

**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, June 28, 2010 at 6:00 P.M., in the Historic Ellis County Courthouse, Commissioners' Courtroom (2nd flr), 101 West Main Street, 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

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 Bill Dodson

CONSENT AGENDA – Consideration and Action:

Administrative:

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

A2 Consideration and action to refund out-of-pocket expenses to Avery Lamont Kindred in the amount of \$308.00 in exchange for a complete release of all claims against Ellis County.

Financial:

F1 **From** 011-0704-50926, Debt Service; 001-0704-50802, Purchase of Equipment; **To** 001-0704-50908, Lumber. – Heath Sims, Commissioner Pct. 3

- F2 **From** 001-0430-50805, Conference; **To** 001-0430-50809, Auto Repairs. – John Patterson, Emergency Management
- F3 **From** 001-0510-50602, Staff Travel; **To** 001-0510-50803, Office/Fixtures/Furniture. – Judge Bill Woody, JP 1
- F4 **From** 001-0230-50805, Conference; 001-0230-50601, Travel Reimbursement; **To** 001-0230-50801, Purchasing, Supplies. – Richard Denniston, Purchasing
- F5 **From** 001-0140-50859, System Admin Fees; 001-0140-50856, Hazardous Waste Clean-up; 001-0140-50903, Law Suit Settlement; 001-0140-50706, Insurance Deductible; 001-0140-50710, Tax Appraisal Fee; 001-0140-50724, Lease Facility; 001-0140-50807, Other Expense; 001-0140-50838, Transport Death Victim; **To** 001-0140-50804, Postage; 001-0140-50825, Annual Audit; 001-0140-50866, Community Support; 001-0140-50887, Radio Tower; 001-0140-50558, Contingency; 001-0140-50556, Unemployment Fee – Carol Bush, County Judge
- F6 Approve acceptance of refund for overpayment by Blanden Clements. – Ron Brown, Commissioner Pct 4

ADMINISTRATIVE

- 3.1 Consideration and action to appoint Dub Nowell to the board of the Red Oak Emergency Services District # 4. Mr. Nowell's term will run through December, 2011 and he will be eligible for reappointment at that time.
- *Ron Brown, Commissioner Pct 4*
- 3.2 Consideration and action for a letter of commendation to local inspection stations from the Ellis County Emissions Enforcement Officer and the County Commissioners and the County Judge.
- *Brad Elliott, Deputy, Constable Pct 2*
- 3.3 Consideration and action to approve an Ellis County burn ban.
- *Jim Pharr, Fire Investigator*
- 3.4 Consideration and action to authorize the County Judge to sign an agreement with the Texas Comptroller of Public Accounts for an Energy Efficiency and Conservation Block Grant (EECBG) in the amount of \$138,184, funded through the American Recovery and Reinvestment Act (ARRA). Funds to be used to perform an energy audit on the existing county jail and the retrofit of some equipment identified in the energy audit.
- *Joe White, Engineer*

- 3.5 Consideration and action to approve a three (3) year contract with Westlaw online subscription service to include an additional Westpack discount of 50% on Texas Cases and Texas Jurisprudence print titles. The new contract will save Law Library Funds \$13,676 annually.

- Carol Bush, County Judge

DEPARTMENT OF COUNTY DEVELOPMENT

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

- 4.1 To close the dedicated alleyway located in Skyline Acres Subdivision, Ellis County, Texas between 4765 Cecilia Avenue (lot 34, block 8) and 4766 Charles Avenue (lot 17, block 8), Midlothian, Mike Parkins, Pct. 4.

PURCHASING

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

- 5.1 To approve the purchase of approximately \$50,000 of cold laid asphalt from APEX Company for the preservation of county roads in Precinct 4.

RECESS TO CONVENE TO EXECUTIVE SESSION

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 §551.072, 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 §551.072.”

- 6.1 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.”
- 6.2 Pursuant to 551.071(1)(a) of the Texas Government Code, consultation with legal counsel regarding Cause No. 80843, *Ellis County, et. al. v. Michael McConnell, et. al.*, in the 40th Judicial District Court, Ellis County, Texas.
- 6.3 Pursuant to 551.071(1)(a) of the Texas Government Code, consultation with legal counsel regarding Cause No. 79293, *City of Milford v. Nestor Calderon, Jr., et. al.*, in the 40th Judicial District Court, Ellis County, Texas.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 24th day of June, 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 24th day of June, 2010, 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.