

**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, September 8, 2008 at 10:00 A.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 Heath Sims

2. CONSENT AGENDA – Consideration and Action:

Administrative:

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

A2 To approve “no changes” to the Ellis County Sheriff and Constable Fees, effective January 1, 2009.

A3 Accept Certificates of Attendance for Judy Burden for completion of five hours of training on the Texas Public Funds Investment Act and related investment issues on August 21, 2008 and August 22, 2008

A4 Accept Certificate of Completion for Cheryl Zink, Joe Jimenez, and Diana Buckley for the Access I training course.

A5 Accept the Notice to Proceed for TCEQ Grant Contract No 582-8-89953 for the Ellis County Emissions Enforcement Program for September 1, 2008-August 31, 2009 fiscal year.

A6 Approve the First Amendment to the License Agreement dated October 25, 2004 with Telecom Towers, LLC and Ellis County for Waxahachie #2/90357 for a five year period, effective November 1, 2008 at an additional cost of \$300.22 per month.

Financial:

F1 From 5-001-0050-0804 Auto Insurance, 5-001-0050-0809 Auto Repair to 5-001-0050-0805 Conference, 5-001-0050-0801 Supplies – Mark Arnold, Extension

- F2 From 3-001-0000-0302 Fund Balance to 5-001-0050-0811 Auto Purchase – Chad Adams, County Judge
- F3 To authorize a refund for overpayment to Aurora Loan Service for account #148253 in the amount of \$2,700 - John Bridges, Tax Collector
- F4 To authorize a refund for overpayment to GMAC Mortgage for account #166369 in the amount of \$3,693.92 – John Bridges, Tax Collector
- F5 From 5-001-0360-0888 Computer Service, 5-001-0360-0833 Court Reporting, 5-001-0360-0846 Witness Fee to 5-001-0360-0601 Travel, 5-001-0360-0801 Supplies, 5-001-0360-0802 Equipment, 5-001-0360-0805 Conference, 5-001-0360-0853 Legal Research – Joe Grubbs, District Attorney
- F6 From 5-001-0430-2808 Gas, 5-001-0430-0805 Conference to 5-001-0430-0809 Repair – John Patterson, Emergency Management
- F7 From 4-001-0210-0719 Chapter 19 Funding to 5-001-0210-0801 Supplies – Jane Anderson, Elections
- F8 From 5-001-0611-0821 Uniform to 5-001-0611-0809 Tires – Ben Fry, Constable, Pct. 1
- F9 From 5-001-0140-0558 Contingency to 5-001-0614-0802 Equipment- Chad Adams, County Judge
- F10 From 5-001-0390-0703 Telephone, 5-001-0390-0801 Supplies, 5-01-0390-0873 Maint

Simplified Plat

- 2.1 Jason Westmoreland Addition, 1 lot, Jason Westmoreland, Pct. 2
- 2.2 Munger Addition, Edward and Jeanne Munger, 2 lots, Pct. 3

3. ADMINISTRATIVE

- 3.1 Consideration and action to accept the resignation of Don Watt from Italy Emergency Service District #3 board.
 - Heath Sims, Commissioner, Pct. 3
- 3.2 Consideration and action to appoint Vincente Guerrero to the board of Italy Emergency Service District #3 to fill the unexpired term of Don Watts. Mr. Guerrero’s term will expire on December 31, 2008 and he is eligible for reappointment at that time.
 - Heath Sims, Commissioner, Pct. 3
- 3.3 Consideration and action to accept the Option to Renew with Correctional Food Services for inmate food service at the Wayne McCollum Detention Center from September 21, 2008 through September 20, 2009 with an option to renew for four (4) additional years..
 - Charles Sullins, Sheriff’s Office
- 3.4 Consideration and action to accept the contract renewal for inmate medical care with Correctional Health Management.
 - Charles Sullins, Sheriff’s Office
- 3.5 Consideration and action to approve the purchase of ten (10) police vehicles at a cost of \$36,977 each (total \$369,770). The vehicles will be purchased through an Interlocal agreement with Tarrant from Legacy Ridge Autoplex. Vehicles will be turn key with all accessories and
 - Charles Sullins, Sheriff’s Office

County markings.

