

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JUNE 29, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JUNE 29, 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 GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *RANDY STINSON, COMMISSIONER, PRECINCT #1*

RECOGNITION/COMMENDATION/PROCLAMATION

AA PROCLAMATION DECLARING THE MONTH OF JUNE TO BE “ELDER ABUSE PREVENTION & AWARENESS MONTH”. – *TDFPS AND TODD LITTLE, COUNTY JUDGE*

AB RECOGNITION OF SHARON MANCILLA FOR COMPLETION OF HER PROFESSIONAL IN HUMAN RESOURCES CERTIFICATION. – *THERESA TAYLOR, HUMAN RESOURCES*

CONSENT AGENDA:

MINUTE ORDER 302.21 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER’S REPORTS. – *CHERYL CHAMBERS, COUNTY TREASURER*

A2 APPROVING COMMISSIONERS’ COURT SPECIAL MEETING MINUTES FROM JUNE 9, 2021, AND REGULAR MEETING MINUTES FROM JUNE 15, 2021. – *KRystal VALDEZ, COUNTY CLERK*

- A3 AUTHORIZING THE COUNTY JUDGE TO SEND A LETTER OF SUPPORT TO HOPE CLINIC TO MAINTAIN ITS STATUS AS A FEDERALLY QUALIFIED HEALTH CENTER FOR ELLIS COUNTY. – *TODD LITTLE, COUNTY JUDGE*
- A4 AUTHORIZING TO AMEND CONTRACT RFB 2019-013 WITH TEXAS BIT FOR PAVEMENT REHABILITATION AND RESURFACING SERVICES (MINUTE ORDER 402.19, SEPTEMBER 24, 2019) TO ALLOW COOPERATIVE PURCHASING. – *EJ HARBIN, PURCHASING*
- A5 ACCEPTING THE ANNUAL COMPILATION REPORT OF THE FISCAL ACCOUNTS AND RECORDS OF EMERGENCY SERVICES DISTRICT #3 (ITALY) IN ELLIS COUNTY, PURSUANT TO §775.082, TEXAS HEALTH AND SAFETY CODE. – *TIM BIRDWELL, FIRE MARSHAL*
- A6 ACCEPTING THE COUNTY AUDITOR'S MONTHLY REPORT FOR MAY 2021, PURSUANT TO LGC §114.025. – *JANET MARTIN, COUNTY AUDITOR*
- A7 APPROVING A PROPERTY TAX REFUND IN THE AMOUNT OF \$5,623.08 AS SUBMITTED BY THE ELLIS COUNTY TAX ASSESSOR COLLECTOR. – *JANET MARTIN, COUNTY AUDITOR*

FINANCIAL:

- F1 APPROVING TO COMMIT THE MONEY IN DEPARTMENTS 003 ROAD & BRIDGE 1, DEPARTMENT 004 ROAD & BRIDGE 2, DEPARTMENT 005 ROAD & BRIDGE 3, AND DEPARTMENT 006 ROAD & BRIDGE 4. COMMITTING THE FUNDS FROM THESE DEPARTMENTS WILL ESTABLISH EACH OF THE DEPARTMENTS AS A SPECIAL AND DEDICATED FUND AND WILL ALLOW EACH TO RETAIN A SEPARATE FUND BALANCE. THE COMMITTED MONEY SHALL BE USED FOR ROAD AND BRIDGE WORK IN THEIR RESPECTIVE PRECINCTS WITHOUT RESTRICTION, OTHER THAN THAT OF A LEGAL PURPOSE. – *JANET MARTIN, COUNTY AUDITOR*
- F2 **FY2020-21 LINE ITEM TRANSFER – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT***
DECREASE 001-0430-508110 AUTO INSURANCE BY \$151.00;
INCREASE 001-0430-508150 UNIFORM EXPENSE BY \$151.00.
- F3 **FY2020-21 LINE ITEM TRANSFER – *PAUL PERRY, COMMISSIONER, PRECINCT #3***
DECREASE 005-0703-50807 RB3 GENERAL MISC. BY \$4,000.00;
INCREASE 005-0703-509070 RB3 TIRES BY \$4,000.00.
- F4 **FY2020-21 LINE ITEM TRANSFER – *KYLE BUTLER, COMMISSIONER, PCT. #4***
DECREASE 012-0755-570000 CONTINGENCY-SURPLUS BY \$10,000.00;
INCREASE 012-0755-509060 CULVERTS BY \$10,000.00.
- F5 **FY2020-21 LINE ITEM TRANSFER – *PAUL PERRY, COMMISSIONER, PCT. #3***
DECREASE 011-0704-57000 FM3 CONTINGENCIES BY \$100,000.00;
INCREASE 011-0704-509110 FM3 GRAVEL BY \$100,000.00.
- F6 **FY2020-21 LINE ITEM TRANSFER – *ALBERTO MARES, DEPARTMENT OF DEVELOPMENT***
DECREASE 001-0060-507030 TELEPHONE BY \$300.00;
DECREASE 001-0060-508080 AUTO GAS BY \$1,500.00;
DECREASE 001-0060-508730 OFFICE EQUIP. MAINT. RPS. BY \$500.00;
INCREASE 001-0060-508050 CONFERENCE BY \$2,000.00;
INCREASE 001-0060-508060 DUES BY \$500.00.

