

**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, January 28, 2008 at 6:00 P.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 Chad Adams

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 of the December 2007 Travel Reports of the Texas Cooperative Extension Office

Mark Arnold, Agriculture

Page Bishop, 4-H

Rita Hodges, Family & Consumer Sciences

A3 Approval and Certification of the Minutes from the Commissioners' Court Agenda dated:

June 11, 2007 - Regular	June 25, 2007 - Regular
July 5, 2007 - Special	July 9, 2007 - Regular
July 23, 2007 - Regular	July 30, 2007 - Special
August 13, 2007 - Regular	August 27, 2007 - Regular
August 30, 2007 - Special	September 6, 2007 - Special
September 10, 2007 - Regular	September 24, 2007 - Regular
October 8, 2007 - Regular	October 22, 2007 - Regular
November 13, 2007 - Regular	November 26, 2007 - Regular
December 10, 2007 - Regular	December 21, 2007 - Regular
January 14, 2008 - Regular	

Financial:

- F1 From 5-001-0400-0819 Computer, 5-001-0400-0803 Furniture to 5-001-0400-0801 Supplies – Judy Burden, Treasurer
- F2 From 5-005-0703-0911 Gen Misc to 5-001-0703-0906 Culverts – Heath Sims, Commissioner, Pct. 3
- F3 From 5-001-0420-0873 Maintenance to 5-001-0420-0877 Medical – Chris Aldama, Ellis County Juv. Services
- F4 Approve Tax Refund for Over Payment to Capital Title of Texas LLC, Account # 194788 for \$3,000; Capital Title, Account #185165 for \$17,420.98– John Bridges, Tax Collector/Assessor

3. ADMINISTRATIVE

3.1 Consideration and action to proclaim January 2008 as School Board Recognition Month in Ellis County.

- Chad Adams, County Judge

3.2 Consideration and action to approve the contract between Ellis County and HDR Architecture, Inc. for services for the Administration Building, Jail, and Parking Garage.

- Ann Montgomery, Assistant County and District Attorney

3.3 Consideration and action to accept the resignation of Eugene Williams from Italy Emergency Service District #3 effective immediately.

- Heath Sims, Commissioner, Pct. 3

3.4 Consideration and action to appoint James Steele to the Italy Emergency Service District Board #3 to fill the unexpired term of Eugene Williams, effective immediately through December 31, 2008. Mr. Steele will be eligible for reappointment at that time.

- Heath Sims, Commissioner, Pct. 3

3.5 Consideration and action to approve an Interlocal Participation Agreement with the Texas Association of Counties Risk Management Pool.

- Holly Davis, Special Projects Director

3.6 Consideration and action to approve the appointment of four (4) Prairie Ridge Fresh Water Supply District board members to fill existing vacancies on the board of directors.

- Barbra Leftwich, Ellis County Planner

3.7 Consideration and action to approve a resolution accepting the filing of a petition to create a Public Improvement District within Ellis County, Texas; setting a date for a Public Hearing;

authorizing the publication of notice; and enacting other provisions relating thereto.

- Barbra Leftwich, Ellis County Planner

3.8 Consideration and action to approve a development and financing agreement between Ellis County and PRA Prairie Ridge L.P., as developer of the Prairie Ridge development.

- Barbra Leftwich, Ellis County Planner

3.9 Consideration and action to engage Vinson & Elkins LLP, Ellis County's current bond counsel, for bond counsel services relating to the Prairie Ridge Public Improvement District.

- Barbra Leftwich, Ellis County Planner

3.10 Consideration and action to approve the General Permit MS4 Phase II Storm Water Discharge Notice of Intent Application.

- Ross Davis, Ellis County GIS
- Joe White, Ellis County Engineer

3.11 Consideration and action to appoint individuals to form a subcommittee to discuss and recommend changes pertaining to animal control.

- Dennis Robinson, Commissioner, Pct. 1

3.12 Consideration and action to retain Ray Perryman as a testifying expert to evaluate

the proposed Maypearl Water Control and Improvement District and analyze its potential effect on Ellis County, in a matter pending before the Texas Commission for Environmental Quality and the State Office of Administrative Hearings.

- Lee Auvenshine, Assistant County and District Attorney

3.13 Consideration and action to retain Mike Atwood as a testifying expert to prepare an accurate appraisal of the proposed Maypearl Water Control and Improvement District, in a matter pending before the Texas Commission for Environmental Quality and the State Office of Administrative Hearings.

- Lee Auvenshine, Assistant County and District Attorney

3.14 Presentation and discussion with Dan and Sherry Freeland, who live in Fox Run Development in City of Midlothian, regarding drainage issues in and around the development.

- Heath Sims, Commissioner, Pct. 3

4. DEPARTMENT OF COUNTY DEVELOPMENT

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

4.1 To grant a variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes, as it relates to 150' road frontage requirement to existing paved public street, 4641 FM 663, Edward and Jeanne Munger, Pct. 3.

4.2 To accept the construction of the infrastructure of Flying "W", Units IV and V, Paul Wilbur, Pct. 3.

4.3 Final Plat – Billingsley Farms, 71 lots, Harlan Properties, Inc., Pct. 4.

5. PURCHASING

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

5.1 To approve and award the bid for one (1) Durapatcher for Road and Bridge Pct. 1 to Texas Patcher at a total cost of \$42,981.10.

5.2 To approve the payment of \$889.67 to Michael and Renetta Key as full compensation for an accident that occurred in Waxahachie on 1/8/08. Payment will be made upon receipt of a full release.

6. RECESS TO CONVENE TO EXECUTIVE SESSION

7. 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.”

7.1 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning retention of testifying experts in a matter pending before the Texas Commission for Environmental Quality and the State Office of Administrative Hearings.

7.2 Pursuant to Section 551.071 of the Government Code, consultation with counsel concerning Cause No. 3:07-cv-01540; *Robbie Goggans v. Kevin Ketchum and Ellis County, Texas*; In the United States District Court, Northern District of Texas, Dallas Division

8. ADJOURNMENT OF EXECUTIVE SESSION

9. RECONVENE TO REGULAR SESSION

10. ADJOURNMENT

Signed this the 25th day of January,
2008.

Chad Adams
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 25th day of January, 2008, at _____ a.m./p.m.

Cindy Polley, County Clerk

By _____

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.