

**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, March 12, 2007 at 10:00 A.M., in the Commissioners' Courtroom, 101 West Main Street (2<sup>nd</sup> 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 Bill Dodson, Pct. 2

**2. CONSENT AGENDA – Consideration and Action:**

**Administrative:**

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

A2 Acceptance of the 2006 Racial Profiling Report from Terry Nay, Constable Precinct 2.

A3 Acceptance of Certificate of Completion for Diana Buckley for attendance and completion of the Basic Spotter Training Program presented by the National Weather Service.

A4 Acceptance of the Certificates of Completion for Keith Roberts and Holly Davis for participating in the Texas Courthouse Stewardship Workshop, presented by the Texas Historic Commission.

A5 To approve an increase to the contract cost for the Elevator Maintenance Contract – 061 IF 03531 to \$531.68, effective June 1, 2007, due to the increased straight time hourly labor cost for elevator examiners, from \$32.40 to \$33.445, as provided for in the original contract.

**Financial:**

F1 From 5-001-0614-0801 Supplies, 5-001-0614-0803 Furniture/Fixtures to 5-001-0614-0812 Radio, 5-001-0614-0805 Conference – Steve McKinney, Constable Pct. 4

F2 From 5-004-0652-0911 Gen. Exp to 5-004-0652-0703 Telephone – Bill Dodson, R&B Pct. 2

F3 From 5-010-0652-0902 Gas/Oil to 5-010-0652-0962 Lubricant – Bill Dodson, FM Pct. 2

F4 From 5-012-0754-0902 FM Gas/Oil to 5-012-0754-0962 FM Lubricants – Ron Brown, FM Pct. 4

F5 From 3-001-0000-0302 Fund Balance to 5-001-0010-0811 Auto Purchase – Chad Adams, County Judge

F6 From 5-001-0010-0902 Crime Prevention, 5-01-010-0904 Animal Control to 5-001-0010-0834 Crime Scene, 5-001-0010-0870 Estray – Ray Stewart, Ellis County Sheriff

F7 From 5-001-0015-0802 Equipment to 5-001-0015-0812 Radio – Ray Stewart, Ellis County Sheriff

F8 Refund for overpayment to First American Real Estate for Chase, Account #154455 for \$5,736.97 – John Bridges, Tax Assessor/Collector

F9 Refund for overpayment to WMS Realty Investors LLC, Account #227769 for \$2,825.68– John Bridges, Tax Assessor/Collector

**3. ADMINISTRATIVE**

3.1 Sheriff's annual report to the Commissioners Court and the annual racial profile report as required by law.

- Sheriff Ray Stewart, Sheriff's Department and Jail

3.2 Consideration and action to authorize the reclassification of a Detention Officer I slot to a Civilian Maintenance Supervisor at a pay rate of \$41,

360. The dollars are to be taken from the additional hires currently authorized for April 2007 and the Jail salary line item.

- Sheriff Ray Stewart, Sheriff's Department and Jail

3.3 Proclamation to declare the month of March as American Red Cross Month.

- Chad Adams, County Judge

3.4 Proclamation to declare the week of March 18-March 24 as National Agriculture Week in Texas.

- Chad Adams, County Judge

3.5 Consideration and action to give the County Judge the authority to sign an addendum to the contract with the Staubach Group originally approved by the Ellis County Commissioners Court on June 12, 2006.

- Heath Sims, Commissioner, Pct. 3

3.6 Consideration and action to approve an Interlocal Agreement between Ellis County and the City of Glenn Heights.

- Ron Brown, Commissioner, Precinct 4

3.7 Consideration and action to approve an Interlocal Agreement between Ellis County and the Red Oak Independent School District.

- Ron Brown, Commissioner, Precinct 4

3.8 Consideration and action as may be appropriate to approve Agreement Cooperation between County of Ellis and Ennis Garden Club (represented by Chairman of the Bluebonnet Trail Annual Event) Pursuant to Local Government Code §319.003 (a) and 319.004.

