

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – SEPTEMBER 8, 2020

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, SEPTEMBER 8, 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

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 BUTLER, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *PASTOR DAVID BROWN, THE AVENUE CHURCH*

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

COMMENDATIONS/RECOGNITIONS/AWARDS:

AA RECOGNITION OF DALE CHEEK, RETIRING FROM ELLIS COUNTY SHERIFF'S OFFICE AFTER 20 YEARS OF SERVICE.

CONSENT AGENDA:

MINUTE ORDER 357.20 APPROVING CONSENT AGENDA WITHOUT A3 & F12

ADMINISTRATIVE:

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

A2 APPROVING COMMISSIONERS' COURT MINUTES FROM AUGUST 25, 2020. – *KRYSTAL VALDEZ, COUNTY CLERK*

A3 MOVED TO REGULAR AGENDA

- A4 APPROVING THE FY2020-21 COMMISSIONERS COURT CALENDAR. – *TODD LITTLE, COUNTY JUDGE*
- A5 ACCEPTING THE ANNUAL AUDIT OF THE FISCAL ACCOUNTS AND RECORDS FOR EMERGENCY SERVICES DISTRICT #1, PURSUANT TO CHAPTER 775.082 OF THE TEXAS HEALTH AND SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A6 ACCEPTING THE ANNUAL AUDIT OF THE FISCAL ACCOUNTS AND RECORDS FOR EMERGENCY SERVICES DISTRICT #2, PURSUANT TO CHAPTER 775.082 OF THE TEXAS HEALTH AND SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A7 ACCEPTING THE ANNUAL AUDIT OF THE FISCAL ACCOUNTS AND RECORDS FOR EMERGENCY SERVICES DISTRICT #3, PURSUANT TO CHAPTER 775.082 OF THE TEXAS HEALTH AND SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A8 ACCEPTING THE ANNUAL AUDIT OF THE FISCAL ACCOUNTS AND RECORDS FOR EMERGENCY SERVICES DISTRICT #4, PURSUANT TO CHAPTER 775.082 OF THE TEXAS HEALTH AND SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A9 ACCEPTING THE ANNUAL AUDIT OF THE FISCAL ACCOUNTS AND RECORDS FOR EMERGENCY SERVICES DISTRICT #6, PURSUANT TO CHAPTER 775.082 OF THE TEXAS HEALTH AND SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A10 ACCEPTING THE ANNUAL AUDIT OF THE FISCAL ACCOUNTS AND RECORDS FOR EMERGENCY SERVICES DISTRICT #7, PURSUANT TO CHAPTER 775.082 OF THE TEXAS HEALTH AND SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A11 ACCEPTING THE ANNUAL AUDIT OF THE FISCAL ACCOUNTS AND RECORDS FOR EMERGENCY SERVICES DISTRICT #8, PURSUANT TO CHAPTER 775.082 OF THE TEXAS HEALTH AND SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A12 ACCEPTING THE ANNUAL AUDIT OF THE FISCAL ACCOUNTS AND RECORDS FOR EMERGENCY SERVICES DISTRICT #9, PURSUANT TO CHAPTER 775.082 OF THE TEXAS HEALTH AND SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A13 AUTHORIZING THE COUNTY JUDGE TO EXECUTE A RENEWAL OF A CONTRACT WITH FPSI (FIRE AND POLICE SELECTION INC.) FOR THE ENTRY LEVEL DEPUTY SHERIFF EMPLOYMENT EXAMS. THIS IS OUR CURRENT VENDOR AND IS A BUDGETED EXPENSE. – *CHUCK EDGE, SHERIFF*
- A14 APPROVING THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO THE CONTRACT APPROVED ON OCTOBER 27, 2013 (MINUTE ORDER 382.13) FOR SOFTWARE SERVICES FROM SWAGIT PRODUCTIONS, LLC. – *E.J. HARBIN, PURCHASING*

FINANCIAL:

- F1 ACCEPTING THE TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM AUGUST 19, 2020 – AUGUST 30, 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *JANET MARTIN, AUDIT*
- F2 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0010-508700 ESTRAY BY \$842.93; DECREASE 001-0010-509380 DWI WARRANT REVIEW BY \$191.12; INCREASE 001-

0010-508890 TRANSPORT EXPENSE BY \$842.93; INCREASE 001-0010-508470 PROMOTIONAL/PRINTING BY \$191.12. – *CHUCK EDGE, SHERIFF*

