

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – MARCH 10, 2020

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, MARCH 10, 2020 AT 2:03 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2<sup>ND</sup> FLOOR) 101 W. MAIN STREET, WAXAHACHIE, TEXAS AT WHICH TIME THE FOLLOWING WAS DISCUSSED AND CONSIDERED, TO-WIT:

**MEMBERS PRESENT:**

COUNTY JUDGE: TODD LITTLE

COUNTY CLERK: KRYSTAL VALDEZ

**COMMISSIONERS:**

RANDY STINSON, COMMISSIONER, PCT. 1  
LANE GRAYSON, COMMISSIONER, PCT. 2  
PAUL PERRY, COMMISSIONER, PCT. 3  
KYLE BUTLER, COMMISSIONER, PCT. 4

**OPENING COURT**

COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO OPEN MEETINGS ACT.

MOTION TO OPEN COURT BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *KYLE BUTLER, COMMISSIONER, PRECINCT 4*

**PUBLIC COMMENT** - MEMBERS OF THE PUBLIC WILL HAVE THE OPPORTUNITY TO MAKE THEIR COMMENTS AT THE TIME THE AGENDA ITEM IS BEING ADDRESSED.

**RECOGNITIONS/COMMENDATIONS/AWARDS:**

AA RECOGNITION OF ELLIS COUNTY EMPLOYEE, JEREMY OSTEEN.

PUBLIC PARTICIPATION: SUSAN HARRIS – ITALY

AB COMMENDATION OF EMMA MUNGUIA, WINNER OF THE COUNTY SPELLING BEE.

**MINUTE ORDER 164.20 APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

A1 APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS

A2 APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM FEBRUARY 25, 2020.  
– KRYSTAL VALDEZ, COUNTY CLERK

- A3 APPROVING INTERLOCAL AGREEMENTS BETWEEN ELLIS COUNTY PRECINCT 2 AND CITY OF ALMA TO REHABILITATE LYNDEL ROAD TO SOUTH OLD ALMA TO RR CROSSING, IN THE AMOUNT OF \$12,000.00. – *LANE GRAYSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 2*
- A4 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND CITY OF WAXAHACHIE FOR A TERM AGREEMENT FROM JANUARY 1, 2020 THROUGH DECEMBER 31, 2020. – *KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4*
- A5 APPROVING A PAYMENT TO THE CITY OF ENNIS WITH FUNDS FROM THE COUNTY & DISTRICT ATTORNEY ASSET FORFEITURE FUNDS IN THE AMOUNT OF \$15,000.00 FOR THE PURCHASE OF BODY CAMERAS FOR THE ENNIS POLICE DEPARTMENT. COURT APPROVAL IS REQUIRED BY ARTICLE 59.06(D-1)(6)(A), TEXAS CODE OF CRIMINAL PROCEDURE. –*PATRICK WILSON, COUNTY & DISTRICT ATTORNEY.*
- A6 ACCEPTING THE 2019 RACIAL PROFILING REPORT FOR ELLIS COUNTY SHERIFF'S OFFICE. – *CHUCK EDGE, SHERIFF*
- A7 AUTHORIZING THE COUNTY JUDGE TO SIGN TWO LEASE AGREEMENTS FOR RENTAL OF AN ADA EXPRESSVOTE MARKING DEVICE FOR THE CITY OF MANSFIELD AND ROCKETT SPECIAL UTILITY DISTRICT TO USE IN CONDUCTING THEIR ELECTION ON MAY 2, 2020. – *JANA ONYON, ELECTIONS*
- A8 AUTHORIZING THE COUNTY JUDGE TO SIGN A LETTER OF ENGAGEMENT WITH ATWOOD VALUATIONS FOR PROFESSIONAL APPRAISAL SERVICES. – *TODD LITTLE, COUNTY JUDGE*
- A9 ACCEPTING MONTHLY TRAVEL REPORTS FOR TEXAS A&M AGRILIFE COUNTY AGENTS. – *MARK ARNOLD, TEXAS A&M AGRILIFE EXTENSION OFFICE*

