

**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, August 25, 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 Bill Dodson

2. CONSENT AGENDA – Consideration and Action:

Administrative:

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

A2 Approval of the July 2008 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:

July 28, 2008 Regular

August 11, 2008

Regular

A4 Approval of the issuance of tax-exempt bonds, Series 2008 and the project financed with the proceeds of the bonds for Methodist Hospitals of Dallas, identical to an approval executed in June 2007 for Series 2007 bonds. There is no financial obligation on the part of Ellis County.

A5 Approval of the renewal of FY 09/10 State Case Registry/Local Customer Service Contract between the Office of the Attorney General and Ellis County for Registry Only court information relating to Protective Orders and Family Violence under the Texas Family Code.

A6 Accept certificate of completion for Donna Eveden for the Attorney General's training course on the Texas Public Information Act.

- A7 Accept certificate of completion for Diana Buckley for the Metroplex Safety Summit offered by the Texas Department of Insurance, Division of Workers' Compensation

Financial:

- F1 From 3-003-0000-0302 Fund Balance to 5-003-0601-0911 Gen Expense, 5-003-0601-0930 Right of Way, 5-003-0601-0920 Contract Labor – Dennis Robinson, Commissioner, Pct. 1
- F2 From 3-005-0000-0302 Fund Balance to 5-005-0703-0902 Gas/Oil – Heath Sims, Commissioner, Pct. 3
- F3 From 5-001-0020-0705 Elevator, 5-001-0020-0807 Gen Misc to 5-001-0020-0702 Repair – Keith Roberts, Maintenance
- F4 From 5-001-0380-0888 Computer Service to 5-001-0380-0832 Visiting Judge, 5-001-0380-0801 Supplies – Greg Wilhelm, CCL #1
- F5 From 3-001-0000-0302 Fund Balance to 5-001-0425-0819 Computer – Chad Adams, County Judge
- F6 From 4-001-0010-0003-Misc Reimbursement to 5-01-0612-0809 Auto Repair – Terry Nay, Constable, Pct 2
- F7 From 5-009-0601-0902 Fuel, 5-009-0601-0920 Contract Labor, 5-009-0601-0903 Gravel to 5-009-0601-0904 Asphalt – Dennis Robinson, Commissioner Pct. 1
- F8 From 5-019-0010-0830 Copier Maintenance to 5-019-0010-0801 Books – Leanne Brindle, Law Librarian
- F9 From 5-001-0010-0902 Crime Prevention, 5-001-0010-0807 Gen Misc to 5-001-0010-0703 Telephone – Ray Stewart, Sheriff
- F10 From 5-001-0010-0888 Computer Services, 5-001-0010-0809 Auto Repair, 5-001-0010-0834 Crime Scene, 5-001-0010-0835 Employee Training, 5-001-0010-0865 Employee Screening, 5-001-0010-0870 Estray to 5-01-0010-0808 Auto Gas – Ray Stewart, Sheriff
- F11 From 5-001-0015-0819 Computer, 5-001-0015-0835 Employee Training, 5-01-0015-0702 Repairs to 5-001-0015-0813 Inmate Medical, 5-001-0015-0808 Auto Gas – Ray Stewart, Sheriff
- F12 From 5-001-0140-0558 Contingency to 5-001-0420-0801 Supplies – Chad Adams, County Judge

Simplified Plat

- 2.1 Maier's Subdivision, 1 lot, Christine and Eric Maier, Pct. 2

3. ADMINISTRATIVE

- 3.1 Consideration and action for Adoption of Order Upon Hearing and Granting Petition For The Creation of Ellis County Fresh Water Supply District No. 1 And Appointing Temporary Supervisors.
- Chad Adams, County Judge
- 3.2 Consideration and action to re-appoint Gary Bassett as Ellis County's representative on the Lakes Regional MHMR Board of Directors for a two-year term.
- Chad Adams, County Judge
- 3.3 Consideration and action to approve the Operations and Maintenance Plan for the Emergency Watershed Protection Program structures to be constructed in Ellis County.
- Joe White, County Engineer
- 3.4 Consideration and action to rescind Minute Order 301.08 authorizing the county to enter into a contract with CareFlite for Emergency Medical Services and authorizing the County Judge to sign said contract.
- Heath Sims, Commissioner, Pct. 3

