

FILED FOR RECORDED
CINDY POLLEY
ELLIS COUNTY CLERK

ORIGINAL

**NOTICE OF WORKSHOP
ELLIS COUNTY COMMISSIONERS' COURT**

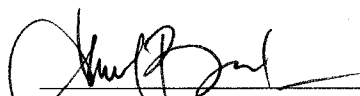
Notice is hereby given that a **Workshop** will be held on Monday, April 12, 2010 at 8:30 a.m. in the **Commissioners' Courtroom, 101 West Main Street (2nd Floor)**, Waxahachie, Texas at which time the following item will be discussed:

Workshop – no action will be taken

Presentation by Bickerstaff Heath Delgado Acosta LLP concerning the Redistricting process in 2011

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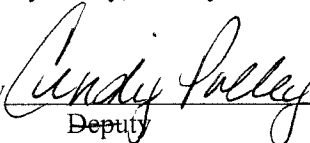
Signed this the 8th day of April, 2010.



Carol Bush
Ellis County Judge

I, the undersigned, County Clerk of the Ellis County Commissioners' Court do hereby certify that the above Notice of Workshop Meeting of the Ellis County Commissioners' Court was posted at the doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the ____ day of April, 2010 at 2:02 P.M.

Cindy Polley, County Clerk

By 

Deputy

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 has 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.

ELLIS COUNTY CLERK
CINDY POLLEY

**NOTICE OF REGULAR MEETING
ELLIS COUNTY COMMISSIONERS' COURT**

ORIGINAL

Notice is hereby given that a regular meeting of the Ellis County Commissioners' Court will be held on **Monday, April 12, 2010 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

POSTED

Commissioners:

- Dennis Robinson, Commissioner, Pct. 1
- Bill Dodson, Commissioner, Pct. 2
- Heath Sims, Commissioner, Pct. 3
- Ron Brown, Commissioner, Pct. 4

COPY

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 February 2010 Travel Reports of the Texas Cooperative Extension Office
 - Mark Arnold, Agriculture
 - Page Bishop, 4-H
 - Rita Hodges, Family & Consumer Sciences
- A3 To approve a revision to the elevator maintenance contract with ThyssenKrupp Elevator to \$687.72, effective June 1, 2010, for a three-month period, due to an increase in straight time hourly labor cost for elevator examiners in our area.
- A4 To proclaim May 5-9, 2010 as Veteran's Recognition and Appreciation Week in Ellis County.
- A5 Approval and Certification of the Minutes from the Commissioners' Court Agenda dated March 8, 2010 (Regular) and March 22, 2010 (Regular).
- A6 To proclaim the week of April 25-May 1, 2010 as "Moral Courage Week" in Ellis County.

Financial:

- F1 From 001-0614-40096 State LEO Payment to 001-0614-50820 LEOSE Training – Mike Jones, Constable, Pct. 4
- F2 From 031-0931-40087 DA-Revenue to 031-0931-50802 DA/Drug Forft Equipment – Joe Grubbs, District Attorney
- F3 From 010-0653-30302 Fund Balance to 010-0653-50911 Gravel – Bill Dodson, Commissioner, Pct. 2
- F4 From 009-0602-40010 Sale of Equipment to 009-0602-50802 Equipment – Dennis Robinson, Pct. 1
- F5 From 030-0930-40820 DA Check Proc-LEOSE Training to 030-0930-50835 Training/CLE – Joe Grubbs, District Attorney
- F6 From 004-0652-30302 Fund Balance to 004-0652-50910 Gasoline – Bill Dodson, Pct. 2
- F7 Approve refund of overpayment to the following for payment in error (John Bridges):

<u>Refund to be issued to:</u>	<u>Account</u>	<u>Amount Due</u>
City Credit Union	174569	\$2,483.52
First American Real Estate Tax Service	200436	\$6,648.01
First American Real Estate Tax Service	200480	\$3,000.00
First American Real Estate Tax Service	218105	\$2,451.85
Clarence Hutchins	236293	\$3,785.11

Simplified Plats:

- 2.1 Laznovsky Heritage Farm Subdivision- 1 lot, Hwy 34, Ennis, TX., Bradley and Katrina Evans, Pct. 2.

3. ADMINISTRATIVE

- 3.1 Presentation and update from Maurice Osborn and Randy Kirk, Ellis County members of the Board of Directors of the Prairielands Groundwater Conservation District that was created by the 81st Texas Legislature under SB 726.
 - Heath Sims, Commissioner, Pct. 3
- 3.2 Consideration and possible approval of the Information Technology Agreement with ACS / Government Records Services Inc. for Scanning and Image Control of Official Public Records for the County Clerk; contract pending review of the County and District Attorney.
 - Cindy Polley, Ellis County Clerk
- 3.3 Consideration and action to approve the Presiding and Alternate Election Judges and the number of clerks for each poll for the May 8, 2010 Election.
 - Jane Anderson, Election Administrator
- 3.4 Consideration and action to authorize the County Judge to sign a Memorandum of Understanding with Indigent Healthcare Solutions extending our existing contract for software and support through October 31, 2012 with no change in terms or pricing.
 - Diana Buckley, Human Services

