

CORRECTED NOTICE OF REGULAR MEETING

AND

NOTICE OF SPECIAL 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 27, 2007 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 Chad Adams

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 Heath Sims, Pct. 3

2. CONSENT AGENDA – Consideration and Action:

Administrative:

- A1 Approval of Regular Bills, Payroll, and Officers' Reports.
- A2 Approval of the July 2007 Travel Reports of the Texas Cooperative Extension Office
 - Mark Arnold, Agriculture
 - Page Bishop, 4-H
 - Rita Hodges, Family & Consumer Sciences
- A3 Acceptance of Certificate of Completion for Diana Buckley for a course of Training on the Texas Open Meeting Act that satisfies the legal requirement of Government Code Section 551.005.
- A4 Acknowledgement of Diana Buckley's recent appointment as Region III Director for the National Association of County Information Officers (NACIO).
- A5 Acceptance of the reassignment of the Ellis County contract with Government e-Management Solutions, Inc. ("GEMS") to N. Harris Computer Corporation.

Financial:

- F1 From 5-001-0613-0810 Auto Tires, 5-001-0613-0821 Uniform Expense, 5-001-0613-0811 Auto Insurance to 5-001-0613-0802 Equipment – Jimmie Ray, Constable Pct. 3
- F2 From 5-011-0703-0904 Asphalt to 5-011-0703-0912 Bridge Repair – Heath Sims, Commissioner, Pct. 3
- F3 From 5-010-0652-0840 Contract Labor to 5-010-06520-0911 General Expenses – Bill Dodson, Commissioner, Pct. 2
- F4 From 5-010-0652-0908 Lumber to 5-010-0652-0902 Gas/Oil – Bill Dodson, Commissioner, Pct. 2
- F5 From 5-010-0652-0906 Culverts to 5-010-0652-0901 Repairs/Parts – Bill Dodson, Commissioner, Pct. 2
- F6 From 5-001-0385-0803 Furniture/Fixtures, 5-001-0385-0801 Supplies to 5-001-0385-0807 Gen. Misc. – Gene Calvert, Judge, County Court at Law #2
- F7 From 3-001-0000-0302 Fund Balance to 5-001-0010-0811 Auto Purchase, 5-001-0375-0811 Auto Purchase, 5-001-0060-0802 Equipment, 5-001-0385-0802 Equipment – Chad Adams, County Judge
- F8 From 5-001-0340-0802 Equipment to 5-001-0530-0802 Equipment – Chad Adams, County Judge
- F9 Approval of a tax refund for overpayment to Homecomings Financial Network for Account #201718 in the amount of \$3,600 – John Bridges, Tax Assessor/Collector
- F10 From 5-009-0601-0911 Gen Misc/FM1 to 5-009-0601-0901 Repairs-Parts/FM1 – Dennis Robinson, Commissioner, Pct. 1
- F11 From 5-001-0360-0846 Witness Fee, 5-001-0360-0802 Equipment, 5-001-0360-0833 Court Reporting to 5-001-0360-0805 Conference, 5-001-0360-0807 Gen Misc. – Joe Grubbs,

District Attorney

F12 From 3-047-0000-0302 Fund Balance to 5-047-0000-0001 Gen. Exp. – Ray Stewart, Sheriff

F13 From 5-005-0703-0502 Wages to 5-005-0703-0911 Gen Misc. – Heath Sims, Commissioner, Pct 3

Simplified Plat

2.1 Harvest Rose Ranch, 2 lots, Larry La Rose, Pct. 3.

3. ADMINISTRATIVE

3.1 Consideration and action to approve a work order under an Interlocal Agreement Between Milford ISD and Ellis County Precinct 3 to patch two parking lots.

- Heath Sims, Commissioner, Pct. 3

3.2 Presentation and information about legislative changes to the Texas Emissions Reduction Plan (TERP) and the Low Income Vehicle Repair Assistance Program from Air Check Texas

- Jason Brown and Shannon Stevenson, North Central Texas Council of Governments

3.3 Consideration and action to approve a Proclamation declaring September 15, 2007 as Moral Courage Day in Ellis County.