- F3 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0015-508880 COMPUTER SOFTWARE BY \$250.77; INCREASE 001-0015-508030 FURNITURE/FIXTURE BY \$46.93; INCREASE 001-0015-508210 JAILER UNIFORM BY \$203.84. – *CHUCK EDGE, SHERIFF*
- F4 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0050-508190 COMPUTER EQUIPMENT BY \$15.79; DECREASE 001-0050-508430 4-H TRAVEL BY \$500.00; DECREASE 001-0050-508050 CONFERENCE BY \$500.00; INCREASE 001-0050-508010 SUPPLIES BY \$1,015.79. – *MARK ARNOLD, TEXAS A&M AGRILIFE EXTENSION OFFICE*
- F5 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0140-505600 Com./FRINGE LIABILITY BY \$2,598.00; INCREASE 001-0020-505020 SALARIES – FULL TIME BY \$2,175.00; INCREASE 001-0020-505530 SOCIAL SECURITY BY \$167.00; INCREASE 001-0020-505540 RETIREMENT BY \$256.00. – *TODD LITTLE, COUNTY JUDGE; KEITH ROBERTS, MAINTENANCE*
- F6 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0380-508320 VISITING JUDGE BY \$450.00; INCREASE 001-0380-508190 COMPUTER EQUIPMENT BY \$450.00. – *JIM CHAPMAN, COUNTY COURT AT LAW #1*
- F7 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 009-0602-509080 FM1 LUMBER BY \$15,000.00; DECREASE 009-0602-508680 FM1 CONTRACT LABOR BY \$5,000.00; INCREASE 009-0602-509110 FM1 GRAVEL BY \$15,000.00; INCREASE 009-0602-509140 FM1 SIGNS BY \$5,000.00. – *RANDY STINSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 1*
- F8 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 003-0601-509150 RB1 ASPHALT BY \$45,354.00; INCREASE 003-0601-509110 RB1 GRAVEL BY \$45,354.00. – *RANDY STINSON, COMMISSIONER, ROAD & BRIDGE PRECINCT 1*
- F9 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0060-506010 TRAVEL REIMB. BY \$540.00; DECREASE 001-0060-507030 TELEPHONE BY \$350.00; DECREASE 001-0060-508060 DUES BY \$200.00; DECREASE 001-0060-508080 AUTO GAS BY \$2,100; DECREASE 001-0060-508100 TIRES BY \$200.00; DECREASE 001-0060-508730 OFFICE EQUIP. MAINT. BY \$610.00; INCREASE 001-0060-508010 SUPPLIES BY \$1,000.00; INCREASE 001-0060-508020 EQUIPMENT BY \$1,000.00; INCREASE 001-0060-508050 CONFERENCE BY \$500.00; INCREASE 001-0060-508090 AUTO REPAIR BY \$850.00; INCREASE 001-0060-508190 BY \$650.00. – *ALBERTO MARES, DEPARTMENT OF DEVELOPMENT*
- F10 **FY2019-20 LINE ITEM ADJUSTMENT:** DECREASE 001-0210-508880 COMPUTER SOFTWARE BY \$8,600.00; INCREASE 001-0210-508480 PART TIME ELECTION SALARIES BY \$8,600.00. – *JANA ONYON, ELECTIONS*

F11 **FY2019-20 LINE ITEM ADJUSTMENT: DECREASE 001-0450-508020 EQUIPMENT BY \$300.00; INCREASE 001-0450-508080 AUTO GAS BY \$300.00. – TIM BIRDWELL, FIRE MARSHAL**

F12 **MOVED TO REGULAR AGENDA**

MOTION TO APPROVE WITHOUT A3 AND F12 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

REGULAR AGENDA:

To A3

MINUTE ORDER 358.20 (A3) APPROVING PAYMENT TO DR. LEIGH NORDSTROM IN THE AMOUNT OF \$7,425.00 FOR 49.5 HOURS OF WORK RELATED TO COVID-19 PANDEMIC RESPONSE. – TODD LITTLE, COUNTY JUDGE

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

To F12

MINUTE ORDER 359.20 (F12) FY2019-20 BUDGET AMENDMENT: INCREASE 042-0942-303020 BUDGETED FUND BALANCE BY \$1,701.72; INCREASE 042-0942-508020 EQUIPMENT BY \$1,701.72. – CHUCK EDGE, SHERIFF

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

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 360.20 (1.1) APPROVING A PLAT OF LOT 1, BLOCK 1, LACEY ADDITION. THE PROPERTY CONTAINS ± 2.403 ACRES OF LAND IN THE SAMUEL BILLINGSLEY SURVEY, ABSTRACT NO. 78, LOCATED ON THE SOUTH SIDE OF FM 2377 ± 1,505 FEET EAST OF HOLLIE DRIVE, ROAD AND BRIDGE PRECINCT No. 1.

