

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – MAY 19, 2020

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, MAY 19, 2020 AT 2:00 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 PERRY, SECOND BY COMMISSIONER GRAYSON, 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.

**MINUTE ORDER 234.20      APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1      APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2      APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM MAY 5, 2020. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3      APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND CITY OF VENUS FOR SERVICES WHICH SHALL INCLUDE THE MAINTENANCE, REPAIR, AND/OR CONSTRUCTION OF STREETS, ROADS, ALLEYS, BRIDGES, AND PARKING AREAS, AS WELL AS MAINTENANCE AND CONSTRUCTION OF WATERWAYS AND DITCHES FOR A TERM AGREEMENT MAY 1, 2020 TO DECEMBER 31, 2020. – *KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4*
- A4      ACCEPTING OF A CHECK AND AUTHORITY TO RELEASE LIBERTY MUTUAL INSURANCE CO. FOR DAMAGE OF ROADWAY STRUCTURE AT THE ENTRANCE OF WINDMILL RIDGE ADDN. IN THE AMOUNT OF \$3,489.60. – *KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4*

- A5 ACCEPTING THE MONTHLY REPORTS FOR TEXAS A&M AGRILIFE EXTENSION AGENTS. – *MARK ARNOLD, TEXAS A&M AGRILIFE EXTENSION*
- A6 APPROVING THE COUNTY JUDGE TO SIGN THE SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS TO PROVIDE DEPUTY SERVICES FOR THE US ARMY ENGINEER DISTRICT. DEPUTIES WILL PATROL PARKS AROUND LAKE BARDWELL STARTING MAY 15, 2020 THROUGH SEPTEMBER 7, 2020. – *CHUCK EDGE, SHERIFF*
- A7 APPROVING THE COUNTY JUDGE TO SIGN A REQUEST TO THE TEXAS COMPTROLLER OF ACCOUNTS FOR ALLOCATION OF UNCLAIMED CAPITAL CREDITS RECEIVED FROM ELECTRIC COOPERATIVES, PURSUANT TO LOCAL GOVERNMENT CODE SECTION 381.004. – *TODD LITTLE, COUNTY JUDGE*
- A8 APPROVING THE COUNTY JUDGE TO SIGN AN INTERLOCAL AGREEMENT (MUTUAL AID IN DISASTER ASSISTANCE) BETWEEN ELLIS COUNTY AND THE CITY OF FERRIS, FOR THE USE OF MORGUE TRAILER DURING A DISASTER. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*

**FINANCIAL:**

- F1 ACCEPTING THE TABULATED REPORT OF THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM APRIL 28, 2020 – MAY 11, 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *JANET MARTIN, AUDIT*
- F2 ACCEPTING THE COUNTY AUDITOR MONTHLY REPORT FOR APRIL 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.025. – *JANET MARTIN, AUDIT*
- F3 ACCEPTING THE JUSTICE OF THE PEACE PRECINCT 1 MONTHLY REPORT FOR APRIL 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *CHRIS MACON, JUSTICE OF THE PEACE PRECINCT 1*
- F4 APPROVING PAYMENTS FOR MIDLOTHIAN TAX INCREMENT REINVESTMENT ZONES (TIRZ) #1 AND #2. – *K.W. WINKLES, AUDIT*
- F5 ACCEPTING THE APRIL 2020 MONTHLY FINANCIAL REPORT FOR DEPARTMENT OF DEVELOPMENT, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *ALBERTO MARES, DEPARTMENT OF DEVELOPMENT*
- F6 APPROVING OF PROPERTY TAX REFUNDS, AS AUDITED BY JANET MARTIN, AUDITOR. – *JOHN BRIDGES, TAX ASSESSOR/COLLECTOR*
- F7 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0100-508190 COMPUTER BY \$200.00; INCREASE 001-0100-508020 EQUIPMENT BY \$200.00. – *BETH ALLEN, ACCOUNTS PAYABLE*
- F8 **FY 2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0425-508350 SAFETY/TRAINING BY \$1,000.00; INCREASE 001-0425-508190 COMPUTER BY \$1,000.00. – *THERESA TAYLOR, HUMAN RESOURCES*