- Chad Adams, County Judge

3.4 Consideration and action to approve a road abandonment, specifically to close Buchanan Dr. located in Quail Creek Village Sec. No. 2 Addition (within this private property), Ellis County, Texas including but not limited to all easements, dedications and right of ways.

- Ron Brown, Commissioner, Pct. 4

3.5 Consideration and action to adopt an order pursuant to §251.057 of the Texas Transportation Code to acknowledge the abandonment of approximately 20 feet of former county right-of-way adjacent to F.M. 55 near Avalon which has been enclosed by a fence continuously for more than 20 years.

- Lee Auvenshine, Assistant County and District Attorney

3.6 Discussion of the Ellis County Animal Control Ordinance.

- Heath Sims, Commissioner, Pct. 3

3.7 Consideration and action to approve an Interlocal Agreement between the City of

Mansfield, Texas and Ellis County, Texas, and Reinvestment Zone Number One, City of Mansfield, Texas for participation in the Tax Increment Zone for a period from January 1, 2006 through December 31, 2030.

- Barbra Leftwich, Ellis County Planner

3.8 Consideration and action to issue a letter of intent for the purchase of real property on Sonoma Trail in Ennis, Texas, for the site of a sub-courthouse, contingent upon conveyance of clear title to the property and other legal considerations.

- Joe White, Ellis County Engineer

3.9 Consideration and action to approve the Election Day Polling locations for November 6, 2007 Amendment Election.

- Jane Anderson, Elections Administrator

3.10 Consideration and action to approve the Early Voting schedule for November 6, 2007 Amendment Election.

- Jane Anderson, Elections Administrator

3.11 Consideration and action to approve a Lease Agreement with the City of Ovilla for the AutoMark voting equipment

- Jane Anderson, Elections Administrator

3.12 Consideration and action to approve a Lease Agreement with the City of Red Oak for the AutoMark voting equipment

- Jane Anderson, Elections Administrator

3.13 Consideration and action to enter into a pilot recovery agreement with AIM Healthcare Service for a period of 90 days, authorizing AIM to conduct financial audits of participating healthcare providers and make credit balance recoveries.

- Diana Buckley, Indigent Health Care Director

3.14 Consideration and action to approve the FY 2007-2008 Payroll Schedule.

- Debbie Sartor, Human Resources Director

3.15 Consideration and action to approve the renewal of medical and dental benefits through the Texas Association of Counties Health and Employee Benefits Pool.

- Debbie Sartor, Human Resources Director

3.16 Consideration and action to approve the contribution rate for retired county employees that are covered under the Ellis County health insurance plan.

- Debbie Sartor, Human Resources Director

3.17 Discussion only regarding TCDRS employee participation for part-time employees.

- Debbie Sartor, Human Resources Director

3.18 Consideration and action to approve proposed changes to the Ellis County Sheriff and Constable Fees, effective January 1, 2008.

- Holly Davis, Special Projects Director

3.19 Consideration and action to approve the FY 2007-2008 Holiday Schedule.

- Chad Adams, County Judge

3.20 Consideration and action to approve the FY 2007-2008 Commissioners' Court Schedule.

- Chad Adams, County Judge

3.21 Consideration and action regarding setting the date, time and locations of the public hearing on the proposed budget for Budget FY 2007-2008, pursuant to Texas Local Government Code §111.007, as follows:

September 10, 2007

10:00 a.m.

Ellis County Commissioners Courtroom

101 West Main Street

Waxahachie, Texas, 75165

- Holly Davis, Special Projects Director

3.22 Consideration and action regarding discussing the Tax Rate for Budget FY 2007-2008 and take record vote to place the proposal to adopt the rate at a future meeting.

- Holly Davis, Special Projects Director

3.23 Consideration and action to schedule two (2) public hearings to discuss setting the proposed tax rate for Budget FY 2007-2008, and setting time and location of such public hearings, pursuant to Texas Tax Code §26.06, as follows:

September 10, 2007 at 10 a.m.

and

September 17, 2007 at 10 a.m.

