

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JULY 14, 2020

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JULY 14, 2020 AT 2:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2ND 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

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 BUTLER, 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 279.20 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS
- A2 APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM JUNE 30, 2020. –
KRYSTAL VALDEZ, COUNTY CLERK
- A3 ACCEPTING THE NOTICE OF TERMINATION FROM THE CITY OF PALMER REGARDING AN INTERLOCAL AGREEMENT FOR ENFORCEMENT OF ELLIS COUNTY FIRE CODE FOR A TERM FROM OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020.
- A4 APPROVING THE ELLIS COUNTY INVESTMENT POLICY, REVISED JULY 14, 2020. – *CHERYL CHAMBERS, TREASURER*

FINANCIAL:

- F1 ACCEPTING THE TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM JUNE 24, 2020 – JULY 7, 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. –
JANET MARTIN, AUDIT

- F2 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0010-506030 AMMUNITION BY \$67.55; DECREASE 001-0010-509380 DWI WARR REVIEW BY \$1,509.88; INCREASE 001-0010-507020 REPAIRS BY \$67.85; INCREASE 001-0010-508070 GEN. MISC. BY \$174.23; INCREASE 001-0010-508190 COMPUTER BY \$1,230.65; INCREASE 001-0010-509040 ANIMAL CONTROL BY \$105.00. – *CHUCK EDGE, SHERIFF*
- F3 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0015-508070 GEN. MISC. BY \$326.00; DECREASE 001-0015-508350 EMPLOYEE TRAINING BY \$50.00; INCREASE 001-0015-508120 RADIOS BY \$376.00. – *CHUCK EDGE, SHERIFF*
- F4 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0520-508050 CONFERENCE BY \$1,200.00; INCREASE 001-0520-508010 SUPPLIES BY \$1,200.00. – *JACKIE MILLER, JR., JUSTICE OF THE PEACE PRECINCT 2*
- F5 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0385-508070 VISITING JUDGE BY \$2,000.00; INCREASE 001-0385-508190 COMPUTER BY \$2,000.00. – *GENE CALVERT, COUNTY COURT AT LAW 2*
- F6 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 010-0653-508070 FM2 GEN. MISC. BY \$1,000.00; INCREASE 010-0653-509180 FM2 CHEMICALS BY \$1,000.00. – *LANE GRAYSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 2*
- F7 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0050-508030 FURNITURE/FIXTURES BY \$300.00; INCREASE 001-0050-508190 COMPUTERS BY \$300.00. – *MARK ARNOLD, TEXAS A&M AGRILIFE EXTENSION OFFICE*
- F8 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0510-508020 EQUIPMENT BY \$200.00; INCREASE 001-0510-508190 COMPUTER BY \$200.00. – *CHRIS MACON, JUSTICE OF THE PEACE, PRECINCT 1*
- F9 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0170-505020 SALARY BY \$24,998.00; INCREASE 001-0700-650950 TRANSFER TO CIVIL BOND SUPERVISION BY \$24,998.00. – *K.W. WINKLES, AUDIT*
- F10 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0140-505580 CONTINGENCIES/RESERVE BY \$33,125.52; INCREASE 001-0210-509600 HAVA CARES ACT GRANT BY \$33,125.52. – *JANA ONYON, ELECTIONS*
- F11 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0230-508050 CONFERENCE BY \$3,013.36; INCREASE 001-0390-508190 COMPUTER BY \$1,538.36; INCREASE 001-0230-508010 SUPPLIES BY \$475.00; INCREASE 001-0230-508730 MAINT./Rps/OFC. EQUIP. BY \$1,000.00. – *E.J. HARBIN, PURCHASING; TODD LITTLE, COUNTY JUDGE*
- F12 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0611-508050 CONFERENCE BY \$2,000.00; DECREASE 001-0611-508010 SUPPLIES BY \$354.89; INCREASE 001-0611-507060 INSURANCE DEDUCTIBLE BY \$2,354.89. – *ROY CALLENDER, JR., CONSTABLE PCT. 1*

