

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JULY 13, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JULY 13, 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

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 BUTLER, MOTION CARRIED

INVOCATION – RANDY STINSON, COMMISSIONER, PRECINCT #1

PLEDGE OF ALLEGIANCE – PAUL PERRY, COMMISSIONER, PRECINCT #3

CONSENT AGENDA:

MINUTE ORDER 314.21 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 JUNE 29, 2021. – *KRYSTAL VALDEZ, COUNTY CLERK*
- ~~A3 APPROVAL TO SIGN ESTIMATE FROM BLUE LINE MOVING IN THE AMOUNT OF \$500 – \$575. MOVING SERVICES ARE TO RELOCATE APPROXIMATELY 200 BOXES TO THE COUNTY RECORDS BUILDING. – JANET MARTIN, COUNTY AUDITOR. ITEM STRUCK BY COUNTY JUDGE~~
- A4 ACCEPTING THE JUSTICE OF THE PEACE, PRECINCT #1 MONTHLY REPORT, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *CHRIS MACON, JUSTICE OF THE PEACE, PRECINCT #1*
- A5 ACCEPTING THE TEXAS A&M AGRILIFE COUNTY AGENTS ARNOLD, ESPIE, BISHOP & EDGAR, PURSUANT TO LOCAL GOVERNMENT CODE. – *MARK ARNOLD, AG EXTENSION OFFICE*

- A6 APPROVING THE DEPARTMENT OF DEVELOPMENT'S (DOD) MONTHLY FINANCIAL REPORT FOR JUNE 2021, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – ALBERTO MARES, DEPARTMENT OF DEVELOPMENT

FINANCIAL:

- F1 **FY2020-21 LINE ITEM TRANSFER – ANN MONTGOMERY, COUNTY & DISTRICT ATTORNEY**
DECREASE 001-0360-506010 MILEAGE BY \$1,000.00;
DECREASE 001-0360-508050 CONFERENCE BY \$1,000.00;
DECREASE 001-0360-508880 COMPUTER SOFTWARE BY \$7,000.00;
INCREASE 001-0360-508530 LEGAL RESEARCH BY \$3,000.00;
INCREASE 001-0360-508070 OPERATING EXPENDITURES BY \$6,000.00.
- F2 **FY2020-21 LINE ITEM TRANSFER – KEITH ROBERTS, MAINTENANCE DIRECTOR**
DECREASE 001-0020-508080 AUTO GAS BY \$500.00;
DECREASE 001-0020-508090 AUTO REPAIR BY \$200.00;
DECREASE 001-0020-507050 ELEVATOR BY \$1,000.00;
DECREASE 001-0020-508070 OPERATING EXP. BY \$1,500.00;
INCREASE 001-0020-508150 UNIFORMS BY \$450.00;
INCREASE 001-0020-507020 REPAIRS BY \$2,750.00.
- F3 **FY2020-21 LINE ITEM TRANSFER – KEITH ROBERTS, MAINTENANCE DIRECTOR**
DECREASE 001-0020-507050 ELEVATOR BY \$500.00;
INCREASE 001-0020-507040 PEST CONTROL BY \$500.00.
- F4 **FY2020-21 LINE ITEM TRANSFER – JACKIE MILLER, JUSTICE OF THE PEACE, PCT. #2**
DECREASE 001-0520-508350 TRAINING BY \$2,000.00;
INCREASE 001-0520-508010 SUPPLIES BY \$2,000.00.
- F5 **FY2020-21 LINE ITEM TRANSFER – PAUL PERRY, COMMISSIONER, PCT. #3**
DECREASE 011-0704-508070 FM3 MISC. BY \$10,000.00;
INCREASE 011-0704-509060 FM3 CULVERTS BY \$10,000.00.
- F6 **FY2020-21 LINE ITEM TRANSFER – LANE GRAYSON, COMMISSIONER, PCT. #2**
DECREASE 010-0653-508070 FM2 GENERAL EXPENSES BY \$2,000.00;
INCREASE 010-0653-509180 FM2 HARDWARE TOOLS BY \$2,000.00.
- F7 **FY2020-21 LINE ITEM TRANSFER – RANDY STINSON, COMMISSIONER, PCT. #1**
DECREASE 003-0601-570000 RB1 – CONTINGENCY SURPLUS BY \$414,615.00;
INCREASE 003-0601-508020 RB1 – PURCHASE OF EQUIPMENT BY \$414,615.00.
- F8 **FY2020-21 LINE ITEM TRANSFER – TEXAS HIGHWAY PATROL**
DECREASE 001-0340-506020 STAFF TRAVEL REIMBURSEMENT \$500.00;
DECREASE 001-0340-508350 EMPLOYEE TRAINING BY \$1,000.00;
INCREASE 001-0340-508010 SUPPLIES BY \$1,500.00.

