

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

FILED FOR RECORD
CINDY POLLEY
ELLIS COUNTY CLERK

Notice is hereby given that a regular meeting of the Ellis County Commissioners' Court will be held on **Thursday, December 20, 2012 at 10:00 a.m., in the Historic Ellis County Courthouse, Commissioners' Courtroom (2nd flr), 101 W. Main Street, Waxahachie, Texas** at which time the following will be discussed and considered, to-wit:

County Judge: Carol Bush

County Clerk: Cindy Polley

Commissioners:

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

Assistant County Attorneys:

- Ann Montgomery-Moran
- Lee Auvenshine

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 – Ron Brown, Commissioner Pct. 4

CONSENT AGENDA – Consideration and Action:

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Approval and certification of the minutes from the regular Commissioners' Court agendas dated:
November 13, 2012 November 16, 2012 November 26, 2012
- A3 Acceptance of Wayne Ballard's resignation as Commissioner of Emergency Service District No. 6, effective December 31, 2013.

Financial:

- F1 **From** 001-0210-40719-00000-00, Chapter 19 State Funding **To** 001-0210-50800-00000-00, Chapter 19 Expenditures; 001-0210-50502-00000-000, Salaries; 001-0210-50502-00000-00, Salaries. – Jane Anderson, Elections.
- F2 **From** 001-0430-50689, GSA Software; 001-0430-50806, Official Bond/Dues **To** 001-0430-50802, Equipment. – Joe Stewart, Emergency Services.
- F3 **From** 004-0652-40004 Sale of Material **To** 004-0652-50807-00000-00, RB2 – General Miscellaneous. – Commissioner Bill Dodson, Precinct 2.

PURCHASING

Consideration and action regarding the following presented by Kim Gould, Purchasing Agent:

- 3.1 RFP 2012-014, to award the Radio Communications Tower to the Bidder recommended by Tim Driscoll, RCC Consultants, and the Ellis County Radio Committee.
- 3.2 RFP 2013-004, to approve hourly rates for Bridge and Headwall Repair for the period of January 1, 2013 through December 31, 2013.
- 3.3 To approve amended three year lease proposal with buyback option for Motor Grader 140M2 (RIP) 2012Serial Number M9D01328 for three (3) annual payments of \$25,981.09.

ADMINISTRATIVE

- 4.1 Review and adopt by resolution the Ellis County Investment Policy and Authorized Brokers in accordance to Section 256.005 (E) of the Local Government Code. There are no changes from last year.
- *Cheryl Chambers, Treasurer*
- 4.2 Consideration and action to approve the necessary bonds for the following elected and/or appointed Ellis County Officials, immediately effective upon the signing of the Bribery Statement and the Oath of Office, and being sworn in on or after January 1, 2013:

Carol Bush, County Judge	\$ 10,000	
Dennis Robinson, County Commissioners, Pct. 1	\$ 3,000	
Bill Dodson, County Commissioner, Pct 2	\$ 3,000	
Paul Perry, County Commissioner, Pct 3	\$ 3,000	
Patrick Wilson, County and District Attorney	\$ 5,000	
John Bridges, Tax Assessor/Collector	\$100,000	(Governor of State of Texas)
John Bridges, Tax Assessor/Collector	\$100,000	(Commissioners Court)
John Bridges, Tax Assessor/Collector	\$ 2,500	(Tax Assessor Employees)
Mike Navarro, County Auditor	\$ 5,000	
Joe Stewart	\$ 10,000	
Johnny Brown, Sheriff	\$ 30,000	
Roy A. Callender, Jr., Constable Pct 1	\$ 2,000	
Terry Nay, Constable Pct 2	\$ 1,500	
Jimmie E. Ray, Constable Pct 3	\$ 1,500	
Mike Jones, Constable Pct 4	\$ 1,500	

- 4.3 Consider and action to approve the Service Agreement with Shred-It for shredding services of records.
- *County Attorney's Office*
- 4.4 Consideration and approval of Interlocal Agreement Ellis County Road and Bridge Pct. 1 and the City of Ferris.
- *Dennis Robinson, Commissioner, Pct. 1*

- 4.5 Consideration and approval of Interlocal Agreement Ellis County Road and Bridge Pct. 1 and the City of Palmer.
- *Dennis Robinson, Commissioner, Pct. 1*
- 4.6 Consideration and approval of Interlocal Agreement Ellis County Road and Bridge Pct. 1 and Palmer ISD.
- *Dennis Robinson, Commissioner, Pct. 1*
- 4.7 Consideration and approval of Interlocal Agreement Ellis County Road and Bridge Pct. 1 and the City of Pecan Hill.
- *Dennis Robinson, Commissioner, Pct. 1*
- 4.8 Consideration and action to appoint Ellis County Clean-up Committee.
- *Kim Gould, Purchasing Agent*
- 4.9 Consideration and action to continue leasing 29,180 square feet of warehouse space located at 415 S. Flat Street, Waxahachie, Texas, owned by Tejas Logistics System, at the rate of \$3,090.00 per month, subject to legal review of lease documents.
- *Joe White, County Engineer*
- 4.10 Recognition of service by County Commissioner Precinct 3, Heath Sims.
- *Carol Bush, County Judge*

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, 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.”

- 5.1 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.”
- 5.2 Pursuant to Section 551.071 of the Texas Government Code, consultation with legal counsel regarding potential litigation concerning the tax abatement agreement between Ellis County and Direct Energy.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 14th day of December, 2012.



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 South doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the 14th day of December, 2012, at

4:16 a.m./p.m.

Cindy Polley, County Clerk

By Jina Chambers, 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.