

FILED FOR RECORD  
CINDY POLLEY  
ELLIS COUNTY CLERK

**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, October 12, 2009 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 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

POSTED

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**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 to direct all money that otherwise would be deposited in a salary fund, created under Chapter §154.007 of the Local Government Code, to be deposited into the general fund of Ellis County.
- A3 Approval to adopt an amended order to place the following vehicle on the list of authorized vehicles that are allowed to display regular exempt plates: UNIT #1001: 2010 Ford Pickup VIN# 1FTFW1CV2AFA07276
- A4 Accept Texas Department of Rural Affairs Certificate of Completion for 2009 Texas Community Development Block Grant Program Implementation Workshop for Holly Davis.
- A5 Approval of salary supplements for the County Attorney's Office to be paid with funds received from the Texas Comptroller of Public Accounts for discretionary expenses for the 2009-2010 budget year:

Habon Mohamed	\$4,630.00	C. Joanna Hill	\$1,145.00
David Finney	\$4,470.00	Kie Watkins	\$1,781.00
Sandy Fisher	\$5,818.00	Darin Jackson	\$3,350.00
Cristin Barnes	\$1,200.00		

- A6 Approval to change job titles in the Engineering office from Watershed Technician to Technician I and from GIS Technician to Technician II.
- A7 Approval and Certification of the Minutes from the Commissioners' Court Agenda dated:
- |                    |         |                    |         |
|--------------------|---------|--------------------|---------|
| August 10, 2009    | Regular | August 24, 2009    | Regular |
| September 8, 2009  | Special | September 14, 2009 | Regular |
| September 17, 2009 | Special | September 28, 2009 | Regular |

**Financial:**

- F1 From 001-0614-50821 Uniform, 001-0614-50819 Computer, 001-0614-50810 Tires, 001-0614-50809 Auto Repair, 001-0614-50805 Conference, 001-0614-50808 Gas to 001-0614-50703 Telephone, 001-0614-50811 Insurance, 001-0614-50801 Supplies – Mike Jones, Constable, Pct. 4
- F2 From 042-0942-40087 Sheriff Federal Forfeiture to 042-0942-50811 Auto Purchase – Johnny Brown, Sheriff
- F3 From 010-0653-40928 Auction Proceeds to 010-0653-50802 Equipment – Bill Dodson, Commissioner, Pct. 2
- F4 From 001-0613-50806 Bond/Dues, 001-0613-50801 Supplies, 001-0613-50503 Certification Pay to 001-0613-80809 Auto Repairs, 001-0613-50821 Uniform Expense, 001-0613-50703 Telephone – Jimmie Ray, Constable, Pct. 3
- F5 From 042-0942-40087 Sheriff Federal Forfeiture to 042-0942-50811 Auto Purchase – Johnny Brown, Sheriff
- F6 From 005-0703-50915 Asphalt to 005-0703-50910 Gas/Oil – Heath Sims, Commissioner, Pct. 3
- F7 From 006-0754-40008 Interlocal to 006-0754-50911 Gravel – Ron Brown, Commissioner, Pct. 4
- F8 From 009-0602-50807 Gen Expense to 009-0602-50962 Lubricants – Dennis Robinson, Commissioner, Pct. 1
- F9 From 001-0612-50806 Bond/Dues, 001-0612-50805 Conference, 001-0612-50802 Equipment to 001-0612-50810 Tires, 001-0612-50801 Supplies, 001-0612-819 Computers – Terry Nay, Constable, Pct. 2

**3. ADMINISTRATIVE**

- 3.1 Consideration and action to approve a proclamation declaring October 25-31, 2009 as Red Ribbon Week in Ellis County.  
 - Carol Bush, County Judge
- 3.2 Pursuant to Section 545.355 of the Texas Transportation Code, consideration and action to alter the speed limit on Hampton Road south of the Red Oak Creek Bridge from 35 MPH to 30 MPH due to the Commissioners Court's determination that the previous prima facie speed limit on the road was unreasonable and unsafe.  
 - Ron Brown, Commissioner, Pct. 4
- 3.3 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and City of Italy beginning October 1, 2009 through September 30, 2010.  
 - Heath Sims, Commissioner, Pct. 3
- 3.4 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and City of Maypearl beginning October 1, 2009 through September 30, 2010.  
 - Heath Sims, Commissioner, Pct. 3