- F7 **FY2020-21 LINE ITEM TRANSFER – LANE GRAYSON, COMMISSIONER, PCT. #2**
 DECREASE 004-0652-570000 CONTINGENCY BY \$15, 157.61;
 INCREASE 004-0652-509270 PRINCIPAL BY \$12,000.00;
 INCREASE 004-0652-509280 INTEREST BY \$3,157.61.
- F8 **FY2020-21 LINE ITEM TRANSFER – RANDY STINSON, COMMISSIONER, PCT. #1**
 DECREASE 009-0602-508070 FM1 OPERATING EXPENDITURES BY \$3,200.00;
 INCREASE 009-0602-509070 FM1 – TIRES BY \$3,200.00.
- F9 **FY2020-21 LINE ITEM TRANSFER – LANE GRAYSON, COMMISSIONER, PCT. #2**
 DECREASE 010-0653-508070 FM2 GENERAL EXPENSES BY \$10,000.00;
 INCREASE 010-0653-509090 FM2 REPAIRS/PARTS BY \$10,000.00.
- F10 **FY2020-21 LINE ITEM TRANSFER – MARK ARNOLD, AGRI-LIFE EXTENSION**
 DECREASE 001-0050-508050 CONFERENCE BY \$700.00;
 INCREASE 001-0050-508430 4-H TRAVEL BY \$700.00.
- F11 **FY2020-21 LINE ITEM TRANSFER – BRAD NORMAN, COUNTY SHERIFF**
 DECREASE 001-0010-508070 OPERATING EXPENSES BY \$4,808.99;
 DECREASE 001-0010-508880 COMPUTER SOFTWARE BY \$5,000.00;
 INCREASE 001-0010-507020 REPAIRS BY \$4,003.75;
 INCREASE 001-0010-508570 PERIPHERAL EXPENDITURE BY \$805.24;
 INCREASE 001-0010-508100 AUTO TIRES – TIRE REPAIRS BY \$5,000.00.
- F12 **FY2020-21 LINE ITEM TRANSFER – BRAD NORMAN, COUNTY SHERIFF**
 DECREASE 001-0015-508070 OPERATING EXPENSE BY \$4,032.35;
 INCREASE 001-0015-508020 EQUIPMENT BY \$2,839.85;
 INCREASE 001-0015-508120 RADIO BY \$1,192.50.