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

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 315.21 (1.1) APPROVING A PLAT OF ERIC VERA ADDITION. THE PROPERTY CONTAINS ± 1.726 ACRES OF LAND IN THE RM WILLIAMSON SURVEY, ABSTRACT NO. 1108, LOCATED ON THE SOUTH SIDE OF McCRADY ROAD ± 3,550 FEET EAST OF THE INTERSECTION OF McCRADY ROAD AND N. ANTHONY ROAD, ENNIS, ROAD AND BRIDGE PRECINCT #2.

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

MINUTE ORDER 316.21 (1.2) APPROVING A PLAT OF GOMEZ AND RAMOS RANCH. THE PROPERTY CONTAINS ± 14.096 ACRES OF LAND IN THE R DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ON THE WEST SIDE OF NECK ROAD ± 2,780 FEET SOUTH OF THE INTERSECTION OF NECK ROAD AND NEWTON ROAD, FERRIS, ROAD AND BRIDGE PRECINCT #1.

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

MINUTE ORDER 317.21 (1.3) APPROVING A PLAT OF NORS ADDITION. THE PROPERTY CONTAINS ± 12.431 ACRES OF LAND IN THE WILLIAM H. EWING SURVEY, ABSTRACT NO. 322, AND THE HENRY RANKIN SURVEY, ABSTRACT NO. 926, LOCATED ON THE SOUTH SIDE OF OLD ALMA ROAD, ± 600 FT. WEST OF THE INTERSECTION OF OLD ALMA ROAD AND NORS ROAD (A PRIVATE ROAD), IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF ENNIS, ROAD AND BRIDGE PRECINCT #2.

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

MINUTE ORDER 318.21 (1.4) APPROVING A PLAT OF STARKS ACRES. THE PROPERTY CONTAINS ± 2.841 ACRES OF LAND IN THE P. OLIVARI SURVEY, ABSTRACT NO. 812, LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF FM 66 AND RICHARD ROAD, WAXAHACHIE, ROAD AND BRIDGE PRECINCT #3.

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

MINUTE ORDER 319.21 (1.5) APPROVING A PLAT OF TORRES-MUNOZ SUBDIVISION. THE PROPERTY CONTAINS ± 14.878 ACRES OF LAND IN THE ADAM T. MILLER SURVEY, ABSTRACT NO. 716, LOCATED ON THE SOUTH SIDE OF MARION ROAD, ± 1,285 FEET EAST OF THE INTERSECTION OF NORRELL ROAD AND MARION ROAD, VENUS, ROAD AND BRIDGE PRECINCT #4.

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

To AGENDA ITEM 2.1

PURCHASING

MINUTE ORDER 320.21 (2.1) APPROVING TO PURCHASE A BOMAG RS360 SOIL STABILIZER/RECYCLER IN THE AMOUNT OF \$414,615.00 FOR ROAD & BRIDGE PRECINCT 1 USING THE BUYBOARD COOPERATIVE CONTRACT No. 597-19 FROM R.B. EVERETT & COMPANY.

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

MINUTE ORDER 321.21 (2.2) APPROVING AN INTERLOCAL PURCHASING AGREEMENT BETWEEN THE CITY OF RED OAK AND ELLIS COUNTY IN ACCORDANCE WITH THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE AND SECTION 271 OF THE TEXAS LOCAL GOVERNMENT CODE.

