

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – MAY 18, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, MAY 18, 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 BUTLER, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

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

CONSENT AGENDA:

MINUTE ORDER 251.21 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 MAY 4, 2021 AND SPECIAL MEETING MINUTES FROM MAY 11, 2021– *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 APPROVING THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM APRIL 27, 2021 – MAY 10, 2021, PURSUANT TO LOCAL GOVERNMENT CODE §114.026. – *JANET MARTIN, COUNTY AUDITOR*
- A4 ACCEPTING THE FIRE MARSHAL’S MONTHLY REPORT FOR APRIL 2021. – *TIM BIRDWELL, FIRE MARSHAL*
- A5 ACCEPTANCE OF ESD #5’S STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS. – ~~*TIM BIRDWELL, FIRE MARSHAL*~~ (ITEM STRUCK BY COUNTY JUDGE)

- A6 ACCEPTING THE ANNUAL AUDIT OF THE FISCAL ACCOUNTS AND RECORDS OF ESD #1 MAYPEARL, PURSUANT TO §775.082, TEXAS HEALTH & SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A7 ACCEPTING THE MONTHLY REPORTS FOR TEXAS A&M AGRILIFE; COUNTY AGENTS ARNOLD, ESPIE, BISHOP AND EDGAR. – *MARK ARNOLD, AG EXTENSION OFFICE*
- A8 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF GLENN HEIGHTS, TERM AGREEMENT THROUGH DECEMBER 31, 2021. – *KYLE BUTLER, COMMISSIONER, PCT. 4*
- A9 ACCEPTING THE JUSTICE OF THE PEACE, PCT. #1 MONTHLY REPORT, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *CHRIS MACON, JUSTICE OF THE PEACE, PCT. 1*
- A10 ACCEPTING THE JUSTICE OF THE PEACE, PCT. #4 MONTHLY REPORT, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *STEVE EGAN, JUSTICE OF THE PEACE, PCT. 4*

FINANCIAL:

- F1 APPROVING A PAYMENT TO LOCAL HEALTH AUTHORITY, DR. LEIGH NORDSTROM IN THE AMOUNT OF \$7,200.00 FOR 48 HOURS OF WORK DONE IN RESPONSE TO THE COVID-19 PANDEMIC. – *TODD LITTLE, COUNTY JUDGE*
- F2 **FY2020-21 LINE ITEM TRANSFER:**
DECREASE 001-0140-570000 CONTINGENCY-SURPLUS BY \$16,000.00; INCREASE 001-0145-509272 CONSTABLE, PCT. #2 OTHER VEHICLE LEASE – PRINCIPAL – BY \$16,000.00. – *TODD LITTLE, COUNTY JUDGE*
- F3 **FY2020-21 LINE ITEM TRANSFER:**
DECREASE 001-0140-570000 CONTINGENCY – SURPLUS BY \$24,349.36; INCREASE 001-0612-508020 CONSTABLE PCT. 2 EQUIPMENT BY \$24,349.36. – *TODD LITTLE, COUNTY JUDGE*
- F4 **FY2020-2021 BUDGET AMENDMENT:**
INCREASE 009-0602-400100 SALE OF EQUIPMENT - \$59,744.41; INCREASE 009-0602-508020 – PURCHASE OF EQUIPMENT - \$59,744.41. – *RANDY STINSON, COMMISSIONER, PRECINCT 1*
- F5 **FY2020-21 LINE ITEM TRANSFER:**
INCREASE 001-0230-40030 MISC. REIMBURSEMENTS - \$7,993.00; DECREASE 001-0230-508070 OPERATING EXPENDITURES - \$4,500.00; DECREASE 001-0230-508900 CO SUPPLY ROOM - \$2,000.00; DECREASE 001-0230-508010 SUPPLIES - \$743.00; DECREASE 001-0230-506980 LAW BOOKS/DUES - \$400.00; DECREASE 001-0230-508080 AUTO GAS - \$350.00. – *EJ HARBIN, PURCHASING*
- F6 **FY2020-21 LINE ITEM TRANSFER:**
DECREASE 012-0755-570000 CONTINGENCY – SURPLUS BY \$25,000.00; INCREASE 012-0755-509060 CULVERTS BY \$25,000.00. – *KYLE BUTLER, COMMISSIONER, PCT. 4*
- F7 **FY2020-21 LINE ITEM TRANSFER:**
DECREASE 001-0370-507030 TELEPHONE BY \$1,000.00; INCREASE 001-0370-508880 SOFTWARE BY \$1,000.00. – *RICHARD ROZIER, TAX ASSESSOR/COLLECTOR*

F8 **FY2020-21 LINE ITEM TRANSFER:**
DECREASE 001-0370-505020 SALARIES BY \$10,000.00; INCREASE 001-0370-508730
MAINT./REPAIR OFC EQUIP. BY \$10,000.00. – *RICHARD ROZIER, TAX ASSESSOR/COLLECTOR*

