

FILED FOR RECORD
CINDY POLLEY
ELLIS COUNTY CLERK

**NOTICE OF REGULAR MEETING
ELLIS COUNTY COMMISSIONERS' COURT**

ORIGINAL

Notice is hereby given that a regular meeting of the Ellis County Commissioners' Court will be held on Monday, December 14, 2009 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 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

PAID

COPY

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 To retain our existing plan with the Texas County and District Retirement System as reflected in the 2009/2010 budget approved by the Commissioners' Court (Diana Buckley).
- A3 Approval and Certification of the Minutes from the Commissioners' Court Agenda dated:

October 26, 2009	Regular	October 30, 2009	Special
November 9, 2009	Regular	November 12, 2009	Special
November 19, 2009	Special	November 23, 2009	Regular

Financial:

- F1 From 001-0140-50558 Contingencies/Reserve to 001-0140-50694 Employee Appreciation – Carol Bush, County Judge
- F2 From 001-0210-40719 Chapter 19 Funding to 001-0210-50800 Chapter 19 Expenditures – Jane Anderson, Elections
- F3 From 010-0653-50912 Bridge Repair to 010-0653-50906 Culverts – Bill Dodson, Commissioner

Simplified Plat:

- 2.1 Oak Branch Vista Estates, 2 lots, Danny and Susan Jones, Pct. 3
- 2.2 Farmer Road Estates, 1 lot, Paula Serna, Pct. 1

3. ADMINISTRATIVE

- 3.1 Presentation of an Award Certificate to Cheryl Chambers for the successful completion of the requirements of certification as a County Investment Officer (CIO).
 - Carol Bush, County Judge
- 3.2 Consideration and action in compliance with the rules of the Ellis County Bail Bond Board for the ratification and approval by the Commissioners Court of the appointment by the Ellis County Commissioners Court naming County Court at Law No. 2 Judge Gene Calvert to the slot statutorily designated for a judge of a county court or county court at law in the county having jurisdiction over criminal matters for the term of January through December 2010.
 - Carol Bush, County Judge
- 3.3 Consideration and action to approve a contract with the Ellis County SPCA for Animal Control and Shelter Services.
 - Bill Dodson, Commissioner, Pct. 2
- 3.4 Consideration and action to approve the early voting locations for the March 2, 2010 Democratic and Republican Primaries.
 - Jane Anderson, Elections Administrator
- 3.5 Consideration and action to approve the assignment of a tax abatement from ADS Alliance Data Services, Inc. to Direct Energy Operations, Inc. for the remainder of the tax abatement agreement.
 - Holly Davis, Special Projects Director
- 3.6 Consideration and action to approve a Memorandum of Understanding between Ellis County and the North Central Texas Council of Governments' Area Agency on Aging for services to Ellis County residents over age 60.
 - Holly Davis, Special Projects Director
- 3.7 Consideration and action to approve the appointment of Mary Flowers to the Ellis County Women's Building Board for a four-year term. She will replace Billie Maxwell who has completed her four-year term.
 - Holly Davis, Special Projects Director
- 3.8 Consideration and action to approve a decrease to the county mileage reimbursement from 55.0 cents per mile to 50.0 cents per mile in accordance with changes made by the Internal Revenue Service, effective January 1, 2010.
 - Holly Davis, Special Projects Director

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 from County of Ellis Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to an extension for the submission of the final plat for Prairie Ridge, Phase I, Brian R. Wade, Pct. 4.

5. **PURCHASING**

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

- 5.1 To declare a 1999 Ford Taurus (VIN 1FAFP53U2XA190945) Mileage 91,913 as surplus and authorize disposal at auction. Vehicle is from the District Attorney's Office
- 5.2 To approve the purchase of three (3) 2010 Ford Fusion passenger vehicles for the District Attorney's Office at a cost of \$16,431 each (\$49,293 plus BuyBoard Fee \$400= Total Order \$49,693). The purchase will be through the BuyBoard with delivery being made through the Planet Ford Dealership.
- 5.3 To award the 2010 Annual Contract for Printing Services to Gingerbread Press (Culego) based on low bid. Contract contains two (2) one year renewal options.
- 5.4 To award the 2010 Annual contact for Lightweight Road Surfacing Material to TXI Co. based on low bid. Contract contains two (2) one year renewal options.
- 5.5 To award the 2010 Annual Contract for Recycled Concrete Flex base to Big City Crushed Concrete based on low bid. Contract contains two (2) one year renewal options.
- 5.6 To award the 2010 Annual Contract for 50:50 Recycled Concrete/Asphalt to Big City Crushed Concrete. Contract has two (2) one year renewal options.
- 5.7 To award the 2010 Annual Contract for Unscreened Pit Run Gravel to Trinity Materials based on low bid. Contract contains two (2) one year renewal options.
- 5.8 To award the 2010 Annual Contract for Bulk Fuel to Avenue Fuel based on a price quote of Rack Price (price paid at the refinery) plus 0.08 cents. Contract contains two (2) one year renewal options.
- 5.9 Discussion only of a proposed purchasing procedure for new and used vehicles as requested by Commissioner Sims.

6. **RECESS TO CONVENE TO EXECUTIVE SESSION**

7. **EXECUTIVE SESSION**

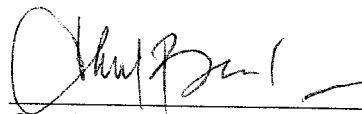
"The Commissioners' Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code §551.072, or to seek the advice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

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 10 day of December, 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 10 day of December, 2009, at 1:34 a.m./p.m. (p.m.)

Cindy Polley, County Clerk

By Carla Phillips
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.