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Tax abatement guidelines to be updated

Ellis County Commissioners attended a short workshop on Monday regarding the County's tax abatement guidelines. At issue, a request to abate taxes on some \$38 million worth of heavy construction equipment owned by a firm planning to relocate to the Waxahachie area.

"The intent of a tax abatement is to encourage development," said Kathy Rodrigue, chief appraiser for the Ellis Central Appraisal District. "The law is very clear. You can abate real estate. You can abate equipment. You cannot abate inventory and supplies. Other entities have been very cautious about abating transportation equipment."

The request from Austin Road and Bridge for an abatement of a portion of the taxes on their construction equipment happened to come in at the same time that the Court needed to review its tax abatement guidelines, a process that occurs every two years. Consultant Linda Brown spent time with each member of the Court, she said, to explain the request and offer supporting arguments.

"My position is one of fairness – fairness to the companies that have been here before and we have said 'no,' and others in the future," said County Judge Chad Adams. "My position has not changed since the last time we talked, but I have a lot of respect for your company."

The discussion was extended into the Court's regularly scheduled meeting where the vote stopped short of approving the guidelines. Rather, the Court voted to direct the County Attorney's office to update the guidelines by adding the following verbiage:

- A property that is inside a city limit must be approved for tax abatement by that city prior to applying for tax abatement from the county;
- To be considered for tax abatement, the property must be owned by the applicant; and
- Any assignment of the tax abatement to another party must be approved by the Commissioners' Court and the request for reassignment must be accompanied by financial statement of the new company.

Additionally, all references to "personal property" will be removed from the guidelines. The revised guidelines are expected to be brought back to the Court for action at the next meeting.

In a separate agenda item, the Court and Assistant County Attorney Lee Auvenshine discussed potential parking restrictions within traffic zones that can be designated by the Court. Specifically, the statute is designed to avoid parking practices that are dangerous to the public or that interfere with the movement of traffic – such as parking of large vehicles over 30,000 in gross weight on narrow, residential roadways. Traffic zones must be clearly identified and a public hearing held, with notices posted seven to 30 days in advance. No action was taken on the discussion-only item.

In other business, Commissioners:

- Accepted a \$1,000 award from the Society for Human Resource Management for a case study on the Ellis County wellness program, to be used to further the health and safety initiative;
- Approved an addendum to the contract with Indigent Healthcare Solutions adding the Power Search function for Medicaid enrollment verification;
- Accepted a check for approximately \$9,000 from the Texas Emissions Reduction Program to be used toward the purchase of the Durapatcher for Precinct 1;
- Approved redemption and conveyance of property previously struck from the tax rolls within the Midlothian School District;
- Approved and ratified the appointment of Deputy Constables for precincts 1, 2, 3 and 4;
- Approved a service agreement with Aerowave Technologies for Boyce Tower equipment, County Jail equipment, and 77 vehicle unit radios for the Sheriff's Department;
- Re-appointed the following people to two-year terms on the Ellis County Historical Commission: Virginia Duff, Susie Toal, Helen Prude, Virginia Kellum, Harold Dorsey, Wilma Dorsey, Edwin Farrar, Carol Farrar, Margaret Felty, Shannon Simpson, Carolyn Robinson, William Robinson, Nancy Post, Larry Felty, Sylvia Smith, Betty Dillard, Nana Lou Dudley, and Karen Esberger;
- Approved a work order under an interlocal agreement with Palmer ISD;

- Authorized payment to John Burns Construction Company of \$5300 above the initial estimate for reroute of the WISD fiber optic lines after an unavoidable route revision;
- Increased the agreement with Oncor Electric Delivery Company adding one more streetlight in the bond program;
- Voted to continue participation for the year 2009 in the Regional Storm Water Management Program through the North Central Texas Council of Governments at a cost share amount of \$2552, already budgeted;
- Adjourned for a short executive session to discuss pricing and possible future sale of county property located in Ennis, with no action taken;
- Rejected bids for the audio visual system for the bond program;
- Rejected bids for the security system for the bond program;
- Awarded the contract for metal culverts for all precincts to Contech Construction Products;
- Approved purchase of a Dynaoc Model CP142 nine-wheel pneumatic roller for precinct 4 at a total cost of \$46,000; and
- Took no action on the bid for emulsified asphalt.