- 3.5 Consideration and action to adopt changes to the Ellis County Employee Policy Manual relating to return to work opportunities and on-the-job injuries.
 - Diana Buckley, Human Services
- 3.6 Consideration and action as may be necessary to accept a donation of \$1,959.07 from Ennis Care Center Patient Trust Troy Strickland. This donation is earmarked for the volunteer guardianship program.
 - Mike Navarro, Auditor
- 3.7 Consider and take action on an order providing for the issuance and sale of Ellis County, Texas General Obligation Refunding Bonds, Series 2010, in the approximate principal amount of \$1.635,000; levying a tax in payment thereof; authorizing the execution and delivery of a purchase agreement and a Paying Agent/Registrar Agreement; calling certain obligations for redemption; and enacting other provisions relating thereto.
 - Mike Navarro, Auditor
- 3.8 Consideration and action as may be appropriate to set the spending limit of the following three offices as required by Local Government Code 130.908:
 a) Justice of the Peace, Precinct Four
 b) County Treasurer
 c) County Court at Law Number One
 - Mike Navarro, Auditor

4. DEPARTMENT OF COUNTY DEVELOPMENT

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

- 4.1 Final Plat – McGregor Estates, Phase 2, 13 lots, Hwy 66, Waxahachie, TX Jeff D. McGregor/Ivan Brigman, Pct. 3.
- 4.2 To grant a variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the 10' side building set-back line on 1617 Plum Creek, Midlothian, TX; Plum Creek Estates, Phase 3, block 4, lot 19, to Sherry Calhoun, Pct. 3.
- 4.3 To grant a variance from the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the maximum allowance of 4 houses per family-owned property, 3470 Mt. Zion Rd., Midlothian, TX., J.P. Alford Survey, Abstract 7, Louis Ponder, Pct. 4.
- 4.4 To grant a variance from the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the road frontage requirement of 150' per lot, 5326 FM 877, Waxahachie, TX., Carey White Survey, Kenneth Denny, Pct. 2.
- 4.5 To grant a variance from the county of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the road frontage requirement of 150' per lot, unrecorded Lake View Ranchette Estate, lots 120 & 121, 4341 Miller Road, Midlothian, TX., James and Lennie Murphy, Pct. 4

5. PURCHASING

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

- 5.1 To award the annual contract for Asphalt Emulsion to Ergon. Contract period is 4/5/10 through 4/4/11 with two (2) one year renewal options.
- 5.2 To award the contract for Convenience Store Fuel (Unleaded and Diesel) to Pearman Oil Co. based on the low bid of price at loading rack (price paid at the refinery) plus \$.07 markup. Contract Period is 5/1/10 through 4/30/11 with two (2) one year renewal options.
- 5.3 To award the annual contract for washed pea gravel to Trinity Materials based on low bid. Contract period is for 4/1/10-3/31/11 with two (2) one year renewal options.
- 5.4 To purchase one (1) Case Maxxum Series #115 Tractor from Waxahachie Equipment Co. to be delivered to Pct. 1. Total cost= \$59,942. Pricing is based on HGAC.
- 5.5 To accept the lowest and best bid for one (1) Case M316C wheeled excavator for Pct. 4. Purchase will be made from Holt CAT at a cost of \$150,000 less \$8,000 trade in for a net cost of \$142,000.
- 5.6 To deem 10' Brush Hog Batwing Mower as surplus so it may be traded for new Rhino Batwing Mower.
- 5.7 To approve the purchase of one (1) 10 foot Rhino Batwing Mower from Landmark Equipment at a total cost of \$11,235 for Precinct 3.
- 5.8 To award a contract to Lindsey Contractors for installing a 2-inch asphalt overlay on Falcon Way located approximately 4 -1/2 miles northeast of the City of Midlothian. Contract will be awarded based on pricing through TPASS (Texas Procurement and Support Services) and is the same rate given to TXDOT. Rate is \$64.42 per ton for approximately 1,150 tons (\$74,534 total).

6. ENGINEERING

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

- 6.1 To increase the not to exceed price on the Electra Link Contract for computer and communications cabling for the Ellis County Bond Program from \$335,000 to \$375,000. The majority of this increase has been removed from the scope of work of another Bond Program contract to allow more expeditious construction. The necessary funds are in the Bond Program.
- 6.2 To approve D. M. Young to provide Professional Engineering Services at hourly rates for mechanical, electrical and plumbing design in conjunction with Architexas Architects for the County Farm Development.

7. RECESS TO CONVENE TO EXECUTIVE SESSION

8. EXECUTIVE SESSION

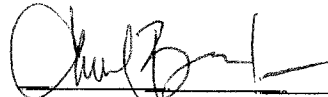
"The Commissioners' Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code §551.071, or to seek the advice 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."

8.1 Pursuant to Section 551.071 of the Texas Government Code, confidential deliberation with legal counsel regarding Cause No. 71-181-00458-08; *City of Midlothian and County of Ellis vs. Kehe Foods*, presently pending before the American Arbitration Association.

9. ADJOURNMENT OF EXECUTIVE SESSION

10. ADJOURNMENT

Signed this the 8th day of April, 2010.



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 8 day of April, 2010, at 2:02 a.m./p.m.

Cindy Polley, County Clerk

By Cindy Polley
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.

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