**FINANCIAL:**

- F1 **FY 2019-20 BUDGET AMENDMENT:** INCREASE 001-0000-303020 BUDGETED FUND BALANCE BY \$32,601.00; INCREASE 001-0330-400960 STATE LEO PAYMENT BY \$12,908.00; INCREASE 001-0613-400960 STATE LEO PAYMENT BY \$169.00; INCREASE 001-0010-508200 LEOSE TRAINING BY \$45,509.00; INCREASE 001-0613-508200 LEOSE TRAINING BY \$169.00, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. THIS IS ANNUAL LEOSE REVENUE FROM THE STATE. – *K.W. WINKLES, AUDIT*
- F2 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0015-508880 COMPUTER SERVICES BY \$287.84; INCREASE 001-0015-508190 COMPUTERS BY \$287.84. – *MITCH BARTLEY, JAIL*
- F3 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0015-508880 COMPUTER SERVICES BY \$280.32; INCREASE 001-0015-508210 JAILER UNIFORM BY \$280.32. – *MITCH BARTLEY, JAIL*
- F4 **FY 2019-20 BUDGET AMENDMENT:** INCREASE 001-0210-407190 CHAPTER 19 FUNDING BY \$3,480.90; INCREASE 001-0210-508000 CHAPTER 19 EXPENDITURES BY \$3,480.90, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. THIS IS CHAPTER 19 REVENUE/REIMBURSEMENT FOR SALARY AND NEWSPAPER AD EXPENDITURES. – *K.W. WINKLES, AUDIT*

- F5 **FY 2019-20 BUDGET AMENDMENT: INCREASE 010-0000-303020 FM2 FUND BALANCE BY \$125,000.00; INCREASE 010-0653-508680 FM2 CONTRACT LABOR BY \$125,000.00. – LANE GRAYSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 2**
- F6 **FY 2019-20 LINE ITEM ADJUSTMENT: DECREASE 001-0140-508680 CONTRACT SERVICES BY \$22,600.00; INCREASE 001-0140-508880 COMPUTER SOFTWARE BY \$22,600.00. – K.W. WINKLES, AUDIT**
- F7 **FY 2019-20 LINE ITEM ADJUSTMENT: DECREASE 001-0140-505580 CONTINGENCIES/RESERVE BY \$18,700.00; INCREASE 001-0140-508880 COMPUTER SOFTWARE BY \$18,700.00. – K.W. WINKLES, AUDIT**
- F8 **FY 2019-20 LINE ITEM ADJUSTMENT: DECREASE 010-0653-508070 FM2 GENERAL EXP. BY \$20,000.00; INCREASE 010-0653-508020 FM2 EQUIPMENT BY \$20,000.00. – LANE GRAYSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 2**
- F9 **ACCEPTING THE TABULATED REPORT OF THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM FEBRUARY 15, 2020 – FEBRUARY 28, 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – K.W. WINKLES, AUDIT**

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

**REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:**

**DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 165.20** (1.1) APPROVING A REQUEST TO RELEASE A PERFORMANCE BOND IN THE AMOUNT OF \$287,220.00 AND ACCEPT A MAINTENANCE BOND IN THE AMOUNT OF \$121,288.00 FOR DRAINAGE IMPROVEMENTS FOR SPRINGSIDE ESTATES, PHASE ONE. THE PROPERTY CONTAINS ± 88.651 ACRES OF LAND LOCATED ON THE NORTH SIDE OF BROADHEAD ROAD ±650 FEET WEST OF GIBSON ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT No. 4.

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

**MINUTE ORDER 166.20** (1.2) APPROVING A REQUEST TO RELEASE A PERFORMANCE BOND IN THE AMOUNT OF \$927,312.60 AND ACCEPT A MAINTENANCE BOND IN THE AMOUNT OF \$371,113.00 FOR PAVING IMPROVEMENTS FOR SPRINGSIDE ESTATES, PHASE ONE. THE PROPERTY CONTAINS ±88.651 ACRES OF LAND LOCATED ON THE NORTH SIDE OF BROADHEAD ROAD ± 650 FEET WEST OF GIBSON ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT No. 4.

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

**MINUTE ORDER 167.20** (1.3) APPROVING A REQUEST TO ACCEPT A PERFORMANCE BOND IN THE AMOUNT OF \$1,700,000.00 FOR THE CROSS FENCE AT OAK VISTA SUBDIVISION. THIS PROPERTY CONTAINS ± 248.60 ACRES OF LAND IN THE S. B. ORTON SURVEY, ABSTRACT NO. 813, AND THE J. FIFER SURVEY, ABSTRACT NO. 352, THE D.M. McNEIL SURVEY, ABSTRACT NO. 71 LOCATED ON THE NORTH SIDE OF FM 66 ± 6,200 FEET WEST OF ARROWHEAD ROAD IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITIES OF WAXAHACHIE AND MAYPEARL, ROAD & BRIDGE PCT. NO. 3.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

