

**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, April 13, 2009 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 Carol Bush

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 to adopt an Order authorizing certain Sheriff's Department vehicles to be exempt from the inscription requirement in the Transportation Code and to appoint Sheriff Johnny Brown, Chief Deputies Dennis Brearley and Charles Sullins, and Captains Chuck Laubach and Brad Norman representatives to obtain regular license plates to be used on those exempt vehicles. (Captain Chuck Laubach)

A3 Approval to accept the minutes of the Ellis County Rural Rail Transportation Board from January 4, 2007 through December 6, 2007 and January 3, 2008 through December 4, 2008.

A4 Approval to accept the minutes of the Ellis County Woman's Building Board dated July 25, 2008 and August 22, 2008.

A5 Approval and Certification of the Minutes from the Commissioners' Court Agenda dated
March 9, 2009 Regular March 16, 2009 Special
March 20, 2009 Special March 23, 2009 Regular

- A6 Approve the reclassification of one Road Worker II to Road Worker III, one upgrade to an Equipment Operator, and one reclassification of a Road Worker 6 to Equipment Operator in Road & Bridge Pct. 1, effective April 13, 2009

Financial:

- F1 From 001-0210-40719 Chapter 19 Funding to 001-0210-50800 Chapter 19 Expenditure – Jane Anderson, Elections
- F2 From 001-0210-40719 Chapter 19 Funding to 001-0210-50800 Chapter 19 Expenditure – Jane Anderson, Elections
- F3 From 001-0613-40096 State LEO Payment to 01-0613-50820 LEOSE Training – Jimmie Ray, Constable, Pct. 4
- F4 From 010-0653-50868 Contract Labor to 010-0653-50910 Gas – Bill Dodson, Commissioner Pct. 2
- F5 From 001-0000-30302 Fund Balance to 001-0614-50811 Auto Purchase – Chad Adams, County Judge
- F6 From 001-0140-50558 Contingency to 001-0613-50802 Equipment – Chad Adams, County Judge
- F7 From 001-0614-40096 State LEO Payment to 001-0614-50820 LEOSE Training – Mike Jones, Constable, Pct. 4
- F8 From 001-0430-50805 Conference to 001-0430-50819 Computer – John Patterson, Emergency Management
- F9 From 005-0703-30301 Fund Balance to 005-0703-50911 Gravel, 005-0703-50915 Asphalt – Heath Sims, Commissioner, Pct. 3
- F10 Approve refund of overpayment to the following accounts for payment in error (John Bridges):
- | | | |
|-------------------------------------|--------|-------------|
| Countrywide Tax Services Corp. | 203597 | \$ 2,645.22 |
| Countrywide Tax Services Corp. | 224527 | \$15,131.03 |
| First American Real Estate Tax Svc. | 156994 | \$ 3,313.99 |
| Wells Fargo Home Mortgage | 142153 | \$ 4,438.24 |
| Wells Fargo Home Mortgage | 157071 | \$ 2,853.42 |
- F11 From 012-0755-30301 Fund Balance to 012-0755-50910 Gas & Oil – Ron Brown, Commissioner, Pct. 4

3. 3. ADMINISTRATIVE

- 3.1 Consideration and action to accept the resignation of Dave Bundrick from Avalon ESD #8, effective immediately.
- Bill Dodson, Commissioner, Pct. 2
- 3.2 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and the City of Oak Leaf.
- Ron Brown, Commissioner, Pct. 4
- 3.3 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and the City of Red Oak.
- Ron Brown, Commissioner, Pct. 4
- 3.4 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and the City of Ovilla.
- Ron Brown, Commissioner, Pct. 4

- 3.5 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and the City of Pecan Hill.
 - Ron Brown, Commissioner, Pct. 4
- 3.6 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and the Red Oak Independent School District.
 - Ron Brown, Commissioner, Pct. 4
- 3.7 Consideration and action to execute a Cooperative Agreement for Additional Law Enforcement Services at Lake Bardwell, Texas, with the U.S. Army Corps of Engineers.
 - Captain Chuck Laubach, Sheriff's Office
- 3.8 Consideration and action to approve a resolution opposing HB 490 and HB 515 in the current legislative session.
 - Heath Sims, Commissioner, Pct. 3
- 3.9 Consideration and action to approve a resolution in support of HJR 84 to prevent the imposition of unfunded mandates by the Texas State Legislature on counties.
 - Heath Sims, Commissioner, Pct. 3
- 3.10 Consideration and action to agree to the Location Agreement from im360studios for photography in the Ellis County Courthouse on March 30, 2009.
 - Holly Davis, Special Projects Director
- 3.11 Consideration and action to amend Section III of the "Rules of Procedure, Conduct and Decorum at Meetings of the Ellis County Commissioners' Court," approved on November 13, 2006, Minute Order 469.06, with the addition of the following sentenced (underlined): In order for a matter of issue to appear as an agenda item on the Agenda of any Regular Meeting of the Commissioners' Court, a request must be filed by the County Judge or a County Commissioner. A request filed by a County Commissioner for an item that does not directly involve or is not limited to his or her precinct must be approved by at least one other member of the Commissioners' Court.
 - Ron Brown, Commissioner, Pct. 4

4. RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING

5. PUBLIC HEARING

- 5.1 Public hearing on the application for Recovery Assistance Grant funding

6. ADJOURNMENT OF PUBLIC HEARING

7. RECONVEVE TO REGULAR SESSION

- 7.1 Consideration and action to approve the application for Recovery Justice Assistance Grant (JAG) funding of \$76,950 over a four year period, to be used in the Sheriff's office.
 - Captain Chuck Laubach, Sheriff's Office
- 7.2 Consideration and action to apply for the Public Safety Partnership and Community Policing Grant offered by the U.S. Department of Justice. This grant is designed to pay the first three years of a deputy's salary and benefits. The county is required to pay salary and benefits for the fourth year of employment. There is no cap on the number of positions that can be requested.
 - Captain Chuck Laubach, Sheriff's Office

8. ENGINEERING

Consideration and action regarding the following presented by Joe White, County Engineer:

- 8.1 To contract with Flowers Construction for placement of electrical conduit necessary for street lighting associated with the Bond Project at a cost not to exceed \$5,000.
- 8.2 To renew the lease agreement with Tejas Warehouse for storage of county property.
- 8.3 To renew the lease agreement with Haight-Taylor-McClain for storage of the Sheriff's impounded vehicles and property.
- 8.4 To select Supreme Fixture Company as the lowest and best qualified bidder for furnishing and installing kitchen and laundry equipment for the addition to the Ellis County Detention Center, at a cost not to exceed \$513,000.

9 PURCHASING

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

- 9.1 To renew the blanket order to Trinity Materials for Washed Pea Gravel with no changes in pricing. The contract term will be April 1, 2009 through March 31, 2010.

10. DEPARTMENT OF COUNTY DEVELOPMENT

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

- 10.1 To accept the updated requirements form North Central Texas Council of Governments (NCTCOG) for the 9-1-1 Program's Geographic Information Systems requirements in the current Interlocal Agreement.
- 10.2 Final plat – the Oaks at Cedar Glenn, 9 lots, Timothy and Brenda Lyons, Pct. 3

11. RECESS TO CONVENE TO EXECUTIVE SESSION

12. 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.”

12.1 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”.

13. ADJOURNMENT OF EXECUTIVE SESSION

14. ADJOURNMENT

Signed this the 8th day of April, 2009.

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 doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the 8th day of April, 2009, 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.