

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – MARCH 9, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, MARCH 9, 2021 AT 2:15 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 BUTLER, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *TODD LITTLE, COUNTY JUDGE*

CONSENT AGENDA:

MINUTE ORDER 172.21 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *CHERYL CHAMBERS, COUNTY TREASURER*
- A2 APPROVING COMMISSIONERS' COURT SPECIAL MEETING MINUTES AND REGULAR MEETING MINUTES FROM FEBRUARY 23, 2021. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 ACCEPTING THE MONTHLY REPORTS FOR TEXAS A&M AGRILIFE COUNTY AGENTS, ARNOLD, ESPIE, BISHOP AND EDGAR. – *MARK ARNOLD, AG EXTENSION OFFICE*
- A4 ACCEPTING THE MONTHLY REPORT FOR JP, PRECINCT #1. – *CHRIS MACON, JP PRECINCT # 1*
- A5 ACCEPTING THE DECEMBER 2020 MONTHLY TREASURER REPORT. – TREASURER
- A6 ACCEPTING THE JANUARY 2021 MONTHLY TREASURER REPORT. – TREASURER
- A7 ACCEPTING THE 2020 RACIAL PROFILING REPORT FROM ELLIS COUNTY PRECINCT #1. – ROY CALLENDER, CONSTABLE, PRECINCT 1

A8 ACCEPTING THE 2020 RACIAL PROFILING REPORT FROM ELLIS COUNTY SHERIFF'S OFFICE – BRAD NORMAN, SHERIFF

FINANCIAL:

- F1 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0015-508140 INMATE FEEDING BY \$3,897.40; INCREASE 001-0015-508020 EQUIPMENT BY \$3,897.40. – *BRAD NORMAN, SHERIFF*
- F2 **FY2020-2021 BUDGET AMENDMENT:** INCREASE 001-0330-490100 SWAT EQUIPMENT ENH GRANT – REVENUE - \$51,000.00; INCREASE 001-0010-590100 – SWAT EQUIPMENT ENH GRANT – EXPENDITURE - \$51,000.00. – *BRAD NORMAN, SHERIFF*
- F3 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0140-570000 CONTINGENCY-SURPLUS BY \$23,059.00; INCREASE 001-0010-508030 FURNITURE/FIXTURES BY \$8,124.00; INCREASE 001-0010-509010 K-9 SUPPLIES BY \$14,935.00. – *TODD LITTLE, COUNTY JUDGE*
- F4 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0140-570000 CONTINGENCY-SURPLUS BY \$1,500.00; INCREASE 001-0450-508730 COPIER EXPENSE BY \$1,500.00. – *TODD LITTLE, COUNTY JUDGE*
- F5 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 010-0653-508070 FM2 GENERAL EXPENSE BY \$5,000.00; INCREASE 010-0653-509620 FM2 LUBRICANTS BY \$5,000.00. – *LANE GRAYSON, COMMISSIONER, PRECINCT 2*
- F6 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 012-0755-570000 CONTINGENCY-SURPLUS BY \$41,000.00; INCREASE 012-0755-508680 CONTRACT LABOR BY \$41,000.00. – *KYLE BUTLER, COMMISSIONER, PRECINCT 4*
- F7 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 019-0919-508020 EQUIPMENT BY \$150.00; INCREASE 01-0919-508850 SALES TAX BY \$150.00. – *SAFAA CLOUD, LAW LIBRARY*
- F8 **FY2020-21 LINE ITEM TRANSFER:** DECREASE 001-0030-508620 FISCAL SERVICE FEE BY \$5,910.00; DECREASE 001-0030-508050 CONFERENCE BY \$2,065.00; DECREASE 001-0030-508190 COMPUTER EQUIPMENT BY \$2,000.00; DECREASE 001-0140-505600 COMPENSATORY/FRINGE LIABILITY BY \$19,352.40; INCREASE 001-0030-505020 SALARIES FULL TIME BY \$29,327.40 – *AUDIT*
- F9 ACCEPTING THE COUNTY AUDITOR'S MONTHLY REPORT FOR JANUARY 2021 PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.025. – *JANET MARTIN, COUNTY AUDITOR*
- F10 ACCEPTING A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM JANUARY 30, 2021 THROUGH FEBRUARY 28, 2021 PURSUANT TO LOCAL GOVERNMENT CODE §114.025. – *JANET MARTIN, COUNTY AUDITOR*
- F11 APPROVING PROPERTY TAX REFUNDS AS SUBMITTED BY THE ELLIS COUNTY TAX ASSESSOR COLLECTOR. – *JANET MARTIN, COUNTY AUDITOR*