**MINUTE ORDER 168.20** (1.4) APPROVING A FINAL PLAT OF ALEJANDRE SUBDIVISION. THE PROPERTY CONTAINS ± 1.991 ACRES OF LAND IN THE NATHANIEL HODGE SURVEY, ABSTRACT NO. 509, LOCATED ALONG CANE ROAD, ± 3,660 FEET NORTHWEST OF THE INTERSECTION OF FM 985 & CANE ROAD, BARDWELL, ROAD & BRIDGE PRECINCT NO. 2.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

**NO ACTION** (1.5) CONSIDERATION AND ACTION UPON A FINAL PLAT OF ALEJANDRE SUBDIVISION. THE PROPERTY CONTAINS ± 1.991 ACRES OF LAND IN THE NATHANIEL HODGE SURVEY, ABSTRACT NO. 509, LOCATED ALONG CANE ROAD, ± 3,660 FEET NORTHWEST OF THE INTERSECTION OF FM 985 & CANE ROAD, BARDWELL, ROAD & BRIDGE PRECINCT NO. 2.

## **PURCHASING**

**MINUTE ORDER 169.20** (2.1) AUTHORIZING THE COUNTY JUDGE TO EXECUTE A LEASE AGREEMENT WITH AMERICAN NATIONAL LEASING FOR A 2020 FORD 4x4 CREW CAB WITH EMERGENCY EQUIPMENT FROM CAP FLEET FOR SHERIFF'S OFFICE, ANIMAL CONTROL DIVISION. THIS WILL BE A FIVE (5) YEAR LEASE.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

## **ADMINISTRATIVE**

**MINUTE ORDER 170.20** (3.1) AMENDING THE SCHEDULE FOR REGULARLY CALLED COMMISSIONERS' COURT DATES. – *TODD LITTLE, COUNTY JUDGE*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

**MINUTE ORDER 171.20** (3.2) APPROVING THE INSTALLATION OF AN ELECTRONIC LOCKING SYSTEM BY BAT SECURITY TO CONTROL ACCESS TO THE ELLIS COUNTY HISTORIC COURTHOUSE AT A COST OF \$14,984.00. – *TODD LITTLE, COUNTY JUDGE*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

**MINUTE ORDER 172.20** (3.3) ADOPTING AN ORDER WITH RESPECT TO REPUBLIC SERVICES, IN. PROJECT AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE CERTIFICATES APPROVING THE ORDER AND PUBLIC HEARING. – *TODD LITTLE, COUNTY JUDGE*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

**MINUTE ORDER 173.20** (3.4) ADOPTING AN ORDER WITH RESPECT TO WASTE MANAGEMENT, INC. PROJECT AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE CERTIFICATES APPROVING THE ORDER AND PUBLIC HEARING. – *TODD LITTLE, COUNTY JUDGE*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED WITH COMMISSIONER PERRY VOTING NO

**MINUTE ORDER 174.20** (3.5) APPROVING THE IMPLEMENTATION OF AN ELLIS COUNTY EMPLOYEE COMMUNICABLE DISEASE POLICY. – *THERESA TAYLOR, HUMAN RESOURCES*

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

**MINUTE ORDER 175.20** (3.6) FINDING THAT THE DELIBERATION OF THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON. – *TODD LITTLE, COUNTY JUDGE.*

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

**RECESS TO CONVENE TO EXECUTIVE SESSION**      **2:51 P.M.**

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIES

## **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, 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.

- 4.1 PURSUANT TO §551.074 OF THE GOVERNMENT CODE, TO DISCUSS PERSONNEL MATTERS.
- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, TO DISCUSS PENDING OR CONTEMPLATED LITIGATION.
- 4.3 PURSUANT TO §551.072 OF THE GOVERNMENT CODE, TO DISCUSS THE PURCHASE, EXCHANGE, LEASE OR VALUE 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 AND RECONVENE TO REGULAR SESSION      3:25 P.M.**

MOTION TO ADJOURN BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIES

## **ADJOURNMENT      3:25 P.M.**

MOTION TO ADJOURN BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIES

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF MARCH 10, 2020 ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
TODD LITTLE, COUNTY JUDGE

  
RANDY STINSON, COMMISSIONER, PCT 1

  
LANE GRAYSON, COMMISSIONER, PCT 2

  
PAUL PERRY, COMMISSIONER, PCT 3

  
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 24TH DAY OF MARCH 2020.

  
KRYSTAL VALDEZ, COUNTY CLERK

