

**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, February 22, 2010 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 Bill Dodson

2. CONSENT AGENDA – Consideration and Action:

Administrative:

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

A2 To accept the 2009 Racial Profile Report from the Ellis County Sheriff's Office (Johnny Brown).

A3 To approve a Work Order under Interlocal Agreement with the City of Ovilla for bridgework (Ron Brown).

Financial:

F1 From 001-0210-40719 Chapter 19 State Funding to 001-0210-50800 Chapter 19 Expenditures – Jane Anderson, Election Administrator

F2 From 031-0931-50807 Drug Forf/Gen Misc to 031-0931-50819 Drug Forf/Computer – Joe Grubbs, District Attorney

F3 From 001-0430-50802 Equipment to 001-0430-50801 Supplies – John Patterson, Emergency Management

F4	Approve refund of overpayment to the following for payment in error (John Bridges):		
	David D. Griffin	Acct. #138062	\$7,220.53
	Chase Home Finance, LLC	Acct. #195079	\$4,057.41
	Chesapeake Midstream Partners, LLC	Acct. #198075	\$3,395.39
	CitiMortgage	Acct. #196635	\$4,128.23
	Loancare Loan #5560925	Acct. #229790	\$2,464.82
	Wal-Mart	Acct. #236980	\$9,098.23

Simplified Plat:

- 2.1 Simplified Plat-Jack Estates, 2 lots, James Eubanks, Pct. 3.
- 2.2 Simplified Plat – Daniel Estates, 2 lots, Obie Eubanks, Pct. 3.

3. ADMINISTRATIVE

- 3.1 Consideration and action to approve the proposed redemption and conveyance of tax sale struck off property by Quitclaim Deed. Cause No. 16,953-TX; Ellis County, Trustee for itself and on Behalf of Waxahachie Independent School District and City of Waxahachie vs. Sandra Hawkins in the tax foreclosure judgment of said county, said property being located in Ellis County, Texas, and described as follows: Acct. No. 90200205300200112 (170869) 0.489 Acre, more or less, being a portion of Block 53, Original Townsite, City of Waxahachie, Ellis County, Texas as described in Deed Dated August 26, 2002, from Helen Williams to Sandra Hawkins, Recorded in Volume 1874, Page 1391, Deed Records of Ellis County, Texas, Save & Except However that Certain 0.1604 Acre, described in Volume 1974, Page 1088, Deed Records of Ellis County, Texas, Leaving herein a Residue of 0.329 Acre, More or Less.
 - Alan Bristol, Linebarger Googan Blair & Sampson, LLP
- 3.2 Consideration and action to approve an Agreement Cooperation between the County of Ellis and the Ennis Garden Club (represented by the Chairman of the Bluebonnet Trail Annual Event) pursuant to Local Government Code 319.003 and 319.004.
 - Bill Dodson, Commissioner, Pct. 2
- 3.3 Consideration and action to approve a Work Order Under Agreement Cooperation between the County of Ellis and the Ennis Garden Club (represented by Chairman of the Bluebonnet Trail Annual Event).
 - Bill Dodson, Commissioner, Pct. 2
- 3.4 Consideration and action to accept the resignation of Jimmy Roy from the Emergency Service District Board #6.
 - Heath Sims, Pct. 3
- 3.5 Consideration and action to reclassify one (1) Deputy I to a Civilian animal Control Officer at a salary of \$33,421.00 annually with o uniform allowance or certification pay.
 - Chuck Laubach, Sheriff’s Office

- 3.6 Consideration and action to accept the certification of qualified signatures on a Local Option Petition "TO LEGALIZE THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION ONLY" in the City of Red Oak and order an election to be held on May 8, 2010, the next uniform election date, in the City of Red Oak.
- Jane Anderson, Elections Administrator
- 3.7 Consideration and action to approve the election worker (clerk's position) salary from \$8.00 per hour to \$8.50 per hour to match the state rate of pay for the 2010 primary election worker's salary (Texas Administrative Code, Section 81.120).
- Jane Anderson, Elections Administrator
- 3.8 Consideration and action to approve the Early Voting schedule for the Democratic and Republican Run-off Primary Election.
- Jane Anderson, Elections Administrator
- 3.9 Consideration and action to accept two (2) grants of \$4,000 each from TxDOT programs "Click It or Ticket" and "Impaired Driver Mobilization" campaigns for the Constable Precinct 4 office and authorize the county judge to sign the Letter of Agreement for each grant program
- Mike Jones, Constable, Precinct 4
- 3.10 Consideration and action to execute an amended arbitration agreement authorizing a final continuance of Cause No 71-181-00458-08; *City of Midlothian and County of Ellis vs. Kehe Foods*, presently pending before the American Arbitration Association.
- Lee Auvenshine, Assistant County and District Attorney

4. DEPARTMENT OF COUNTY DEVELOPMENT

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

- 4.1 Preliminary Plat- McGregor Estates, Phases 2 and 3, 26 lots, Jeff McGregor, Pct. 3.

5. PURCHASING

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

- 5.1 To award the bid for the construction of the Adult Probation and Emergency Management Offices.

6. ENGINEERING

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

- 6.1 Approval for Infrastrux T&D Services to provide all labor, materials, equipment and supervision necessary to install 990 feet of underground conduit for street lights. This work is in association with Oncor and is a budgeted part of the Bond Program. Cost not to exceed \$8,000.

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 ___ day of February, 2010.

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 _____ day of February, 2010, 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.