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

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 303.21 APPROVING AGENDA ITEMS 1.1 – 1.6

(1.1) APPROVING AN AMENDED PLAT OF LOTS 15 & 16, BLOCK 2 OF THE CROSS FENCE AT OAK VISTA. THE PROPERTY CONTAINS ± 2.165 ACRES OF LAND LOCATED NEAR ADKINS TRAIL AND REID COURT, IN THE EXTERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

(1.2) APPROVING AN AMENDED PLAT OF LOT 29, BLOCK 2 OF THE CROSS FENCE AT OAK VISTA. THE PROPERTY CONTAINS ± 1.496 ACRES OF LAND LOCATED SOUTHEAST OF THE INTERSECTION OF MARCEY

LANE AND COBB LANE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

(1.3) APPROVING AN AMENDED PLAT OF LOT 29, BLOCK 4 OF THE CROSS FENCE AT OAK VISTA. THE PROPERTY CONTAINS ± 1.069 ACRES OF LAND LOCATED NEAR MADELINE COURT AND WOODBURY COURT, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

(1.4) APPROVING AN AMENDED PLAT OF LOTS 23, 24, 36 & 37, BLOCK 2 OF THE CROSS FENCE AT OAK VISTA. THE PROPERTY CONTAINS ± 5.617 ACRES OF LAND LOCATED ON TAMMINGA TRAIL AND MARCEY LANE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

(1.5) APPROVING AN AMENDED PLAT OF LOTS 49, 50, 58 & 59, BLOCK 2 OF THE CROSS FENCE AT OAK VISTA. THE PROPERTY CONTAINS ± 4.518 ACRES OF LAND LOCATED ON ELLIS OAK COURT AND WOODBURY COURT, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITIES OF MAYPEARL AND WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

(1.6) APPROVING AN AMENDED PLAT OF LOTS 61, 62, 73 & 74, BLOCK 2 OF THE CROSS FENCE AT OAK VISTA. THE PROPERTY CONTAINS ± 7.744 ACRES OF LAND LOCATED ON JACEY COURT AND ELLIS OAK COURT, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

MOTION TO APPROVE 1.1–1.6 BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 304.21 (1.7) GRANTING WITH CONDITIONS, A ONE-TIME VARIANCE FOR PARCEL ID 283251 FROM SECTION IV (A) (2) OF THE SUBDIVISION & DEVELOPMENT STANDARDS TO ALLOW THIS PROPERTY TO DEVELOP WITHOUT MEETING THE MINIMUM ROAD FRONTAGE REQUIREMENTS. THE PROPERTY CONTAINS ± 10.08 ACRES OF LAND IN THE J. NEELY SURVEY, ABSTRACT NO. 804, LOCATED ON THE WEST SIDE OF HOLLIS ROAD ± 1,700 FEET SOUTH OF FM 876, WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 305.21 (1.8) ACCEPTING A PERFORMANCE BOND FOR THE PROPOSED WINDING CREEK ESTATES (PARCEL ID NO. 180232). THE PROPERTY CONTAINS ± 70.016 ACRES OF LAND IN THE J.S. BERRY SURVEY, ABSTRACT NO. 86, LOCATED NEAR THE INTERSECTION OF FM 664 AND SHILOH ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF OVILLA, ROAD & BRIDGE PRECINCT NO. 4.

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

PURCHASING

MINUTE ORDER 306.21 (2.1) APPROVING TO PURCHASE HIGH DEFINITION 4 MEGA PIXEL SECURITY CAMERAS, HARDWARE, AND SERVICES FOR THE WAXAHACHIE, ENNIS, MIDLOTHIAN, AND RED OAK TAX OFFICES IN AN AMOUNT OF \$15,612.00 FROM BAT SECURITY.

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

MINUTE ORDER 307.21 (2.2) APPROVING TO PURCHASE A CIMLINE ONE-MAN PATCHER IN THE AMOUNT OF \$221,212.00 FOR ROAD AND BRIDGE PRECINCT 1 USING THE BUYBOARD COOPERATIVE CONTRACT #597-19 FROM R.B. EVERETT & COMPANY.

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

MINUTE ORDER 308.21 (2.3) AUTHORIZING TO ADVERTISE AND SOLICIT FOR REQUEST FOR PROPOSALS (RFP) FOR SELECTION OF AN INMATE MEDICAL SERVICES PROVIDER.

