

**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, November 24, 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 October 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 September 22, 2008 (Regular).

Financial:

F1 From 010-0653-50807 Gen Exp to 010-0653-50926 Debt Service – Bill Dodson, Commissioner, Pct. 2

F2 From 006-0754-40008 Interlocal Agreements to 006-0754-50906 Culverts – Ron Brown,

- Commissioner, Pct. 4
- F3 From 010-0653-40928 Auction Proceeds to 010-0653-50802 Equipment – Bill Dodson, Commissioner, Pct. 2
- F4 From 010-0653-40008 Interlocal Revenue to 010-0653-50911 Gravel – Bill Dodson, Commissioner, Pct 2
- F5 From 001-0210-40719 Chapter 19 Funding to 001-0210-50868 Contract Labor- Jane Anderson, Elections Administrator

3. ADMINISTRATIVE

- 3.1 Consideration and action to approve a Work Order under the Interlocal Agreement with the Maypearl Independent School District to patch parking lots and roadways owned by the Maypearl ISD.
- Heath Sims, Commissioner, Pct. 3
- 3.2 Consideration and action to issue payment to Wray and Willett, PLLC in the amount of \$1,850.00, pursuant to invoice pertaining to legal services performed on behalf of the Ellis Prairie Soil and Water Conservation District in opposition to a petition seeking to create the 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
- 3.3 Consideration and action to accept the recommendation of TCDRS (Texas County & District Retirement System) to maintain retirement benefits at the current level.
- Diana Buckley, Human Services
- 3.4 Consideration and action to designate Diana Buckley as Executive Sponsor and Donna Evenden as Wellness Coordinator for 2009 for the purpose of participating in the TAC Healthy County wellness initiative.
- Diana Buckley, Human Services
- 3.5 Consideration and action to approve the formation of the Ellis County Emergency Management and Response Advisory Committee that will be a technical and advisory board for the Ellis County Office of Emergency Management and the Ellis County Commissioners' Court on issues related to emergency management and emergency response.
- John Patterson, Emergency Management Coordinator
- 3.6 Consideration and action to sign a Facilities Extension Agreement in the amount of \$269,859.83 with TXU Electric Delivery Company for extension of electrical facilities necessary for construction of the Ellis County Bond Program.
- Joe White, County Engineer
- 3.7 Consideration and action to increase the existing contract with Flowers Construction Company for utility reroutes by \$44,132.51. This additional work includes conduits required by AT&T, conduits for county IT use and junction box construction.
- Joe White, County Engineer

- 3.8 Consideration and action to pay AT&T for telephone line reroutes necessary for construction of the Ellis County Bond Program. Cost not to exceed \$55,000.
 - Joe White, County Engineer
- 3.9 Consideration and action to pay Atmos Gas for pipeline relocations necessary for construction of the Ellis County Bond Program. Cost not to exceed \$54,000.
 - Joe White, County Engineer
- 3.10 Consideration and action to cancel the existing lease and substitute a new 5 year lease with an option to renew the lease at 5-year increments with an 8% lease increase for each lease renewal with Marty Zmolik for the Ellis County Adult Probation Department in Ennis, Texas, at a initial monthly rental of \$2,250, with an initial renovation and finish out cost payable to the landlord not to exceed \$31,500 on the newly leased premises.
 - Joe White, County Engineer
 - Alfred Mims, Community Supervision and Correction

4. DEPARTMENT OF COUNTY DEVELOPMENT

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

- 4.1 Replat – Buena Vista Heights, lots 6 and 7; Juan Barboza and Adam Russo, Pct. 3.
- 4.2 Discussion of proposed Slaughter House location at the address of 620 Greathouse Road, Pct. 3.
- 4.3 To approve withdrawing inter local agreements between Ellis County and cities for the responsibilities of the OSSF’s located within the city limits.

5. PURCHASING

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

- 5.1 To approve purchase of a Motorgrader for Road & Bridge Pct. 3. The price is \$167,475 and will be purchased through HGAC with a lease/purchase arrangement for three years. The lease/purchase will be through the John Deere Company.
- 5.2 To declare the remaining items that received no bids at the Sheriff’s auction on November 15, 2008 as salvage and allow the disposal/distraction of these items.

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 551.072 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”.

8. ADJOURNMENT OF EXECUTIVE SESSION

9. ADJOURNMENT

Signed this the 20th day of November, 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 20th day of November, 2008, at _____ a.m./p.m.

Cindy Polley, County Clerk

By _____
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.