- 3.5 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and City of Milford beginning October 1, 2009 through September 30, 2010.
  - Heath Sims, Commissioner, Pct. 3
- 3.6 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and City of Waxahachie beginning October 1, 2009 through September 30, 2010.
  - Heath Sims, Commissioner, Pct. 3
- 3.7 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and Italy ISD beginning October 1, 2009 through September 30, 2010.
  - Heath Sims, Commissioner, Pct. 3
- 3.8 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and Maypearl ISD beginning October 1, 2009 through September 30, 2010.
  - Heath Sims, Commissioner, Pct. 3
- 3.9 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and Midlothian ISD beginning October 1, 2009 through September 30, 2010.
  - Heath Sims, Commissioner, Pct. 3
- 3.10 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and Milford ISD beginning October 1, 2009 through September 30, 2010.
  - Heath Sims, Commissioner, Pct. 3
- 3.11 Consideration and action to approve an Interlocal Cooperation Contract between County of Ellis and Waxahachie ISD beginning October 1, 2009 through September 30, 2010.
  - Heath Sims, Commissioner, Pct. 3
- 3.12 Consideration and action to nominate candidates (s) for the Board of Directors of the Ellis Central Appraisal District for the term of 2010-2011, according to the Texas Tax Code, Title 1, Subtitle B, Chapter 6, Subchapter A, Section 6.03. .
  - Heath Sims, Commissioner, Pct. 3
- 3.13 Consideration and action to appoint two people to represent Ellis County on the Prairieland Groundwater Conservation District Board of Directors that was created by the 81stst Texas Legislature that will include Ellis, Hill, Johnson and Somervell counties.
  - Heath Sims, Commissioner, Pct. 3

**4. DEPARTMENT OF COUNTY DEVELOPMENT**

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

- 4.1 To grant a one time variance for County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to road frontage requirement, Green Manor Addition lot 2B, Barton Road, Maypearl, TX., Carmelo Lopez Izaguirre, Pct. 3.

- 4.2 To grant a one time variance for County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to fire hydrant requirement, Green Manor Addition lot 2B, Barton Road, Maypearl, TX., Carmelo Lopez Izaguirre, Pct. 3.

**5. ENGINEERING**

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

- 5.1 To contract with Davis and McDill for professional services involving easements, drafting and surveying for the Sub-Courthouse located in Ennis, the County Farm Development and the Adult Probation Building in Waxahachie.
- 5.2 To contract with AGTM Engineers for professional services for structural and foundation design of County Farm buildings and necessary modifications for the Adult Probation building located in Waxahachie.

**6. PURCHASING**

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

- 6.1 To purchase, for the Sheriff's Office, three (3) 2010 Ford Explorer XLT SUVs through Buy Board from Philpot Motors. Seized money will pay for the purchase. Estimated cost of each vehicle will be \$26,490.00 for an estimated total of \$79,470.00.
- 6.2 To declare one (1) 1984 International Truck at Precinct 4 as surplus and authorize disposal at auction.
- 6.3 To purchase one (1) 2001 International Truck, Model 3700 from fleet Motors for a total cost of \$9,000, for Precinct 4.

**7. RECESS TO CONVENE TO EXECUTIVE SESSION**

**8. EXECUTIVE SESSION**

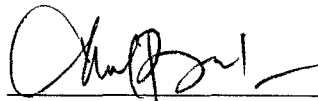
"The Commissioners' Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code §551.072, or to seek the advice 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 §551.072."

- 8.1 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".

**9. ADJOURNMENT OF EXECUTIVE SESSION**

10. ADJOURNMENT

Signed this the 8<sup>th</sup> day of October, 2009.



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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 8<sup>th</sup> day of October, 2009, at 3:27 a.m./p.m.

Cindy Polley, County Clerk

By Sara Chambers  
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.