

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JANUARY 26, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JANUARY 26, 2021 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 PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

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

RESOLUTION

- AA APPROVING A RESOLUTION DECLARING JANUARY 26TH AS BESSIE COLEMAN DAY IN ELLIS COUNTY. – *PAUL PERRY, COMMISSIONER, PRECINCT 3*
- AB APPROVING A RESOLUTION DECLARING THE 3RD WEEK OF JANUARY AS SANCTITY OF LIFE WEEK. – *TODD LITTLE, COUNTY JUDGE*

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

CONSENT AGENDA:

MINUTE ORDER 124.21 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *CHERYL CHAMBERS, COUNTY TREASURER*
- A2 APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM JANUARY 12, 2021 – *KRYSTAL VALDEZ, COUNTY CLERK*

- A3 ACCEPTING THE REQUIRED 20 HOURS OF CONTINUING EDUCATION FOR 2020, PURSUANT TO LOCAL GOVERNMENT CODE §51.605. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A4 APPROVING TO RENEW THE USER LICENSE AGREEMENT WITH PERMITIUM FOR A ONE-YEAR TERM. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A5 ACCEPTING THE RESIGNATION OF RAYMOND MINER OF ESD #5. – *TIM BIRDWELL, FIRE MARSHAL*
- A6 APPROVING THE INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND THE CITY OF RED OAK FOR A TERM AGREEMENT THROUGH DECEMBER 31, 2021. – *KYLE BUTLER, COMMISSIONER, PRECINCT 4*
- A7 ACCEPTING THE DEPARTMENT OF DEVELOPMENT’S (DOD) MONTHLY FINANCIAL REPORT FOR DECEMBER 2020, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *ALBERTO MARES, DEPARTMENT OF DEVELOPMENT*
- A8 ACCEPTING THE MONTHLY REPORTS FOR TEXAS A&M AGRI LIFE COUNTY AGENTS, ARNOLD, ESPIE, BISHOP AND EDGAR. – *MARK ARNOLD, AG EXTENSION OFFICE*
- A9 APPROVING TO PURCHASE EQUIPMENT, SUPPLIES AND SERVICES ON AN AS-NEEDED BASIS USING THE FOLLOWING COOPERATIVE CONTRACTS:

TEXAS ASSOCIATION OF SCHOOL BOARDS BUY BOARD COOPERATIVE CONTRACTS

- 1. RDO EQUIPMENT RENTAL – CONTRACT 565-18 EQUIPMENT RENTAL
- 2. BANE MACHINERY – CONTRACT 565-18 EQUIPMENT RENTAL
- 3. SIX & MANGO EQUIPMENT, LLP – CONTRACT 565-18 EQUIPMENT RENTAL
- 4. GALLS – 603-20 PUBLIC SAFETY AND FIREHOUSE SUPPLIES AND EQUIPMENT
- 5. GALLS – 587-19 UNIFORMS AND ACCESSORIES

FINANCIAL:

- F1 APPROVING THE ELLIS COUNTY TAX ASSESSOR COLLECTOR TO ISSUE A TAX REFUND TO DESIGNATED TITLE, LLC, ACCOUNT #154007 IN THE AMOUNT OF \$2,960.37. – *JANET MARTIN, COUNTY AUDITOR*
- F2 ACCEPTING THE COUNTY AUDITOR’S MONTHLY REPORT FOR DECEMBER 2020 PURSUANT TO LOCAL GOVERNMENT CODE §114.025. – *JANET MARTIN, COUNTY AUDITOR*
- F3 ACCEPTING A TABULATED REPORT OF THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM JANUARY 5, 2021 – JANUARY 19, 2021 PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *JANET MARTIN, COUNTY AUDITOR*
- F4 **REMOVED – DUPLICATE AGENDA ITEM 3.2**
- F5 **FY2020-2021 BUDGET AMENDMENT: INCREASE 001-0210-460210 TECH & CIVIL LIFE GRANT REVENUE BY \$86,424.00; INCREASE 001-0210-560210 TECH & CIVIL LIFE GRANT – EXPENDITURE BY \$86,424.00 – *JANA ONYON, ELECTIONS***

- F6 **FY2020-2021 LINE ITEM TRANSFER:** DECREASE 001-0140-570000 CONTINGENCY – SURPLUS \$5,400.00; INCREASE 001-0010-508240 COLLISION REPAIR BY \$5,400.00. – *TODD LITTLE, COUNTY JUDGE*
- F7 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0140-570000 – CONTINGENCY – SURPLUS BY \$101,833.00; INCREASE 001-0140-509890 – TIRZ PAYMENTS BY \$101,833.00. – *TODD LITTLE, COUNTY JUDGE*
- F8 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0015-508070 OPERATING EXPENSE BY \$200.35; INCREASE 001-0015-508120 RADIOS BY \$200.35. – *BRAD NORMAN, SHERIFF*
- F9 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0430-508020 EQUIPMENT BY \$348.20; INCREASE 001-0430-508680 – CONTRACT SERVICES BY \$348.20. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT*
- F10 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0430-508020 EQUIPMENT BY \$1,794.35; INCREASE 001-0430-509780 MASS NOTIFICATION SYSTEM BY \$1,794.35. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT*
- F11 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0430-508020 EQUIPMENT BY \$2,500.00; INCREASE 001-0430-508090 AUTO REPAIR BY \$2,500.00. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT*

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

REGULAR AGENDA

PURCHASING

MINUTE ORDER 125.21 (2.1) APPROVING THE AWARD OF BID NUMBER RFB 2020-021 – CONTRACT FOR PRINTED FORMS TO COLLEGE STREET PRINTING (PRIMARY); XL4U, LLC (SECONDARY); NIEMAN PRINTING/STONEGLASS MARKETING (TERTIARY).