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

REGULAR AGENDA

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 173.21 (1.1) APPROVING A REPLAT OF ENSIGN ESTATES LOTS 5A & 5B. THE PROPERTY CONTAINS ± 10.435 ACRES OF LAND IN THE A. GONZABA SURVEY, ABSTRACT NO. 381, LOCATED ON THE WEST SIDE OF ENSIGN ROAD, ± 1,760 FEET SOUTHWEST OF THE INTERSECTION OF ENSIGN ROAD AND BRAZIER ROAD, SITUATED IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF ENNIS, ROAD AND BRIDGE PRECINCT NO. 2.

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

MINUTE ORDER 174.21 (1.2) APPROVING WITH CONDITIONS, A REPLAT OF PECAN CHAPEL ESTATES PHASE II LOTS 6 & 7 INTO RUST ESTATES, LOTS 1-5. THE PROPERTY CONTAINS ± 25.595 ACRES OF LAND IN THE HOLCOMB & PECK SURVEY, ABSTRACT NO. 528, LOCATED ON THE EAST SIDE OF BELLS CHAPEL ROAD ± 1,155 FEET SOUTH OF THE INTERSECTION OF BELLS CHAPEL ROAD AND BUCK HORN, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 4.

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

MINUTE ORDER 175.21 (1.3) APPROVING A PLAT OF ARREOLAS SUBDIVISION, SECTION 2. THE PROPERTY CONTAINS ± 10.051 ACRES OF LAND IN THE THOMAS JEFFERSON CHAMBERS SURVEY, ABSTRACT NO. 1, LOCATED ON THE SOUTHWEST CORNER OF SECTION HOUSE ROAD AND FM 85, ENNIS, ROAD AND BRIDGE PRECINCT NO. 2.

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

MINUTE ORDER 176.21 (1.4) APPROVING WITH CONDITIONS, A REQUEST FOR A ONE-TIME VARIANCE FOR THE PROPOSED HOLLIS ESTATES (PARCEL NO. 216766 AND 216772) FROM VOLUME III (STANDARD CONSTRUCTION DETAILS) SECTION II (C)(7)(III) OF THE COUNTY'S DEVELOPMENT REGULATIONS TO ALLOW CONSTRUCTION OF THE CUL-DE-SAC ON WILLOW BEND DRIVE THAT EXCEEDS THE MAXIMUM LENGTH REQUIREMENT. THE PROPERTY CONTAINS ± 19 ACRES OF LAND IN THE JAMES NEELY SURVEY, ABSTRACT NO. 804, LOCATED AT THE WEST SIDE OF WILLOW BEND ROAD, ± 590 FEET WEST OF HOLLIS ROAD, WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3

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

PURCHASING

MINUTE ORDER 177.21 (2.1) APPROVING TO PURCHASE NIGHT VISION MONOCULAR'S AND MOUNTS IN THE AMOUNT OF \$50,778.75 FOR THE SHERIFF'S DEPARTMENT, USING THE NORTH TEXAS SHARE COOPERATIVE CONTRACT NUMBER NCT-2017 FROM NIGHT VISION DEVICES. THIS PURCHASE WILL BE MADE USING GRANT FUNDS, THE PURCHASE MEETS ALL OF THE GRANT REQUIREMENTS.

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

MINUTE ORDER 178.21 (2.2) APPROVING TO ADVERTISE AND SOLICIT BIDS FOR ELECTION EQUIPMENT AND MISCELLANEOUS MOVING SERVICES.