Ellis County Commissioners Courtroom

101 West Main Street
Waxahachie, Texas, 75165

- Holly Davis, Special Projects Director

3.24 Consideration and action regarding approval of salaries, expenses and allowances of elected officials for Budget FY 2007-2008, pursuant to Texas Local Government Code §152.013.

- Holly Davis, Administrative Assistant

3.25 Consideration and action to give the County Judge the authority to enter into a contract with Getzandaner Properties for the lease of a building located at the corner of Monroe and Franklin Streets in Waxahachie, Texas at a cost of \$500 per month, said lease to run parallel with the County lease on the Voter's Administration Building.

- Heath Sims, Commissioner, Pct. 3

3.26 Discussion concerning the Ellis County Personnel Policy Manual and the need for possible review and updating of the manual.

- Heath Sims, Commissioner, Pct. 3

4. PURCHASING

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

4.1 To approve the attached list as surplus for the Sheriff's Office and to approve placing the items up for auction.

4.2 To approve the purchase of steel outside the bid book from Eagle Steel to repair a bridge in Precinct 1 in the amount of \$130.40.

5. ADJOURN FOR PUBLIC MEETING

6. PUBLIC MEETING

6.1 Public meeting for proposed updated order for Ellis County On-Site Sewage Facility Rules and Regulations under the authority of Chapter 366, Texas Health and Safety Code.

7. ADJOURN TO REGULAR SESSION

8. DEPARTMENT OF COUNTY DEVELOPMENT

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

8.1 To approve a contract with VMSoft Products for the SAFE Software Program for Septic Maintenance Contract tracking at an annual cost of \$2,300.

8.2 To grant a variance to County of Ellis Rules, Regulations, And Specifications for Subdivisions And Manufactured Home Parks as it relates to the fire hydrant requirement on FM 55, Randy and Beverly Duckett; Pct. 2.

8.3 Replat – Grande Casa Ranchitos, Installment 2, lot 5 into 5A & 5B, Wynette Amason; Pct. 3.

8.4 Preliminary plat – Cottonwood Creek, Phase One, 146 lots, C.J. Cottonwood, L.P.; Pct. 4.

8.5 Final Plat – Black Champ Country Estates, 14 lots, T.F. Baker Properties, L.L.C.; Pct. 4.

8.6 To grant a variance to County of Ellis Rules, Regulations, And Specifications for Subdivisions And Manufactured Home Parks as it relates to the road frontage requirement of 150' on East Highland Road, Don and Paula Croft; Pct. 4.

8.7 To amend County of Ellis On-Site Sewage Facility Rules (copies available at the Ellis County Department of County Development Office), Delton Ake.

9. RECESS TO CONVENE TO EXECUTIVE SESSION

10. 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 and § 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 §551.071 and § 551.072.”

10.1 Pursuant to §551.071 of the Texas Government Code, consultation with legal counsel regarding current litigation.

10.2 Discussion regarding the purchase, exchange, lease, sale or value of real property as allowed by Texas Government Code, § 551.072, “if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.”

11. ADJOURNMENT OF EXECUTIVE SESSION

12. ADJOURNMENT

Signed this the 24th day of August, 2007.

Chad Adams
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 August, 2007, at _____ a.m./p.m.

Cindy Polley, County Clerk

By _____

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.

NOTICE OF SPECIAL MEETING

ELLIS COUNTY COMMISSIONERS' COURT

Notice is hereby given that a special meeting of the Ellis County Commissioners' Court will be held on **Thursday, August 30 at 12:30 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 Chad Adams

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 Ron Brown, Pct. 1

2. ADMINISTRATIVE

2.1 Consideration and action to approve the renewal and/or possible modification to the medical and dental benefits through the Texas Association of Counties Health and Employee Benefits Pool. Options include increasing the prescription drug benefits from no yearly deductible to a \$100.00 yearly deductible with co-payments remaining the same.

- Debbie Sartor, Human Resources Director

3. ADJOURN MEETING

Signed this the 27th day of August, 2007

Chad Adams
Ellis County Judge

I, the undersigned, County Clerk of the Ellis County Commissioners Court do hereby certify that the above Notice of Special 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 27th day of August 2007, at _____ a.m./p.m.

Cindy Polley, County Clerk

By: _____
Deputy Clerk

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