- 3.5 Consideration and action to act on the recommendation to review a contract with East Texas Medical Center for Emergency Medical Services in the unincorporated areas of Ellis County and authorize the County Judge to sign said contract.
- Heath Sims, Commissioner, Pct. 3
- 3.6 Consideration and action to accept a donation of approximately 0.6354 acres of land by George Kent to Ellis County to be utilized as a right-of-way easement alongside of Baucum Road. Said donation would provide an additional 30 feet of right-of-way alongside a portion of Baucum Road, beginning at its intersection with Campbell Road and Angus Road and continuing in a northerly direction for approximately 931.31 feet.
- Heath Sims, Commissioner, Pct. 3
- 3.7 Consideration and action to rescind the Ellis County Burn Ban.
- Jim Pharr, Ellis County Fire Marshal Investigator
- 3.8 Consideration and action to accept the certification the signatures on a petition "TO LEGALIZE THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION ONLY" within the City of Waxahachie and order the election for November 4, 2008.
- Jane Anderson, Elections Administrator
- 3.9 Consideration and action to approve the certification of the signatures on a petition to "LEGALIZE THE SALE OF MIXED BEVERAGES IN RESTAURANTS BY FOOD AND BEVERAGE CERTIFICATE HOLDERS ONLY" within the City of Waxahachie and order the election for November 4, 2008.
- Jane Anderson, Elections Administrator
- 3.10 Consideration and action to approve an Intergovernmental Cooperative Reimbursement Contract between Ellis County and the Texas Commission on Environmental Quality (TCEQ) for the Low Income Vehicle Repair Assistance, Retrofit and Accelerated Vehicle Retirement (LIRAP).
- Holly Davis, Special Projects Director
- 3.11 Consideration and action to accept a grant from the TCEQ for the Emissions Reduction Incentive Program to reimburse Ellis County \$8,905.00 for the purchase of a Durapatcher by Road and Bridge Precinct 1.
- Holly Davis, Special Projects Director
- 3.12 Consideration and action regarding setting the date, time and locations of the public hearing on the proposed budget for Budget FY 2008-2009, pursuant to Texas Local Government Code §111.007, as follows:
September 8, 2008, 10:00 a.m.
Ellis County Commissioners Courtroom
101 West Main Street
Waxahachie, Texas, 75165
- Holly Davis, Special Projects Director
- 3.13 Consideration and action regarding discussing the Tax Rate for Budget FY 2008-2009 and take record vote to place the proposal to adopt the rate at a future meeting.
- Holly Davis, Special Projects Director

- 3.14 Consideration and action to schedule two (2) public hearings to discuss setting the proposed tax rate for Budget FY 2007-2008, and setting time and location of such public hearings, pursuant to Texas Tax Code §26.06, as follows:
September 8, 2008 at 10 a.m.
and
September 15, 2008 at 10 a.m.
- Ellis County Commissioners Courtroom
101 West Main Street
Waxahachie, Texas, 75165
- Holly Davis, Special Projects Director
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- 3.15 Consideration and action regarding approval of salaries, expenses and allowances of elected officials for Budget FY 2008-2009, pursuant to Texas Local Government Code §152.013.
- Holly Davis, Administrative Assistant
- 3.16 Consideration and action to approve the FY 2008-2009 Payroll Schedule.
- Chad Adams, County Judge
- 3.17 Consideration and action to approve the FY 2008-2009 Holiday Schedule.
- Chad Adams, County Judge
- 3.18 Consideration and action to approve the FY 2008-2009 Commissioners' Court Schedule.
- Chad Adams, County Judge
- 3.19 Consideration and action to approve a contract renewal with the Texas Department of State Health Services for printing Birth Certificates, effective September 1, 2008 through August 31, 2009.
- Cindy Polley, County Clerk

4. PURCHASING

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

- 4.1 To award the bid for the demolition of the 1929 Jail to Lindamood Excavating for the firm lump sum price of \$69,750 (Sixty nine thousand seven hundred fifty dollars).
- 4.2 To purchase one (1) 2007 Dodge Truck for the Extension Office from Southwest Kia in the amount of \$16,711.13.
- 4.3 To purchase two (2) 2009 Chevrolet 2500 HD for Weights and Measure Vehicles for the Sheriff's Office from Caldwell country Chevrolet in the amount of \$35,938.00 each for a total of \$71,876.00.

5. DEPARTMENT OF COUNTY DEVELOPMENT

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

- 5.1 To grant a one-time variance form County of Ellis Rules, Regulation and Specifications for Subdivisions and Manufactured Home Parks as it relates to the fire hydrant requirement for proposed Tre Vasca Estates. Tommy and Susan L. James, Pct. 2
- 5.2 To approve a Simplified Plat- Tre Vasca Estate, 3 lots, Tommy and Susan L. James, Pct. 2.

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 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.”

8. ADJOURNMENT OF EXECUTIVE SESSION

9. ADJOURNMENT

Signed this the 21st day of August, 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 21st day of August, 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.