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

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 252.21 (1.1) APPROVING A PLAT OF LANGSTON HILL ESTATES. THE PROPERTY CONTAINS ± 7.348 ACRES OF LAND IN THE J. BARKER SURVEY, ABSTRACT NO. 40, LOCATED AT THE SOUTHEAST CORNER OF LONE ELM ROAD AND FM 875, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 253.21 (1.2) APPROVING A PLAT OF WOOD ADDITION. THE PROPERTY CONTAINS ± 4.456 ACRES OF LAND IN THE SAMUEL M. PETERS, ABSTRACT NO. 831, LOCATED ON THE SOUTH SIDE OF BOYCE ROAD, ± 8,400 FEET EAST OF BOYCE ROAD AND FM 878, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT. NO. 1.

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

MINUTE ORDER 254.21 (1.3) APPROVING A PLAT OF CALABRETTO ESTATES. THE PROPERTY CONTAINS ± 10.062 ACRES OF LAND IN THE J. BARKER SURVEY, ABSTRACT NO. 40, LOCATED ON THE WEST SIDE OF LONE ELM ROAD, ± 1,360 FEET SOUTH OF LONE ELM ROAD AND FM 875, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 255.21 (1.4) APPROVING A REPLAT OF IRWIN BRANCH LOTS 5BB1 & 5BB2. THE PROPERTY CONTAINS ± 10.184 ACRES OF LAND ON THE SOUTH SIDE OF MARSHALL ROAD ± 1,415 FEET WEST OF THE INTERSECTION OF MARSHALL ROAD AND FM 664, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 256.21 (1.5) APPROVING A REPLAT OF TRACT 19A AND 19B FIRST INSTALLMENT GRANDE CASA RANCHITOS. THE PROPERTY CONTAINS ± 7.749 ACRES OF LAND LOCATED ON THE NORTHEAST CORNER OF FALLING LEAVES DRIVE AND OLD MAYPEARL ROAD, MAYPEARL, ROAD AND BRIDGE PRECINCT No. 3.

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

MINUTE ORDER 257.21 (1.6) APPROVING A FINAL PLAT OF BELLA VISTA. THE PROPERTY CONTAINS ± 40.730 ACRES OF LAND IN THE HENRY TAYLOR SURVEY, ABSTRACT No. 1099, LOCATED ON THE NORTH SIDE OF FM 875 ± 1,725 FEET WEST OF THE INTERSECTION OF FM 875 AND SKINNER ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MIDLOTHIAN, ROAD AND BRIDGE PRECINCT No. 4.

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

MINUTE ORDER 258.21 (1.7) APPROVING TO RELEASE A PERFORMANCE BOND AND ACCEPT A MAINTENANCE BOND FOR THE BELLA VISTA SUBDIVISION, LOCATED IN ROAD AND BRIDGE PRECINCT No. 4.

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

MINUTE ORDER 259.21 (1.8) APPROVING A PLAT OF RIDGWAY ADDITION. THE PROPERTY CONTAINS ± 2.00 ACRES OF LAND LOCATED IN THE JAMES BAKER SURVEY, ABSTRACT No. 40 ON THE SOUTH SIDE OF FM 875 ± 450 FEET WEST OF THE INTERSECTION OF FM 875 AND MEMORY LANE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 3.

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

MINUTE ORDER 260.21 (1.9) APPROVING FEE REDUCTIONS AND/OR FEE WAIVERS FROM THE DEPARTMENT OF DEVELOPMENT (DOD) FOR APPROXIMATELY 47 PROPERTIES IN THE VICINITY OF THE FORRESTON TORNADO THAT OCCURRED ON OR AROUND MAY 3, 2021.

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

PURCHASING

MINUTE ORDER 261.21 (2.1) GRANTING A SOLE-SOURCE EXEMPTION UNDER SECTION 262.024 (7) OF THE LOCAL GOVERNMENT CODE, FROM THE BIDDING REQUIREMENTS OF SECTION 262.023, LOCAL GOVERNMENT CODE FOR THE PURCHASE OF PROPRIETARY EQUIPMENT; USE OF INTELLECTUAL PROPERTY AND INTEGRATION SERVICES FROM CML SECURITY FOR UPGRADES TO THE 2ND AND 3RD FLOOR JAIL CONTROL SYSTEMS.

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

MINUTE ORDER 262.21 (2.2) APPROVING THE PURCHASE OF PROPRIETARY EQUIPMENT; USE OF INTELLECTUAL PROPERTY AND INTEGRATION SERVICES FROM CML SECURITY FOR UPGRADES TO THE 2ND AND 3RD FLOOR JAIL CONTROL SYSTEMS USING THE APPROVED SOLE-SOURCE EXEMPTION IN THE AMOUNT OF \$307,725.00, WHICH INCLUDES A TEN PERCENT CONTINGENCY.

