

**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, April 27, 2009, 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 Carol Bush

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 Dennis Robinson

2. CONSENT AGENDA – Consideration and Action:

Administrative:

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

A2 Approval of the March 2009 Travel Reports of the Texas Cooperative Extension Office

Mark Arnold, Agriculture

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Rita Hodges, Family & Consumer Sciences

A3 To ratify an agreement with Bounce Around Texas for a bounce house at the Walk Across Texas Kick-Off event on April 25, 2009.

A4 Approve the transfer of an employee in R&B 3 from part-time to full time, effective May 11, 2009, increasing pay to \$13.00/hour, to replace a retiring employee (Heath Sims).

Financial:

- F1 From 001-0612-50808 Gas/Oil to 001-0612-50802 Equipment – Terry Nay, Constable, Pct. 2
- F2 From 001-0000-30302 Fund Balance to 001-0230-50890 County Supply Room – Carol Bush, County Judge
- F3 From 001-0370-50802 Equipment, 001-0370-50803 Furn//Fixtures, 001-0370-50873 Maintenance, 001-0370-50804 Postage to 001-0370-50801 Supplies – John Bridges, Tax Office
- F4 From 001-0020-50801 Supplies to 001-0020-50807 Gen Misc – Keith Roberts, Maintenance
- F5 From 001-0010-50807 Gen Misc to 001-0010-50812 Radio – Johnny Brown, Sheriff
- F6 From 001-0140-50880 Contingency/Reserve, 001-0140-50822 Legal Fees to 001-0140-50801 Supplies 001-0140-50823 Legal Notice, 001-0140-50887 Radio Tower – Carol Bush, County Judge
- F7 From 001-0320-50801 Supplies to 001-0320-50803 Furn/Fixtures – Cindy Polley, County Clerk
- F8 Approve refund of overpayment to the following accounts for payment in error (John Bridges):

Countrywide Tax Services Corp	#222501	\$4,461.25
Z C Sterling	#218492	\$3,250.27
- F9 From 001-0614-50810 Auto Tires, 001-0614-50809 Auto Repairs to 001-0614-50801 Supplies, 001-0614-50802 Equipment – Mike Jones, Constable, Pct. 4
- F10 From 001-0612-50808 Auto Gas/Oil to 001-0612-50812 Radio – Terry Nay, Constable Pct. 2
- F11 From 001-0140-50560 Compensatory Fringe to 001-0010-50502 Staff Salary – Carol Bush, County Judge
- F12 From 003-0601-30301 Fund Balance to 003-0601-50701 Utilities, 003-0601-50802 Equipment, 003-0601-50807 Gen Misc. – Dennis Robinson, Commissioner, Pct. 1
- F13 From 009-0602-30301 Fund Balance to 009-0602-50807 Gen Misc., 009-0602-50802 Equipment, 009-0602-50915 Asphalt, 009-0602-50909 Repairs/Parts, 009-0602-50911 Gravel, 009-0602-50913 Chemicals – Dennis Robinson, Commissioner, Pct. 1
- F14 From 009-0602-40008 Interlocal, 009-0602-40003 Misc. Reimbursement to 009-0602-50915 Asphalt, 009-0602-50802 Equipment – Dennis Robinson, Commissioner, Pct. 1

Simplified Plat:

- 2.1 Patak Place, 1 lot, Donna Simpson, Pct. 2.

3. ADMINISTRATIVE

- 3.1 Consideration and action to approve a proclamation declaring the week of April 27-May 2, 2009 as “Moral Courage Week” in Ellis County.
 - Carol Bush, County Judge
- 3.2 Consideration and action to approve a proclamation recognizing the Italy Gladiators Basketball Team for advancing to Regional Finals in Abilene, Texas.
 - Heath Sims, Commissioner, Pct. 3
- 3.3 Consideration and action to appoint Julie Hastings to the board of Avalon Emergency Service District #8 to fill the unexpired tem of Dave Bundrick. Julie’s term will expire on December 31, 2009 and she will be eligible for reappointment at that time.
 - Bill Dodson, Commissioner, Pct, 2

- 3.4 Consideration and action to approve a grant application by Constable Jimmie Ray for a Tobacco Compliance Grant.
 - Jimmie Ray, Constable, Pct. 3
- 3.5 Discussion and information regarding overweight trucks and road damage, presented by Sgt. Steuer of the Ellis County Sheriff's Office.
 - Dennis Brearley, Sheriff's Office
- 3.6 Pursuant to Local Government Code Sec. 263.151(2), consideration and action to declare the attached weapons as surplus and pursuant to Sec. 263.152(2) to offer the weapons as trade-in through GT Distributors for new property of the same general type in the best interest of the county.
 - Dennis Brearley, Sheriff's Office
- 3.7 Consideration and action to approve the purchase of property owned by Kenneth and Linda Wallace along Franks Road in Precinct 3 and giving the County Judge the authority to sign all documents related to the purchase. This is in association with the Federal Bridge Replacement Program that Precinct 3 entered into in 2006 and will be funded through the Precinct 3 Road and Bridge budget.
 - Heath Sims, Commissioner, Pct. 3
- 3.8 Consideration and action to establish the Safety Initiative Network, an informal committee made up of variable members from among regular employees of Ellis County, with the purpose of reviewing accidents and injuries in order to recommend training or workplace modifications that will help to prevent further accidents.
 - Diana Buckley, Director, Human Services

4. RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING

5. PUBLIC HEARING

- 5.1 Public hearing on the application for Recovery Assistance Grant funding

6. ADJOURNMENT OF PUBLIC HEARING

7. RECONVEVE TO REGULAR SESSION

- 7.1 Consideration and action to approve the application for Recovery Justice Assistance Grant (JAG) funding of \$76,950 over a four year period, to be used in the Sheriff's office.
 - Captain Chuck Laubach, Sheriff's Office

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 to Chad Davis from the County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to road frontage requirement of 150' at the location of 617 Zmolek Road in Precinct. 2.

9. ENGINEERING

Consideration and action regarding the following presented by Joe White, County Engineer:

- 9.1 To approve a contract with Fisk Electric in an amount not to exceed \$357,842 for security camera and access control systems associated with the bond program.
- 9.2 To approve a contract with Infinity Sound in an amount not to exceed \$284,000 for audio visual systems associated with the bond program.
- 9.3 To reject the bids for construction of the Ellis County Sub Courthouse to be located in Ennis, Texas.

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 §551.071, 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.”

- 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 24th day of April, 2009.

Carol Bush
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 24th day of April, 2009, 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.