlocal Agreement between the City of Ovilla and Ellis County for road construction and maintenance of Johnson Lane and a portion of Duncanville Road in the City of Ovilla.
 - Ron Brown, Commissioner Pct. 4
- 3.9 Consideration and action to allow the Midlothian Independent School District to place a sidewalk on Sudith Road in the Ellis County right of way that the MISD will install and maintain.
 - Ron Brown, Commissioner Pct. 4

4. DEPARTMENT OF COUNTY DEVELOPMENT

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

- 4.1 To grant a variance to the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to lot size requirement of one acre for a single-family residence, location of 8831 Mallory Ct., Waxahachie, TX., Matt Sullivan, Pct. 4
- 4.2 Final Plat– Rockett Ranch, 21 lots, Jeff Love, Pct. 1

5. PURCHASING

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

- 5.1 To award the contract for #4 Pea Gravel for all Precincts for a one (1) year period. Bids are due 5/23 and will be evaluated prior to court time.
- 5.2 To approve the purchase of one (1) New Holland Backhoe from Landmark Equipment at a cost of \$36,150. This equipment is for Precinct 4.
- 5.3 To declare one (1) Terex double drum vibratory roller as surplus and approve disposal at auction. The roller is from Precinct 3.
- 5.4 Discussion of multiple awards to suppliers of road materials and the availability of supply to Ellis County Precincts.

6. RECESS TO CONVENE TO EXECUTIVE SESSION

7. 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, §551.072, §551.074 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, §551.072, §551.074.”

7.1 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.

8. ADJOURNMENT OF EXECUTIVE SESSION

9. ADJOURNMENT

Signed this the 22nd day of May, 2008.

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 22nd day of May, 2008, at _____ a.m./p.m.

By _____
Cindy Polley, County Clerk

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.