

**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 10, 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

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

2. CONSENT AGENDA – Consideration and Action:

Administrative:

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

A2 Accept Certificate of Completion of Emergency Management Institute's ICS-400: Advanced Incident Command System Command and General Staff for Diana Buckley

A3 Accept placing the following vehicles on the list of authorized vehicles that are allowed to display regular exempt plates: 1999 Chevy Silverado, VIN #ZBCEC19T4X1153804 and 2000 Honda Accord VIN #1HGEJ8242YL099952 (Chuck Laubach, Sheriff's Office)

A4 Approval and Certification of the Minutes from the Commissioners' Court Agenda dated:

July 7, 2009 Special

July 13, 2009 Regular

July 20, 2009 Special

July 27, 2009 Regular

Financial:

F1 From 001-0360-50805 Conference to 001-0360-50846 Witness Fee – Joe Grubbs, District Atty.

F2 From 001-0360-40028 Video Fees to 001-0360-50801 Supplies – Joe Grubbs, District Atty.

F3 From 009-0602-50807 Gen Misc to 009-0602-50909 Repairs/Parts – Dennis Robinson, Commissioner, Pct. 1

- F4 From 001-0520-50812 Radio, 001-0520-50873 Maint/Repair to 001-0520-50801 Supplies, 001-0520-50805 Conference – Jackie Miller, Jr. JP Pct. 2
- F5 From 001-0320-50801 Supplies to 001-0320-50805 Conference – Cindy Polley, County Clerk
- F6 From 004-0652-30302 Fund Balance to 004-0652-50911 Gravel, 004-0652-50915 Asphalt – Bill Dodson, Commissioner, Pct. 2
- F7 From 001-0210-40719 Chapter 19 Funding, 001-0210-50801 Supplies to 001-0210-50800 Chapter 19 Expenditures – Jane Anderson, Elections
- F8 From 001-0015-50502 Staff Salary to 001-0015-50815 Jailer Uniform – Johnny Brown, Sheriff
- F9 From 001-0530-50812 Radio, 001-0530-50873 Maint Ofc Equip to 001-0530-50802 Equipment, 001-0530-50801 Supplies – Curtis Polk, JP Pct. 3
- F10 From 001-0020-50801 Supplies to 001-0020-50815 Uniforms, 001-0020-50858 Custodial Supplies – Keith Roberts, Maintenance
- F11 From 001-0614-50808 Gas to 001-0614-50802 Equipment, 001-0614-50812 Radio, 001-0614-50803 Furniture – Mike Jones, Constable Pct. 4
- F12 Approve refund of overpayment to EMC Mortgage Corporation, account #199550 for \$2,545.06 payment in error (John Bridges).

3. ADMINISTRATIVE

- 3.1 Presentation from the Executive Director of the North Texas Behavioral Health Authority.
 - Alex Smith, North Texas Behavioral Health Authority (NTBHA)
- 3.2 Consideration and action to implement flexible spending accounts for medical expenses and child care expenses as allowed by law, utilizing an existing benefit provider, AFLAC, to administer the plan.
 - Diana Buckley, Human Services
- 3.3 Consideration and action to allow retiree medical insurance premiums to remain unchanged for the 2009-2010 plan year.
 - Diana Buckley, Human Services
- 3.4 Consideration and action to adopt a resolution encouraging our legislators to take the time to consider proposed federal health care legislation very carefully, to avoid rushing into a program that will hurt of citizens of this community and this nation, and to seek , instead, to design real and lasting solutions to the problem of access to health care.
 - Diana Buckley, Human Services
- 3.5 Consideration and action to accept a donation of 0.2266 tenths of an acre to Ellis County located in Road and Bridge Precinct 3 by Mrs. Casey Mathews and Mrs. Deonna Wesson and give the County Judge authority to sign any and all documents related to this donation. This property is being donated from two separate tracts of 0.1036 and 0.1230 respectably for the bridge improvement project on Franks Road through the federal bridge replacement project between Road and Bridge 3 and TXDOT.
 - Heath Sims, Commissioner, Pct. 3

- 3.6 Consideration and action to accept a grant award from the Edward Byrne Memorial Justice Assistance Grant Program CFDA#16.804 for \$76,950.
- Chuck Laubach, Sheriff's Office
- 3.7 Consideration and action to approve the polling locations for the November 3, 2009 Election.
- Jane Anderson, Elections Administrator
- 3.8 Consideration and action to approve the November 3, 2009 early voting schedule.
- Jane Anderson, Elections Administrator
- 3.9 Consideration and action to approve the lease of one handicap voting machine (Auto Mark) to the City of Ovilla.
- Jane Anderson, Elections Administrator
- 3.10 Consideration and action to approve a contract between Ellis County and the Texas Department of Family and Protective Services for Title IV-E Legal Services from September 1, 2009 through August 31, 2010.
- Holly Davis, Special Projects Director
- 3.11 Consideration and action regarding setting the date, time and locations of the public hearing on the proposed budget for Budget FY 2009-2010, pursuant to Texas Local Government Code §111.007, as follows:
August 24, 2009, 6:00 p.m.
Ellis County Commissioners Courtroom
101 West Main Street
Waxahachie, Texas, 75165
- Holly Davis, Special Projects Director
- 3.12 Consideration and action regarding discussing the Tax Rate for Budget FY 2009-2010 and take record vote to place the proposal to adopt the rate at a future meeting.
- Holly Davis, Special Projects Director
- 3.13 Consideration and action to schedule two (2) public hearings to discuss setting the proposed tax rate for Budget FY 2009-2010, and setting time and location of such public hearings, pursuant to Texas Tax Code §26.06, as follows:
August 24, 2009 at 6 p.m.
Ellis County Commissioners Courtroom (2nd Floor)
101 West Main Street
Waxahachie, Texas, 75165
and
September 8, 2009 at 8:15 a.m.
378th District Courtroom (1st Floor)
101 West Main Street
Waxahachie, Texas, 75165
- Holly Davis, Special Projects Director

3. 14 Consideration and action regarding approval of salaries, expenses and allowances of elected officials for Budget FY 2009-2010, pursuant to Texas Local Government Code §152.013.
- Holly Davis, Special Projects Director

4. ENGINEERING

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

- 4.1 To select Bauhaus IG as the successful low bidder to provide and install the new furniture for the Ellis County Bond Program at a contract amount of \$1.2 million which is within the bond budget.
(Jon Vidaurri)

5. PURCHASING

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

- 5.1 To declare scrap metal at Precinct 4 as salvage and authorize disposal. Bids were solicited as surplus and no bids were received.
- 5.2 To purchase a fully outfitted 2008 Dodge Charger at an approximate cost of \$30,000 for the Sheriff's Office. Supplier is John Wright and Associates

6. DEPARTMENT OF COUNTY DEVELOPMENT

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

- 6.1 Replat - R.D.T. Development, lot 1 into lots 1A & 1B, Randall Dyess, Pct. 3.
- 6.2 Final Plat – Country Creek Farm, Phase 3, 7 lots, Jim Spitzer, Pct. 3.

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 §551.071, 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.”

- 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 6th day of August, 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 6th day of August, 2009, 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.