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

MINUTE ORDER 361.20 (1.2) APPROVING A PLAT OF G. MARTINEZ AND BROS ESTATES PLAT. THE PROPERTY CONTAINS ± 8.498 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ON THE NORTHWEST SIDE OF NEWTON ROAD ± 2,134 FEET SOUTH OF BOB'S RUN DRIVE, ROAD AND BRIDGE PRECINCT NO. 1

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

MINUTE ORDER 362.20 (1.3) APPROVING A REQUEST TO ACCEPT A PERFORMANCE BOND FOR THE BELLA VISTA SUBDIVISION (PARCEL ID NO. 191729). THIS PROPERTY CONTAINS ± 40.730 ACRES OF LAND IN THE HENRY TAYLOR SURVEY, ABSTRACT NO. 1099, LOCATED ON THE NORTH SIDE FM 875, ± 1,622 FEET WEST OF THE INTERSECTION OF SKINNER ROAD AND FM 875 ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MIDLOTHIAN, ROAD & BRIDGE PRECINCT 4.

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

PURCHASING

MINUTE ORDER 363.20 (2.1) AUTHORIZING TO ADVERTISE AND SOLICIT BIDS FOR PRINTED FORMS INCLUDING LETTERHEAD, ENVELOPES, BUSINESS CARDS AND OTHER PRINTING MATERIALS FOR THE COUNTY.

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

MINUTE ORDER 364.20 (2.2) AUTHORIZING TO ADVERTISE AND SOLICIT BIDS FOR WHOLESALE GAS AND DIESEL FOR PRECINCT TANKS/BARNS AND ELLIS COUNTY SHERIFF'S OFFICE.

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

MINUTE ORDER 365.20 (2.3) AUTHORIZING TO ADVERTISE AND SOLICIT BIDS FOR CONVENIENCE STORE FUEL.

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

MINUTE ORDER 366.20 (2.4) APPROVING THE TIERED AWARD OF BID NUMBER RFB 2020-018- CONTRACT FOR MISCELLANEOUS CONCRETE WORK TO J.C. CONCRETE (PRIMARY SECTION "A" AND "B"); J&K EXCAVATION (PRIMARY SECTION "C"); JOE MUIRHEAD CONCRETE SERVICES (SECONDARY ALL); AND DON SMITH CONCRETE (TERTIARY ALL).

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

MINUTE ORDER 367.20 (2.5) DECLARING THE LISTED VEHICLES AND EQUIPMENT AS SURPLUS FOR VARIOUS ELLIS COUNTY DEPARTMENTS AND TO BE DISPOSED IN ACCORDANCE WITH LOCAL GOVERNMENT CODE CHAPTER 263:

<u>MAKE</u>	<u>YEAR</u>	<u>MODEL</u>	<u>VIN</u>
A. FORD	2005	EXPLORER	1FMZU73K75ZA14610
B. DODGE	2005	RAM	1D7HA18N55S210956
C. DODGE	2005	RAM	1D7HA18N64S741369
D. DODGE	2010	CHARGER	2B3CA4CV1AH203535
E. ACURA		LEGEND	JH4KA7655MC037386
F. MAZDA		6	1YVFP80C365M17395
G. FORD	2007	500	1FAHP241976150337
H. MITSUBISHI		DIAMANTE	GMMAP47P2XT004351
I. GMC	1993	PICKUP	2GTEC19K3P1550847

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

ADMINISTRATIVE

NO ACTION (3.1) PRESENTATION BY MIDLOTHIAN ECONOMIC DEVELOPMENT REGARDING PROJECT 1906, ALSO KNOWN AS EARTH ROOT HOLDINGS, LLC. – *KYLE KINTATEDER, MIDLOTHIAN ECONOMIC DEVELOPMENT*

PUBLIC PARTICIPATION: PENNY STORY, RED OAK; RANDY BELLOMY – OVILLA

MINUTE ORDER 368.20 (3.2) VOTING TO NOT IMPLEMENT THE PRESIDENTIAL EXECUTIVE ORDER ON DEFERMENT OF FICA. – *JANET MARTIN, AUDIT*