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

MINUTE ORDER 179.21 (2.3) APPROVING TO NEGOTIATE A CONTRACT AT A FAIR AND REASONABLE PRICE WITH KITCHELL BASED ON THE FINDING THAT KITCHELL IS THE MOST HIGHLY QUALIFIED PROVIDER OF FACILITIES NEEDS ASSESSMENT, LONG RANGE PLANNING, AND CONSTRUCTION MANAGEMENT SERVICES UNDER SECTION §254.004 OF THE TEXAS LOCAL GOVERNMENT CODE FOR RFSQ-2020-002 FACILITIES NEEDS ASSESSMENT, LONG RANGE PLANNING, AND CONSTRUCTION MANAGEMENT SERVICES.

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

To 3.2

ADMINISTRATIVE

MINUTE ORDER 180.21 (3.2) APPROVING TO ENTER INTO ADDENDUM 10, A NON-EXCLUSIVE LICENSE AND SERVICES AGREEMENT WITH LOCAL GOVERNMENT SOLUTIONS, L.P. TO PROVIDE COURT SOFTWARE AT A MONTHLY COST OF \$2,094.00. THE INCREASED AMOUNT WILL COME OUT OF THE COUNTY & DISTRICT CLERK TECHNOLOGY FUND. – *TODD LITTLE, COUNTY JUDGE*

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

NO ACTION (3.3) PRESENTATION BY MCKINSTRY OF AN OVERVIEW OF PRELIMINARY ASSESSMENT ON BUDGET NEUTRAL FACILITY IMPROVEMENT PROJECT. – *JORGE MORENO, MCKINSTRY*

MINUTE ORDER 181.21 (3.4) APPROVING OF INVESTMENT GRADE AUDIT (“IGA”) AGREEMENT WITH MCKINSTRY VIA TIPS CONTRACT #170103. – *JORGE MORENO, MCKINSTRY*

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

MINUTE ORDER 182.21 (3.5) APPROVING OF ELLIS COUNTY ENTERING INTO INDIGENT CARE AFFILIATION AGREEMENTS WITH CERTAIN HOSPITALS THAT ARE LOCATED OUTSIDE OF THE COUNTY BUT ARE MEMBERS OF HOSPITAL SYSTEMS THAT OPERATE HOSPITALS IN ELLIS COUNTY (THE “SISTER HOSPITALS”). – *JACK WILCOX, ENNIS REGIONAL MEDICAL CENTER; WILLIAM GALINSKY, VP GOVERNMENT FINANCE, BAYLOR SCOTT & WHITE*

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

MINUTE ORDER 183.21 (3.6) APPROVING THE FUNDING FOR THE REPAIR OF AHU UNITS AT THE JAIL DAMAGED DURING THE SNOW/ICE STORM. TOTAL COST \$82,430.00. COST TO REPLACE YORK KITCHEN AHU COIL – 2 (SALLY PORT) \$15,905.00; COST TO REPLACE AHU J-1 COIL \$9,005.00; COST TO REPLACE TEMTROL HEAT KITS – 4 (SOUTH ROOF OLD BUILDING) \$49,716.00; CHILL UNIT COIL - \$7,804.00. A FORM IS BEING SENT TO EMERGENCY MANAGEMENT FOR REIMBURSEMENT, HAS NOT YET BEEN APPROVED. QUOTE IS FROM AMS WHICH IS ON BUY BOARD AND ALSO CURRENT MAINTENANCE VENDOR FOR JAIL UNITS. – *BRAD NORMAN, SHERIFF*

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

MINUTE ORDER 184.21 (3.7) APPROVING OF 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, 2021 THROUGH SEPTEMBER 6, 2021. – *BRAD NORMAN, SHERIFF*

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

MINUTE ORDER 185.21 (3.8) APPROVING A LEASE AGREEMENT FOR THE RENTAL OF AN ADA EXPRESSVOTE MARKING DEVICE FOR MOUNTAIN PEAK SPECIAL UTILITY DISTRICT TO USE IN CONDUCTING THEIR ELECTION ON APRIL 24, 2021. – *JANA ONYON, ELECTIONS ADMINISTRATOR*