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

MINUTE ORDER 126.21 (2.2) APPROVING TO RENEW THE FOLLOWING BID RFP-2019-008 DISASTER DEBRIS REMOVAL, REDUCTION, DISPOSAL AND OTHER EMERGENCY DEBRIS RELATED SERVICES WITH TFR ENTERPRISES, INC. FOR A ONE-YEAR PERIOD JANUARY 26, 2021 TO JANUARY 25, 2022.

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

ADMINISTRATIVE

MINUTE ORDER 127.21 (3.1) APPROVING TO ISSUE CHECK IN THE AMOUNT OF \$100,604.98 FROM THE GENERAL FUND, PAYABLE TO THE MOTOR VEHICLE ACCOUNT. – *JANET MARTIN, COUNTY AUDITOR*

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

MINUTE ORDER 128.21 (3.2) **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0140-570000 CONTINGENCY – SURPLUS BY \$102,000.00; INCREASE 001-0140-509680 MOTOR VEHICLE ACCT EXPENSE BY \$102,000.00. – *JANET MARTIN, COUNTY AUDITOR*

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

MINUTE ORDER 129.21 (3.3) ACCEPTING \$459,562.11 FROM THE ELLIS COUNTY TAX OFFICE FOR PARCEL COMMISSIONS FOR TAX YEARS 2015, 2018 AND 2019. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *JANET MARTIN, COUNTY AUDITOR*

FY2019-20 BUDGET AMENDMENT: INCREASE 001-0370-400460 PARCEL COMMISSIONS AD VALOREM TAXES BY \$459,562.00; INCREASE 001-0140-570000 CONTINGENCY – SURPLUS BY \$459,562.00

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

MINUTE ORDER 130.21 (3.4) ACCEPTING \$160,054.22 FROM THE ELLIS COUNTY TAX OFFICE FOR BANK INTEREST FOR FISCAL YEARS 2016-2020. PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *JANET MARTIN, COUNTY AUDITOR*

FY2019-20 BUDGET AMENDMENT: INCREASE 001-0010-400020 INTEREST INCOME GENERAL FUND BY \$160,054.22; INCREASE 001-0140-570000 CONTINGENCY – SURPLUS BY \$160,054.22

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

MINUTE ORDER 131.21 (3.5) APPROVING TO RECLASSIFY THE ACCOUNTING CLERK POSITION TO A CLERK 3, AND A CLERK 2 TO A CLERK 3. THE AMOUNT SAVED FROM RECLASSIFYING THE ACCT CLERK TO A CLERK 3 IS MORE THAN NEEDED TO RECLASSIFY CLERK 2 TO CLERK 3. – *KRYSTAL VALDEZ, COUNTY CLERK*

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

MINUTE ORDER 132.21 (3.6) APPROVING THE UPDATED COVID-19 PAID TIME-OFF POLICY. THE NEW POLICY WILL BE EFFECTIVE JANUARY 27, 2021 – DECEMBER 31, 2021. – *THERESA TAYLOR, HUMAN RESOURCES*

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

MINUTE ORDER 133.21 (3.7) ACCEPTING THE ELLIS COUNTY TIME COMPENSATORY REPORT. – *THERESA TAYLOR, HUMAN RESOURCES*

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

MINUTE ORDER 134.21 (3.8) APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF MIDLOTHIAN, TEXAS FOR MUTUAL AID SERVICES AND APPROVAL OF DIRECT REQUEST FOR ASSISTANCE REGARDING OPERATION OF COVID-19 VACCINATION SITE. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT*

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

MINUTE ORDER 135.21 (3.9) APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF RED OAK, TEXAS FOR MUTUAL AID SERVICES AND APPROVAL OF DIRECT REQUEST FOR ASSISTANCE REGARDING OPERATION OF COVID-19 VACCINATION SITE. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT*

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

MINUTE ORDER 136.21 (3.10) ACCEPTING THE ELLIS COUNTY 4TH QUARTER 2020 INVESTMENT REPORT. – CHERYL CHAMBERS, COUNTY TREASURER

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

ADJOURN TO EXECUTIVE SESSION 2:55 P.M.

MOTION FOR A FINDING TO CONVENE TO EXECUTIVE SESSION 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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH ATTORNEY ABOUT PENDING OR CONTEMPLATED LITIGATION REGARDING THE COUNTY'S LAND USE REGULATIONS.
- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING LITIGATION MATTER, *PHILLIPS V. M&M INVESTMENTS*, CAUSE NO. 104742
- 4.3 PURSUANT TO §551.072 OF THE GOVERNMENT CODE, TO DELIBERATE 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 NEGOTIATION WITH A THIRD PERSON.

RECONVENE TO REGULAR SESSION 3:57 P.M.

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

ADJOURNMENT 3:58 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF JANUARY 26, 2021
ARE HEREBY APPROVED.

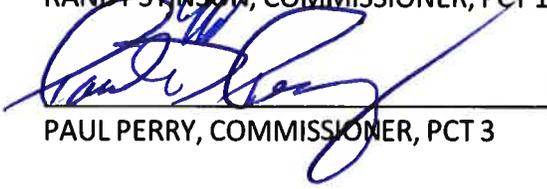
PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



PAUL PERRY, COMMISSIONER, PCT 3

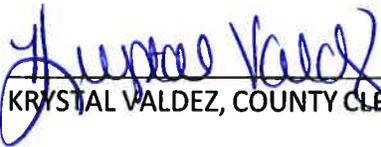


LANE GRAYSON, COMMISSIONER, PCT 2



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 9TH DAY OF FEBRUARY 2021.



KRISTAL VALDEZ, COUNTY CLERK