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

MINUTE ORDER 263.21 (2.3) APPROVING TO LEASE A COPIER FOR THE TAX OFFICE IN THE AMOUNT OF \$179.12 PER MONTH, AND TO RENEW THE LEASE OF A COPIER FOR THE PURCHASING DEPARTMENT IN THE AMOUNT OF \$172.25 PER MONTH; BOTH FROM XEROX AND FOR 51 MONTH TERMS, USING THE OMNIA PARTNERS COOPERATIVE CONTRACT #R191104.

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

MINUTE ORDER 264.21 (2.4) APPROVING TO PURCHASE A DOOSAN DX190W-5 3-PIECE BOOM IN THE AMOUNT OF \$204,774.60 FOR ROAD & BRIDGE PRECINCT 4, USING TEXAS ASSOCIATION OF SCHOOL BOARDS BUY BOARD COOPERATIVE CONTRACT #597.019 FROM R.B. EVERETT & Co.

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

MINUTE ORDER 265.21 (2.5) APPROVING TO PURCHASE A KUBOTA SVL97-2HFC COMPACT TRACK LOADER IN THE AMOUNT OF \$64,609.84 FOR ROAD & BRIDGE PRECINCT 3, USING THE BUYBOARD COOPERATIVE CONTRACT #597-19 FROM KUBOTA TRACTOR CORPORATION.

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

MINUTE ORDER 266.21 (2.6) APPROVING TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH KITCHELL FOR FACILITY NEEDS ASSESSMENT, LONG-RANGE PLANNING, AND CONSTRUCTION

MANAGEMENT SERVICES, IN THE AMOUNT OF \$316,996.00, AWARDED PER RFQS-2020-002. THIS WILL BE FUNDED BY NON-DEPARTMENTAL CONTRACT SERVICES.

PUBLIC PARTICIPATION: DAVID McSPADDEN - WAXAHACHIE

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

ADMINISTRATIVE

MINUTE ORDER 267.21 (3.1) APPROVING A SECONDARY CASH DRAWER FOR THE LAW LIBRARY. THE DRAWER WILL HAVE \$100.00. TWO CASH DRAWERS WOULD ALLOW EACH EMPLOYEE TO PROCESS TRANSACTIONS AND BALANCE SEPARATELY. – JANET MARTIN, COUNTY AUDITOR

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

NO ACTION (3.2) DISCUSSION REGARDING REQUESTS FOR BUDGET CHANGES FOR THE UPCOMING BUDGET BY DEPARTMENT HEADS. – PAUL PERRY, COMMISSIONER, PRECINCT No. 3

MINUTE ORDER 268.21 (3.3) APPROVING THE SELECTION OF THE NINE-MEMBER SALARY GRIEVANCE COMMITTEE CONSISTING OF SIX ELECTED OFFICIALS AND THREE PUBLIC MEMBERS. THE THREE PUBLIC MEMBERS AND NINE ALTERNATES WERE CHOSEN FROM THE PREVIOUS YEARS' GRAND JURY LIST, PURSUANT TO LOCAL GOVERNMENT CODE §152.014. – KRYSTAL VALDEZ, COUNTY CLERK

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

MINUTE ORDER 269.21 (3.4) APPROVING TO ENTER INTO AN AGREEMENT WITH THE TEXAS STATE SOIL AND WATER CONSERVATION BOARD FOR STRUCTURAL REPAIRS TO MOUNTAIN CREEK 11 FLOOD CONTROL STRUCTURE. – TED KANTOR, COUNTY ENGINEER

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

MINUTE ORDER 270.21 A FINDING TO RECESS INTO EXECUTIVE SESSION BECAUSE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE GOVERNMENTAL BODY.

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

RECESS INTO EXECUTIVE SESSION 3:02 P.M.

MOTION TO RECESS BY COMMISSIONER PERRY, 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 CHAPTER 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 CHAPTER 551.

- 4.1 PURSUANT TO §551.071 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 NEGOTIATIONS WITH A THIRD PERSON.

RECONVENE TO REGULAR SESSION 3:42 P.M.

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

ADJOURNMENT 3:42 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF MAY 18, 2021 ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



PAUL PERRY, COMMISSIONER, PCT 3

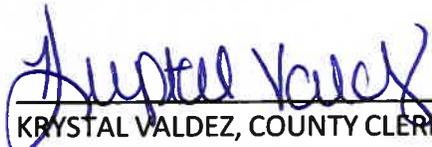


LANE GRAYSON, COMMISSIONER, PCT 2



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 1ST DAY OF JUNE 2021.



KRYSTAL VALDEZ, COUNTY CLERK