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

MINUTE ORDER 186.21 (3.9) APPROVING TO ORDER THE SPECIAL ELECTION TO BE HELD ON MAY 1, 2021 FOR THE PURPOSE OF ELECTING UNITED STATES REPRESENTATIVE DISTRICT 6 TO MEMBER OF CONGRESS TO FILL A VACANCY AS REQUIRED BY ARTICLE I, SECTION 2 OF THE U.S. CONSTITUTION AND

SECTION 204.021 OF THE TEXAS CONSTITUTION, FOR APPROVAL OF THE EARLY VOTING SCHEDULE. –
JANA ONYON, ELECTIONS ADMINISTRATOR

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

MINUTE ORDER 187.21 (3.10) APPROVING OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PALMER AND ELLIS COUNTY BEGINNING MARCH 1, 2021 TO DECEMBER 31, 2021. – RANDY STINSON, COMMISSIONER, PRECINCT 1

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

RECESS INTO EXECUTIVE SESSION 3:46 P.M.

MOTION TO RECESS BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, 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 §551.074 OF THE GOVERNMENT CODE, DELIBERATION OF THE APPOINTMENT, EMPLOYMENT, EVALUATION, AND DUTIES OF A PUBLIC OFFICER, SPECIFICALLY FOR THE EMPLOYMENT OF A LAW LIBRARY COORDINATOR.
- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTER CONCERNING HISTORIC ROAD DISTRICT DISTRIBUTION

RECONVENE TO REGULAR SESSION 4:14 P.M.

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

To 3.11

MINUTE ORDER 188.21 (3.11) APPROVING THE APPOINTMENT OF SAFAA CLOUD AS LAW LIBRARY COORDINATOR. – *THERESA TAYLOR, HUMAN RESOURCES*

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

To 3.1

MINUTE ORDER 189.21 (3.1) APPROVING TO RELEASE FUNDING FROM ELLIS COUNTY ROAD DISTRICTS No. 1 (\$1,273,789.00), ROAD DISTRICT NO. 5 (\$106,709.00), AND ROAD DISTRICT NO. 16 (\$197,473.00). – *TODD LITTLE, COUNTY JUDGE*

RECOMMENDED FUNDS DISTRIBUTION FOR ROAD DISTRICT NO. 1:

PCT. 1: \$219,336.80; PCT. 2: \$425,878.00
PCT. 3 : \$507,307.00; PCT. 4: \$121,268.00

RECOMMENDED FUNDS DISTRIBUTION FOR ROAD DISTRICT NO. 5:

PCT. 3 (\$22,395.00); PCT. 4 (\$84,315.00)

RECOMMENDED FUNDS DISTRIBUTION FOR ROAD DISTRICT NO. 16:

PCT. 1 (\$18,061.00); PCT. 2 (\$179,411.00)

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

ADJOURNMENT **4:28 P.M.**

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

MINUTE ORDER 188.21 (3.11) APPROVING THE APPOINTMENT OF SAFAA CLOUD AS LAW LIBRARY COORDINATOR. – *THERESA TAYLOR, HUMAN RESOURCES*

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

To 3.1

MINUTE ORDER 189.21 (3.1) APPROVING TO RELEASE FUNDING FROM ELLIS COUNTY ROAD DISTRICTS No. 1 (\$1,273,789.00) , ROAD DISTRICT No. 5 (\$106,709.00), AND ROAD DISTRICT No. 16 (\$197,473.00) . – *TODD LITTLE, COUNTY JUDGE*

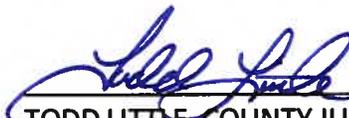
MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

ADJOURNMENT 4:28 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF MARCH 9, 2021 ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



PAUL PERRY, COMMISSIONER, PCT 3

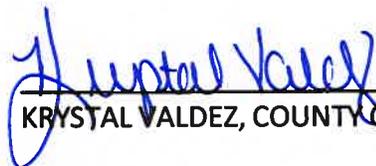


LANE GRAYSON, COMMISSIONER, PCT 2

Absent

KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 23RD DAY OF MARCH 2021.



KRISTAL VALDEZ, COUNTY CLERK