- Bill Dodson, Commissioner, Pct. 2

3.9 Consideration and action as may be appropriate to approve Work Order Under Agreement Cooperation between County of Ellis and Ennis Garden Club (represented by Chairman of the Bluebonnet Trail Annual Event).

- Bill Dodson, Commissioner, Pct. 2

- 3.10 Consideration and action to change the early voting hours for the March 12, 2007  
Special State Amendment Election and County Bond Election.  
- Jane Anderson, Elections Administrator
- 3.11 Consideration and action to approve the City of Garrett Local Option Election  
early voting schedule.  
- Jane Anderson, Elections Administrator
- 3.12 Consideration and action to approve the polling location for the City of Garrett  
Local Option Elections.  
- Jane Anderson, Elections Administrator
- 3.13 Consideration and action to approve the Interlocal Cooperation contracts for the  
lease of voting equipment between Ellis County and the City of Waxahachie, City of  
Palmer, City of Ovilla, City of Maypearl, City of Italy, City of Ferris, City of  
Red Oak, City of Oak Leaf, City of Ennis, City of Milford, Palmer ISD, Red  
Oak ISD, Ellis County Fresh Water Supply District No. 2, Ellis County Fresh  
Water Supply District No. 3.  
- Jane Anderson, Elections Administrator
- 3.14 Consideration and action to approve a fee of \$190 (4% of the cost of the machine)  
for the M-100 Precinct Scanner when leased or shared during a joint election.  
- Jane Anderson, Elections Administrator
- 3.15 Pursuant to Section 751.005(c) of the Texas Health & Safety Code, consideration  
and action to designate Jim Pharr as the individual responsible to investigate and  
report whether the minimum standards for ensuring public fire safety and order  
as prescribed by state and local laws, rules and orders will be maintained by a  
proposed mass gathering in the unincorporated area of Ellis County.  
- Lee Auvenshine, Assistant District Attorney

**4. DEPARTMENT OF COUNTY DEVELOPMENT**

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

- 4.1 To accept the completed roads Windview Court and the portion of Willow Bend  
Drive that is located in Windview Estates, Phase Two, David Stanton, Pct. 3.
- 4.2 To grant a variance from the Commissioners' Court of Ellis County Amended

Outdoor Business Order #215.06 as it relates to 50' minimum set-back from road,  
Martin Towing, located at 306 Mooreview, Paul Martin, Pct. 4.

4.3 To grant a variance from the Commissioners' Court of Ellis County Amended  
Outdoor Business Order #215.06 as it relates to 50' minimum set-back from road,  
Always Towing LLC, 310 Mooreview, Dale Wester, Pct. 4.

4.4 To grant a variance from the Commissioners' Court of Ellis County Amended  
Outdoor Business Order #215.06 as it relates to 50' minimum set-back from road,  
D&W Towing and Recovery Inc., 311 Mooreview, Charlie Davidson, Pct. 4.

4.5 To grant a variance from the Commissioners' Court of Ellis County Amended  
Outdoor Business Order #215.06 as it relates to 50' minimum set-back from road,  
Martin Towing, 2866 S. Hwy. 77, Paul Martin, Pct. 4.

4.6 To grant a variance from the Commissioners' Court of Ellis County Amended  
Outdoor Business Order #215.06 as it relates to 50' minimum set-back from road, 3-  
D Towing and Auto Transport, Inc., 5181 Hwy 67, Ruth Gaffney, Pct. 4.

4.7 Replat – Oak Ridge, Phase 2, tract 10; Phase 3, tract 16R; and Phase 4, lot 17R  
into Phase 2, lot 10R and Phase 4, lot 17R; Thomas and Jeanette Pieper, Pct. 3.

**5. RECESS TO CONVENE TO EXECUTIVE SESSION**

**6. 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 and §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 §551.071 and §551.072.”

**7. ADJOURNMENT OF EXECUTIVE SESSION**

**8. ADJOURNMENT**

Signed this the 8th day of March, 2007.

\_\_\_\_\_  
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 8th day of March, 2007, 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.