- F9 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 009-0602-508070 GEN. MISC. BY \$3,000.00; INCREASE 009-0602-509060 CULVERTS BY \$3,000.00. – *RANDY STINSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 1*
- F10 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0210-508050 CONFERENCE BY \$1,900.00; INCREASE 001-0210-508040 POSTAGE BY \$1,900.00. – *JANA ONYON, ELECTIONS*
- F11 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0360-508880 COMPUTER SERVICE BY \$10,000.00; INCREASE 001-0360-508530 LEGAL RESEARCH BY \$6,000.00; INCREASE 001-0360-508010 SUPPLIES BY \$4,000.00. – *PATRICK WILSON, COUNTY & DISTRICT ATTORNEY*
- F12 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 005-0703-508070 RB3 GEN./MISC. BY \$37,000.00; INCREASE 005-0703-509180 RB3 HARDWARE/TOOLS BY \$2,000.00; INCREASE 005-0703-508020 PURCHASE EQUIPMENT BY \$35,000.00; DECREASE 011-0704-508070 FM3 GEN./MISC. BY \$20,000.00; INCREASE 011-0704-509090 FM3 REPAIR/PARTS BY \$20,000.00. – *PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3*
- F13 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0430-508050 CONFERENCE BY \$1,681.70; DECREASE 001-0430-508020 EQUIPMENT BY \$1,576.62; DECREASE 001-0430-509760 PREPAREDNESS FAIR BY \$225.00; DECREASE 001-0430-506980 DUES BY \$1,000.00; INCREASE 001-0430-508680 CONTRACT SERVICES BY \$100.00; INCREASE 001-0430-508190 COMPUTER BY \$4,383.32. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*
- F14 **FY2019-20 BUDGET AMENDMENT:** INCREASE 001-0210-407190 CHAPTER 19 STATE FUNDING BY \$6,440.59; INCREASE 001-0210-508000 CHAPTER 19 EXPENDITURES BY \$6,440.59, PURSUANT TO LOCAL GOVERNMENT CODE §111.0107 UNBUDGETED INTERGOVERNMENTAL CONTRACT REVENUE CERTIFIED BY COUNTY AUDITOR. – *JANA ONYON, ELECTIONS*
- F15 **FY2019-20 BUDGET AMENDMENT:** INCREASE 004-0000-303020 LESS: FUND BUDGETED BY \$160,000.00; INCREASE 004-0652-508020 PURCHASE OF EQUIPMENT BY \$160,000.00. – *LANE GRAYSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 2*
- F16 **FY2019-20 BUDGET AMENDMENT:** INCREASE 006-0000-303020 LESS: FUND BUDGETED BY \$52,000.00; INCREASE 006-0754-508680 CONTRACT LABOR BY \$52,000.00. – *KYLE BUTLER, COMMISSIONER, ROAD & BRIDGE PRECINCT 4*

PUBLIC PARTICIPATION ON F10 & F14: AMY EIKEL - AUSTIN (VIA PHONE)

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

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

## **DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 235.20** (1.1) APPROVING THE FINAL PLAT OF JACKSON RANCH SUBDIVISION. THE PROPERTY CONTAINS A TOTAL OF ± 3.941 ACRES OF LAND LOCATED IN THE TR FOLLET SURVEY, ABSTRACT NO. 373, AT THE INTERSECTION OF MAPLE LEAF DRIVE AND FM 813, IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 1.

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

**MINUTE ORDER 236.20** (1.2) APPROVING A REQUEST TO RELEASE A PERFORMANCE BOND AND ACCEPT A MAINTENANCE BOND FOR DOVE MEADOWS. THE PROPERTY CONTAINS ± 75 ACRES OF LAND IN THE J.C. DICKEY SURVEY, ABSTRACT NO. 298, AND THE A. FERGUSON SURVEY, ABSTRACT NO. 350 LOCATED ON THE SOUTH SIDE OF OLD MAYPEARL ROAD ± 6,600 FEET EAST OF GREATHOUSE ROAD, WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

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

**MINUTE ORDER 237.20** (1.3) APPROVING A FINAL PLAT OF COLLETT ACRES ADDITION. THE PROPERTY CONTAINS A TOTAL OF ± 11.053 ACRES OF LAND LOCATED IN THE J. COLLETT SURVEY, ABSTRACT NO. 221, ON THE WEST SIDE OF GIBSON ROAD ± 775 FEET NORTH OF BROADHEAD ROAD, IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

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

## **ADMINISTRATIVE**

**MINUTE ORDER 238.20** (3.1) APPROVING AN ENGAGEMENT LETTER FROM GRS CONSULTING TO PROVIDE DECEMBER 31, 2019 OTHER POST-EMPLOYMENT BENEFITS (OPEB) VALUATION AND GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB) 75 VALUATION REPORTS FOR FISCAL YEARS ENDING 2020 AND 2021. – *JANET MARTIN, AUDIT*

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

**MINUTE ORDER 239.20** (3.2) APPROVING A PROPOSED PARTIAL ASSIGNMENT OF FIRST AMENDED AND RESTATED TAX ABATEMENT AGREEMENT CONCERNING TRIUMPH AEROSTRUCTURES, LLC'S PARTIAL ASSIGNMENT OF A TAX ABATEMENT TO TRIUMPH AEROSTRUCTURES II, LLC AND BOMBARDIER US AEROSTRUCTURES, LLC. – *TODD LITTLE, COUNTY JUDGE*

PUBLIC PARTICIPATION: LEE MCCLEARY - CITY OF RED OAK; ROBERT CLARK - BOMBARDIER AEROSPACE

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

**MINUTE ORDER 240.20** (3.3) A FINDING, PURSUANT TO §551.072 OF THE GOVERNMENT CODE, THAT DELIBERATIONS REGARDING 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*

PUBLIC PARTICIPATION: JAMES PARKS - WAXAHACHIE

MOTION FOR A FINDING BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

**RECESS TO CONVENE TO EXECUTIVE SESSION** **2:26 P.M.**

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

#### **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 §551.072 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 TO RECONVENE TO REGULAR SESSION** **3:04 P.M.**

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

**ADJOURNMENT** **3:05 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF MAY 19, 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 2<sup>ND</sup> DAY OF JUNE 2020.

  
KRYSTAL VALDEZ, COUNTY CLERK