- 3.6 Consideration and action to approve a renewal of the salary supplements to the justices on the Tenth

Court of Appeals in the amount of \$1,615.00 for fiscal year 2008-2009.

- Holly Davis, Special Projects Director

4. RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING

5. PUBLIC HEARING

5.1 Public Hearing on the Proposed Ellis County Budget for Budget Fiscal Year 2008-2009 pursuant to Texas Local Government Code 111.007(a).

- Chad Adams, County Judge

5.2 Public Hearing on the Proposed Ellis County Tax Rate for Budget Fiscal Year 2008-2009 pursuant to Commissioners Court Announcement on August 25, 2008 (Minute Order No 327.08) of Public Hearing on Proposed Tax Rate for Budget FY 2008-2009.

- Chad Adams, County Judge

5.3 Public Hearing on the proposed archive fee to be collected by the County Clerk

- Cindy Polley, County Clerk

6. ADJOURNMENT OF PUBLIC HEARING

7. RECONVENE TO REGULAR SESSION

7.1 Consideration and action to implement the proposed archive fee in the county clerk office.

- Cindy Polley, County Clerk

7.2 Consideration and action to adopt the Ellis County Budget for FY 2008-2009, pursuant to Texas Local Government Code §111.007(a).

- Chad Adams, County Judge

7.3 Consideration and action to approve a contract with James R. Bolton Construction Company for removal of miscellaneous steel items in the 1929 Jail.

- Joe White, County Engineer

7.4 Consideration and action to contract with Terracon Geotechnical Services for additional drilling and geotechnical work at the jail, parking garage and court facility.

- Joe White, County Engineer

7.5 Consideration and action to approve a contract between the NCTCOG for the Cities Readiness Initiative project implementation and authorize the County Judge to sign the contract for the year running August 1, 2008 through July 31, 2009 .

- John Patterson, Emergency Management Coordinator

7.6 Consideration and action to approve a renewal of the Interlocal agreement with North Central Texas Council of Governments (NCTCOG) for the 9-1-1 communication center in the sheriff's department

- Holly Davis, Special Projects Director

7.7 Consideration and action to approve a contract with H.E. B. Pharmacy to enroll our Indigent Health clients in the discount prescription program.

- Diana Buckley, Human Services

7.8 Consideration and action to approve a contract with H. E. B. Pharmacy to enroll our employees in the discount prescription program for a one-time enrollment fee of \$1 per employee.

- Diana Buckley, Human Services

8. DEPARTMENT OF COUNTY DEVELOPMENT

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

8.1 To grant a one-time variance from County of Ellis Rules, Regulations and Specifications for Subdivisions and Mobile Home Parks as it relates to fire hydrants, Ken Vess, Pct. 3

8.2 Simplified Plat – Vess Valley Addition, Phase III, 1 lot, Ken Vess, Pct. 3

8.3 To grant a one-time variance for County of Ellis Rules, Regulations and Specifications for Subdivisions and Mobil Home Parks as it relates to lot size requirement, Marciano Romero, Pct.1

8.4 To grant a one-time variance for County of Ellis Rules, Regulations and Specifications for Subdivisions and Mobil Home Parks as it relates to fire hydrant requirement, Marciano Romero, Pct. 1.

8.5 To grant a one-time variance for County of Ellis Rules, Regulations and Specifications for Subdivisions and Mobil Home Parks as it relates to road frontage requirement, Kelly Kavanaugh, Pct. 3.

9. PURCHASING

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

9.1 To declare as surplus one (1) 1992 International Dump Truck (VIN 1HTSCPEPBNH45681) from Precinct 4 and approve disposal at auction

9.2 To approve the purchase of one (1) 2009 Chevrolet Impala for Juvenile Probation at a total cost of \$18,722. Purchase will be made through the Buy Board and the supplying dealer will be Caldwell Country Chevrolet.

10. RECESS TO CONVENE TO EXECUTIVE SESSION

11. 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 §551.074, 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 §551.074.”

11.1 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.

12. ADJOURNMENT OF EXECUTIVE SESSION

13. ADJOURNMENT

Signed this the 4th day of September, 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 4th day of September, 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.