- F13 **FY2019-20 BUDGET AMENDMENT:** INCREASE 001-0210-409600 HAVA CARES ACT GRANT REVENUES BY \$165,627.59; INCREASE 001-0210-509600 HAVA CARES ACT GRANT EXPENDITURES BY \$165,627.59, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0107 UNBUDGETED INTERGOVERNMENTAL CONTRACT REVENUE CERTIFIED BY COUNTY AUDITOR. – *JANA ONYON, ELECTIONS*
- F14 **FY2019-20 BUDGET AMENDMENT:** INCREASE 011-0704-400080 FM3 INTERLOCAL BY \$50,857.00; INCREASE 011-0704-508070 FM3 GEN. MISC. BY \$50,857.00, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0107 UNBUDGETED INTERGOVERNMENTAL CONTRACT REVENUE CERTIFIED BY COUNTY AUDITOR. – *PAUL PERRY, COMMISSIONER, ROAD & BRIDGE PRECINCT 3*

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

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 280.20 (1.1) APPROVING A FINAL PLAT OF WOODARD FARMS, PHASE 2. THE PROPERTY CONTAINS A TOTAL OF ± 2.104 ACRES OF LAND IN THE ADAM T. MILLER SURVEY, ABSTRACT No. 716, LOCATED SOUTH OF THE INTERSECTION OF MARION ROAD AND NORRELL ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF MAYPEARL, ROAD AND BRIDGE PRECINCT No. 4.

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

MINUTE ORDER 281.20 (1.2) APPROVING A REQUEST TO GRANT A ONE-TIME VARIANCE FOR PARCEL ID No. 200070 – 2511 SPRINGER ROAD FROM SECTION IV (B)(2) (RESIDENTIAL LOTS) OF THE SUBDIVISION DEVELOPMENT STANDARDS TO ALLOW ONE (1) LOT WITHOUT MEETING THE MINIMUM ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 5.0 ACRES OF LAND LOCATED IN THE J.P. LAUGHLIN SURVEY, ABSTRACT No. 627, IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF MIDLOTHIAN, ELLIS ROAD & BRIDGE PRECINCT No. 4.

PUBLIC PARTICIPATION: TREVOR HEAD, MIDLOTHIAN

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

MINUTE ORDER 282.20 (1.3) **(TABLED)** CONSIDERATION AND ACTION UPON A REQUEST TO GRANT A ONE-TIME VARIANCE FOR 1117 AUGUSTA STREET (PARCEL ID No. 155766) FROM SECTION IV (B) (2) (RESIDENTIAL LOTS) OF THE SUBDIVISION DEVELOPMENT STANDARDS AND ELLIS COUNTY ORDER No. 182.11 TO ALLOW ONE (1) WITHOUT MEETING THE MINIMUM LOT SIZE AND LOT DEPTH

DIMENSIONS AS REQUIRED. THE PROPERTY CONTAINS ±.5 ACRES OF LAND, IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF RED OAK, ROAD & BRIDGE PRECINCT NO. 4.

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

PURCHASING

MINUTE ORDER 283.20 (2.1) APPROVING THE RENEWAL OF THE BOILER MAINTENANCE SERVICE AGREEMENT USING BUY BOARD CONTRACT NO. 558-18 FOR A ONE-YEAR PERIOD.

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

MINUTE ORDER 284.20 (2.2) APPROVING THE RENEWAL OF THE HVAC MAINTENANCE SERVICE AGREEMENT USING THE BUY BOARD CONTRACT NO. 558-18 FOR A ONE-YEAR PERIOD.

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

MINUTE ORDER 285.20 (2.3) APPROVING TO PURCHASE CISCO WIRED AND WIRELESS NETWORK HARDWARE EQUIPMENT WITH IMPLEMENTATION SERVICES FROM FLAIR DATA SYSTEMS, INC. USING THE TEXAS DIR COOPERATIVE CONTRACT NO. DIR-TSO-2542 WITH A 10 YEAR WARRANT AGREEMENT.

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

MINUTE ORDER 286.20 (2.4) APPROVING THE REQUESTED UPDATE TO THE ELLIS COUNTY PURCHASING POLICY AND PROCEDURES MANUAL QUOTATIONS SECTION.

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

MINUTE ORDER 287.20 (2.5) APPROVING THE SELECTION OF BOUCHER, MORGAN AND YOUNG, P.C. TO PROVIDE PROFESSIONAL AUDIT SERVICES TO ELLIS COUNTY.

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

MINUTE ORDER 288.20 (2.6) FINDING THAT ARCHITEXAS IS THE MOST HIGHLY QUALIFIED PROVIDER OF ARCHITECTURAL SERVICES ON THE BASIS OF DEMONSTRATED COMPETENCE AND QUALIFICATIONS UNDER

SECTION 2254.004 OF THE TEXAS LOCAL GOVERNMENT CODE FOR RFSQ-2020-001
ARCHITECTURAL SERVICES FOR JUSTICE OF THE PEACE PRECINCT No. 2.

