

**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, August 23, 2010 at 6:00 P.M., in the Historic Ellis County Courthouse, Commissioners' Courtroom (2nd flr), 101 West Main Street, 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

2010 AUG 20 AM 10:33
CLERK
ELLIS COUNTY COURTHOUSE

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

CONSENT AGENDA – Consideration and Action:

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports
- A2 Approval of the July, 2010 Travel Reports of the Texas AgriLife Extension Office
 - Mark Arnold, Agriculture
 - Page Bishop, 4-H
 - Rita Hodges, Family & Consumer Sciences
- A3 Approval to declare the following two vehicles as surplus and allow for competitive bid and sale:
 - 1) 1996 Freightliner truck-tractor, 2) 2006 Mata brand 48' flatbed trailer.
- A4 Approval and Certification of the Minutes from the Commissioners' Court sessions dated: July 1, 2010 Special; July 12, 2010 Regular; July 15, 2010 Regular; July 26, 2010 Regular

Financial:

- F1 **From** 001-0010-40659, Insurance Reimburse; **To** 001-0010-50811, Auto Purchase. – Johnny Brown, Sheriff
- F2 **From** 001-0015-50502, Salary; **To** 001-0010-50811, Auto Purchase. – Johnny Brown, Sheriff
- F3 **From** 001-0015-50502, Salary; 001-0010-50502, Salary **To** 001-0010-50802, Equipment. – Johnny Brown, Sheriff
- F4 **From** 001-0020-50705, Elevator **To** 001-0020-50858, Custodial. – Keith Roberts, Maintenance
- F5 **From** 001-0310-50803, Furn/Fixtures **To** 001-0310-50806, Official Bond/Dues. – Melanie Reed, District Clerk
- F6 **From** 001-0310-50873, Maint/Rps/Office Equipment **To** 001-0310-50801, Supplies. – Melanie Reed, District Clerk
- F7 **From** 001-0360-40028, Revenues, Video Fees; 001-0360-40612, Revenues, Title IV Justice **To** 001-0360-50801, County Atty, Supplies; 001-0360-50853, County Atty, Legal Research; 001-0360-50799, County Atty, Copier Expenses. – Joe Grubbs, District Attorney
- F8 **From** 001-0380-50819, Computer **To** 001-0380-50832, Visiting Judge. – Greg Wilhelm, CCL #2
- F9 **From** 001-0425-50850, Medical; 001-0425-50851, Hospital; 001-0425-50852, Prescription; 001-0000-30302, Fund Balance **To** 001-0140-50557, Workers Comp; 001-0140-50860, Insurance Trust Fund; 001-0140-50701, Utilities; 001-0140-50703, Telephone; 001-0140-50708, Comprehensive Insurance; 001-0140-50825, Annual Audit; 001-0140-50831, Admin. Judicial; 001-0140-50866, Community Support; 001-0140-50868, Contract Services; 001-0140-50903, Settlement; 001-0140-50887, Radio Tower. -Carol Bush, County Judge
- F10 **From** 001-0450-50834, Crime Scene **To** 001-0450-50809, Auto Repairs; 001-0450-50803, Furniture. – Jim Pharr, Fire Marshal
- F11 **From** 003-0601-50807, RB1 Gen Misc **To** 003-0601-50915, RB1 Asphalt.– Dennis Robinson, RB 1
- F12 **From** 009-0602-50807, FM1, Gen Misc **To** 009-0602-50915, FM1 Asphalt; 009-0602-50962, FM1 Lubricant; 009-0602-50910, FM1 Fuel; 009-0602-50911, FM1 Gravel; 009-0602-50909, FM1 Repairs/Parts. – Dennis Robinson, RB 1
- F13 **From** 001-0613-50803, Furn/Fixtures; 001-0613-50805, Conferences; 001-0613-50812, Radio; 001-0613-50801, Supplies **To** 001-0613-50809, Auto Repairs – Jimmie Ray, Constable, Pct. #3
- F14 **From** 001-0613-50703, Telephone **To** 001-0613-50802, Equipment – Jimmie Ray, Constable, Pct#3
- F15 Approve refund of overpayment to the following:
- | <u>Refund to be issued to:</u> | <u>Account</u> | <u>Amount Due</u> |
|--------------------------------|----------------|-------------------|
| Texas Pioneer Title | 164617 | \$4,378.38 |

ADMINISTRATION

- 3.1 Consideration and action regarding appointment of an Ellis County representative on the Lakes Regional MHMR Center's Board of Directors for a two-year term.

- Carol Bush, County Judge

- 3.2 Consideration and action regarding discussing the Tax Rate for Budget FY 2010-2011 and take a record vote to place the proposal to adopt the rate at a future meeting.