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

MINUTE ORDER 369.20 (3.3) APPROVING TO PARTICIPATE IN THE TEXAS ASSOCIATION OF COUNTIES (TAC) CYBERSECURITY TRAINING PROGRAM AND FOR THE COUNTY JUDGE TO SIGN AGREEMENT. - *THERESA TAYLOR, HUMAN RESOURCES*

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

RECESS @ 3:20

RECONVENE @ 3:30

RECESS REGULAR SESSION TO CONVENE TO PUBLIC HEARING

PUBLIC HEARING:

MOTION TO OPEN P1 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

P1 PUBLIC HEARING ON FY 2020-2021 PROPOSED TAX RATE, PURSUANT TO TEXAS TAX CODE §26.06

PUBLIC PARTICIPATION: GAIL STAFFORD – WAXAHACHIE; RANDY BELLOMY – OVILLA; JAMES PARKS – WAXAHACHIE; KATHY PONCE – MAYPEARL; SYLVIA COULSON - WAXAHACHIE

MOTION TO CLOSE P1 BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MOTION TO OPEN P2 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

P2 PUBLIC HEARING ON FY 2020-2021 PROPOSED ELLIS COUNTY BUDGET, PURSUANT TO LOCAL GOVERNMENT CODE §111.007.

PUBLIC PARTICIPATION: BRAD ELLIOTT – ELLIS Co. PCT. 2; RANDY BELLOMY – OVILLA

MOTION TO CLOSE P2 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

ADJOURNMENT OF PUBLIC HEARING

RECONVENE TO REGULAR SESSION

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

MINUTE ORDER 370.20 (3.4) DENYING THE RECOMMENDATION OF THE FY2020-2021 SALARY GRIEVANCE COMMITTEE’S 5% RAISE FOR THE ELLIS COUNTY CONSTABLES; KEEPING THE PAY AS IS. — *TODD LITTLE, COUNTY JUDGE*

PUBLIC PARTICIPATION: NICHOLE CHESSEY – WAXAHACHIE; KATHY PONCE – MAYPEARL

MOTION TO DENY RECOMMENDATION BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 371.20 (3.5) ADOPTING THE FY 2020-2021 BUDGET PURSUANT TO LOCAL GOVERNMENT CODE §111.008 – *TODD LITTLE, COUNTY JUDGE*

MOTION TO APPROVE THE PROPOSED CHANGES TO THE BUDGET BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

“THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR’S BUDGET BY AN AMOUNT OF \$4,702,318.00, WHICH IS AN 7.62% INCREASE FROM LAST YEAR’S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$3,527,310.00”

MOTION TO ADOPT THE AMENDED BUDGET BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

ROLL CALL VOTE:

COMMISSIONER STINSON: YES
COMMISSIONER GRAYSON: YES
COUNTY JUDGE LITTLE: YES
COMMISSIONER PERRY: NO
COMMISSIONER BUTLER: YES

MINUTE ORDER 372.20 (3.6) ADOPTING A COUNTY TAX RATE OF 0.320194 (CONSISTING OF AN INTEREST AND SINKING RATE OF 0.019531 AND A MAINTENANCE AND OPERATIONS RATE OF 0.300663), AND TO ADOPT A FARM TO MARKET TAX RATE OF 0.030082 FOR ELLIS COUNTY FY 2020-2021, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §81.006 AND TEXAS TAX CODE §26.05. THIS WILL MAKE THE TOTAL TAX RATE 0.350276 PER \$100 OF TAXABLE VALUE.

MOTION BY COMMISSIONER STINSON THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF 0.350276 PER \$100 OF TAXABLE VALUE WHICH IS EFFECTIVELY A 0.00 % INCREASE IN THE TAX RATE, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

ROLL CALL VOTE:

COMMISSIONER STINSON: YES
COMMISSIONER GRAYSON: NO
COMMISSIONER PERRY: YES
COMMISSIONER BUTLER: YES
COUNTY JUDGE LITTLE: YES

ADJOURNMENT **5:04 P.M.**

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

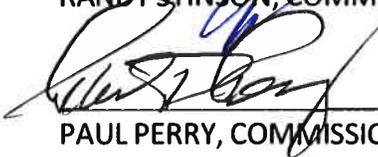
THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF SEPTEMBER 8, 2020 ARE HEREBY APPROVED.

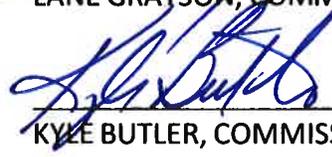
PRESIDING OFFICER:


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 22ND DAY OF SEPTEMBER 2020.


KRYSTAL VALDEZ, COUNTY CLERK