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

MINUTE ORDER 289.20 (2.7) AUTHORIZING TO NEGOTIATE A CONTRACT AT A FAIR AND REASONABLE PRICE WITH ARCHTEXAS BASED ON THE FINDING THAT ARCHITEXAS IS THE MOST HIGHLY QUALIFIED PROVIDER OF ARCHITECTURAL SERVICES UNDER SECTION 2254.004 OF THE TEXAS LOCAL GOVERNMENT CODE FOR RFSQ-2020-001 ARCHITECTURAL SERVICES FOR JUSTICE OF THE PEACE PRECINCT No. 2.

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

ADMINISTRATIVE

MINUTE ORDER 290.20 (3.1) TERMINATING THE CONTRACT CURRENTLY IN PLACE BETWEEN ELLIS COUNTY AND RONALD CLYDE. – *TODD LITTLE, COUNTY JUDGE*

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

NO ACTION (3.2) CONSIDERATION AND ACTION FOR FY2020 RATE SETTING FOR THE ELLIS COUNTY LOCAL PROVIDER PARTICIPATION FUND. – *CHERYL CHAMBERS, TREASURER*

MINUTE ORDER 291.20 (3.3) AUTHORIZING ELLIS COUNTY TO ENTER INTO A TAX ABATEMENT AGREEMENT WITH FRESHPET, INC.– *MARTY NELSON, CITY OF ENNIS*

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

NO ACTION (3.4) CONSIDERATION AND POSSIBLE ACTION TO COMBINE THE ELLIS COUNTY ACCOUNTS PAYABLE DEPARTMENT WITH THE ELLIS COUNTY AUDITOR'S OFFICE. – *JANET MARTIN, AUDITOR*

MINUTE ORDER 292.20 (3.5) AUTHORIZING THE COUNTY JUDGE TO SIGN THE BUREAU ACCOUNT SETUP FORM WITH CERTIFIED PAYMENTS. THIS WILL PROVIDE AN ONLINE METHOD TO PAY MISDEMEANOR COURT COSTS, FINES AND REIMBURSEMENT FEES VIA THE COUNTY WEBSITE. – *KRYSTAL VALDEZ, COUNTY CLERK*

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

MINUTE ORDER 293.20 (3.6) AUTHORIZING COMMISSIONER GRAYSON TO SIGN A CONTRACT WITH TEXAS MATERIALS GROUP, INC., DOING BUSINESS AS TEXASBIT, FOR ALL MATERIAL, LABOR, AND EQUIPMENT REQUIRED FOR THE PLACEMENT OF HOT MIX ASPHALT PAVING ON CHISHOLM TRAIL FOR AN AMOUNT OF \$122,711.68. – *LANE GRAYSON, COMMISSIONER, PRECINCT 2*

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

MINUTE ORDER 294.20 (3.7) AUTHORIZING THE COUNTY JUDGE TO SIGN THE COUNTY TRANSPORTATION INFRASTRUCTURE FUND GRANT AGREEMENT THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION TO RECEIVE FUNDING IN THE AMOUNT OF \$162,703.00 FOR TRANSPORTATION INFRASTRUCTURE PROJECTS LOCATED IN THE COUNTY. – *TODD LITTLE, COUNTY JUDGE*

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

RECESS TO CONVENE TO EXECUTIVE SESSION **3:16 P.M.**

MOTION BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, 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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION IN CAUSE No. 97524, JONES V. EGAN AND ORTIZ. – *RANDY MONTGOMERY, D. RANDALL MONTGOMERY & ASSOCIATES PLLC*

ADJOURNMENT OF EXECUTIVE SESSION TO RECONVENE TO REGULAR SESSION **4:04 P.M.**

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

MINUTE ORDER 295.20 (3.8) APPROVING THE MEDIATED SETTLEMENT IN CAUSE No. 97524, JONES V. EGAN AND ORTIZ. – *RANDY MONTGOMERY, D. RANDALL MONTGOMERY & ASSOCIATES PLLC*

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

ADJOURNMENT 4:05 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF JULY 14, 2020 ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2

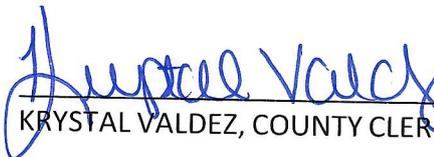


PAUL PERRY, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 28TH DAY OF JULY 2020.



KRYSTAL VALDEZ, COUNTY CLERK