- Carol Bush, County Judge

- 3.3 Consideration and action to schedule two (2) public hearings to discuss setting the proposed tax rate for Budget FY 2010-2011, and setting time and location of such public hearings, pursuant to Texas Tax Code §26.06 as follows:

Monday, September 13, 2010 at 10:00 a.m.
The Historic Ellis County Courthouse
Commissioners Courtroom (2nd floor)
101 W. Main St.
Waxahachie, TX 75165

and

Monday, September 20, 2010 at 10:00 a.m.
The Historic Ellis County Courthouse
Commissioners Courtroom (2nd floor)
101 W. Main St.
Waxahachie, TX 75165

- Carol Bush, County Judge

- 3.4 Consideration and action regarding setting the date, time and locations of the public hearing on the proposed budget for Budget FY 2010-2011, pursuant to Texas Local Government Code §111.007, as follows:

Monday, September 13, 2010 at 10:00 a.m.
The Historic Ellis County Courthouse
Commissioners Courtroom (2nd floor)
101 W. Main St.
Waxahachie, TX 75165

- Carol Bush, County Judge

- 3.5 Consideration and action regarding approval of salaries, expenses and allowances of elected officials for budget FY 2010-2011, pursuant to Texas Local Government Code §152.013.
- *Carol Bush, County Judge*
- 3.6 Consideration and approval to appoint Ramon Rife (Red Oak), Sherry Lopez (Midlothian) and Chris Scholz (Waxahachie) to the 2010 Salary Grievance Committee. These individuals having agreed to serve will be called in the event that a salary grievance is filed by an elected official. (Loc. Gov. Code Section 152.014)
- *Cindy Polley, County Clerk*
- 3.7 Consideration and approval of a contract between Ellis County and the Department of Health Service to provide on-line computer for the purpose of issuing state-issued birth certificates by the County Clerk who is the Local Registrar for Ellis County.
- *Cindy Polley, County Clerk*
- 3.8 Consideration and action to authorize the funding of five percent of the total cost to implement structural repairs to Chambers Creek Flood Prevention Sites No. 3, 12, 14 and 15, pursuant to the existing Watershed Protection Operation and Maintenance Agreement between Ellis County and the Ellis Prairie Soil and Water Conservation District. Ninety-five percent of the funding for the above described repairs will be provided by a matching grant funded by the Texas State Soil and Water Conservation Board pursuant to the Structural Repair Grant Program. A portion of the funding provided by Ellis County will be reimbursed due to the cost of administration provided by the Ellis County Engineer, Ellis County Dam Inspector and the Ellis County Purchasing Director.
- *David Ridgway, Engineering*
- 3.9 Consideration and action to authorize the funding of five percent of the total cost to implement structural repairs to Mountain Creek Flood Prevention Site No. 9, pursuant to the existing Watershed Protection Operation and Maintenance Agreement between Ellis County and the Dalworth Soil and Water Conservation District. Ninety-five percent of the funding for the above described repairs will be provided by a matching grant funded by the Texas State Soil and Water Conservation Board pursuant to the Structural Repair Grant Program.
- *David Ridgway, Engineering*
- 3.10 Consideration and action to appoint Billy Getzendaner to fill unexpired term of Jimmy Roy on Ellis County Emergency Service District #6. Term to expire in December, 2011.
- *Heath Sims, Commissioner Pct 3*

3.11 Consideration and action to approve contract with Ellis County and Ellis County Youth Expo for 2010.

- *Heath Sims, Commissioner Pct 3*

3.12 Consideration and action to approve an interlocal agreement between Ellis County and the North Central Texas Council of Governments for 9-1-1 Service, Equipment, Addressing and Database Maintenance.

- *Barbra Leftwich, County Planner*

DEPARTMENT OF COUNTY DEVELOPMENT

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

4.1 To grant a variance from Ellis County Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the road frontage requirement of 150' per lot to replat property, Radney Addition, Lot 1, Block 1, 1207 N. Creek Circle, Gary and Jody Radney; Luther and Deborah Vickery, Pct. 4.

4.2 To grant a variance from Ellis County Rules, Regulations and Specifications for Subdivisions and Manufactured Homes as it relates to the location of fire hydrants every 450' to replat property, Sunset Meadows, lots 3 & 4, Block B-C, 213 Marion Road, Chad and Rachel Starks, Pct. 3.

PURCHASING

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

5.1 To award the annual contract for Grade 4 Pea Gravel. Supplier to be determined on 8/19/10.

RECESS TO CONVENE TO EXECUTIVE SESSION

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 Chapter 551, 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."

- 6.1 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."

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 20th day of August, 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 20th day of August, 2010, at 10:33 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.