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

MINUTE ORDER 309.21 (2.4) APPROVING TO PURCHASE EQUIPMENT, SUPPLIES AND SERVICES ON AN AS-NEEDED BASIS USING THE FOLLOWING COOPERATIVE CONTRACTS: THE INTERLOCAL PURCHASING SYSTEM (TIPS) COOPERATIVE CONTRACTS, AHERN RENTALS INC. – CONTRACT #191001 HEAVY DUTY EQUIPMENT RENTALS AND REPAIR.

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

MINUTE ORDER 310.21 (2.5) APPROVING OF HOT MIX ASPHALT SERVICES FOR PROJECTS LOCATED AT THE NORTH END AND SOUTH END OF THE BRIDGE ON PIGG ROAD USING THE CONTRACT WITH TEXAS BIT (MINUTE ORDER 402.19) IN THE AMOUNT OF \$318,791.68.

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

ADMINISTRATIVE

MINUTE ORDER 311.21 (3.1) APPROVING LEEANNE BRIDGES AS THE COUNTY JUDGE'S OFFICE DESIGNEE FOR THE ELLIS COUNTY BAIL BOND BOARD. – *TODD LITTLE, COUNTY JUDGE*

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

TABLED (3.2) DISCUSSION, CONSIDERATION AND APPROVAL TO RELOCATE THE MIDLOTHIAN INDIGENT DEFENSE OFFICE FROM MIDLOTHIAN TO MERGE WITH THE MAIN INDIGENT DEFENSE OFFICE LOCATED IN ENNIS. – *TERRI KLEIN, INDIGENT CARE COORDINATOR*

MINUTE ORDER 312.21 (3.3) APPROVING THE CONTRACT ASSIGNMENT FOR DATA PRESERVATION, LLC TO KOFILTECHNOLOGIES, INC. FOR THE FOLLOWING OPEN CONTRACTS: (1) DOCUMENT INDEXING – REAL PROPERTY (MO #225.21) AND (2) HISTORICAL DEED RECORDS PRESERVATION PROJECT (MO #228.20). – *KRYSTAL VALDEZ, COUNTY CLERK*

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

NO ACTION (3.4) DISCUSSION REGARDING PROPOSED BUDGET REQUESTS FOR FY2021-2022 FOR ELLIS COUNTY, TEXAS. – *TODD LITTLE, COUNTY JUDGE*

MINUTE ORDER 313.21 (3.5) APPROVING THE APPOINTMENT OF JIM WEHMEIER, DIRECTOR OF ECONOMIC DEVELOPMENT FOR THE CITY OF ENNIS, AS THE ELLIS COUNTY DESIGNEE TO THE NORTH CENTRAL TEXAS ECONOMIC DEVELOPMENT BOARD. EFFECTIVE BEGINNING SEPTEMBER 1, 2021 THROUGH AUGUST 31, 2022. – *TODD LITTLE, COUNTY JUDGE*

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

RECESS INTO EXECUTIVE SESSION 2:50 P.M.

MOTION TO RECESS 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 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 §551.072 OF THE GOVERNMENT CODE, TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY IF THE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.

- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING TCEQ TPDES PERMITS AND MUD APPLICATIONS, CONCERNING LAKEVIEW MUDS AND WAXAHACHIE CREEK MUD.

RECONVENE TO REGULAR SESSION 3:55 P.M.

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

ADJOURNMENT 3:55 P.M.

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

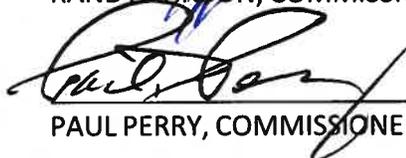
THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON JUNE 29, 2021, ARE HEREBY APPROVED.

PRESIDING OFFICER:


TODD LITTLE, COUNTY JUDGE

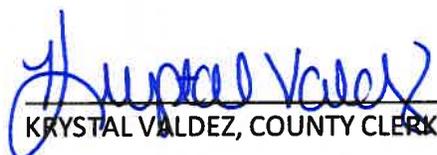

RANDY STINSON, COMMISSIONER, PCT 1


LANE GRAYSON, COMMISSIONER, PCT 2


PAUL PERRY, COMMISSIONER, PCT 3


KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 13TH DAY OF JULY 2021.


KRISTAL VALDEZ, COUNTY CLERK