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

MINUTE ORDER 322.21 (2.3) APPROVING TO SIGN A NOTICE EXERCISING OPTION TO RENEW LEASE WITH LEASING IMPRESSIONS COMMERCIALS, LLC, FOR PROPERTY LOCATED AT 301 N. 8TH STREET, MIDLOTHIAN, TX, 76065, FOR A ONE-YEAR TERM IN AN AMOUNT OF \$9,750.00 PER MONTH.

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

MINUTE ORDER 323.21 (2.4) APPROVING TO SIGN A NOTICE EXERCISING OPTION TO RENEW LEASE WITH LEASING IMPRESSIONS COMMERCIALS, LLC, FOR PROPERTY LOCATED AT 330 N. 8TH STREET, SUITE 106-108, MIDLOTHIAN, TX, 76065, FOR A ONE-YEAR TERM IN AN AMOUNT OF \$3,950.00 PER MONTH.

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

MINUTE ORDER 324.21 (2.5) APPROVING TO AUTHORIZE ADVERTISEMENT AND SOLICITATION OF BIDS FOR EMERGENCY BOTTLED WATER.

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

MINUTE ORDER 325.21 (2.6) APPROVING A COST SHARING PAYMENT FOR DESIGN AND CONSTRUCTION SERVICES FOR THE BRYSON ROAD AND WATER STREET BRIDGE PROJECT IN THE AMOUNT OF \$96,935.48 TO THE CITY OF OVILLA.

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

MINUTE ORDER 326.21 (2.7) APPROVING TO RENEW THE FOLLOWING RFP 2019-012 FOOD SERVICES OF ELLIS COUNTY DETENTION CENTER WITH CORRECTIONAL FOOD SERVICES GP, INC. FOR A ONE (1) YEAR RENEWAL PERIOD WITH A THREE PERCENT INCREASE TO \$1.221 PER MEAL UP TO COUNT 325 INMATES; \$1.193 PER MEAL UP TO COUNT 326-450 INMATES.

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

MINUTE ORDER 327.21 (2.8) APPROVING TO PURCHASE FURNITURE AND INSTALLATION SERVICES FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP), FROM OAK CLIFF OFFICE PRODUCTS USING THE TIPS COOPERATIVE CONTRACT No. 200301 FOR \$18,377.51 AND OMNIA PARTNERS COOPERATIVE CONTRACT No. R191804 FOR \$8,392.19. INSTALLATION SERVICES IN THE AMOUNT OF \$6,500.00. THE TOTAL OF THE FURNITURE AND INSTALLATION WILL BE \$33,269.70.

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

To AGENDA ITEM 3.2

ADMINISTRATIVE

MINUTE ORDER 328.21 (3.2) APPROVING TO ENTER INTO AN AGREEMENT WITH TRANSUNION RISK AND ALTERNATIVE DATA SOLUTIONS, INC., FOR A PERIOD OF 12 MONTHS AT A RATE OF \$125 PER MONTH. – REBECCA LUNDBERG, COUNTY AND DISTRICT ATTORNEY'S OFFICE

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

MINUTE ORDER 329.21 (3.3) APPROVING TO PAY AN INVOICE OF \$41,500.00 FROM LOOKUP PROPERTIES FOR PLANS AND ARCHITECTURAL SERVICES FOR THE JJAEP ADDITION TO THE ELLIS COUNTY JUVENILE PROBATION BUILDING. – TED KANTOR, COUNTY ENGINEER

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

MINUTE ORDER 330.21 (3.4) APPROVING TO RELOCATE THE MIDLOTHIAN INDIGENT HEALTH OFFICE FROM MIDLOTHIAN TO MERGE WITH THE MAIN INDIGENT HEALTH OFFICE LOCATED IN ENNIS. – TERRI KLEIN, INDIGENT CARE COORDINATOR

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

To AGENDA ITEM 3.1

MINUTE ORDER 331.21 (3.1) APPROVING TO RENEW OR MODIFY THE CURRENT COUNTY AND RETIREE HEALTH INSURANCE COVERAGE AND PREMIUMS THROUGH THE TEXAS ASSOCIATION OF COUNTIES AND EMPLOYEE BENEFITS POOL FOR THE FISCAL YEAR 2021-2022. – *THERESA TAYLOR, HUMAN RESOURCES DIRECTOR*

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

To AGENDA ITEM 3.7

NO ACTION (3.7) DISCUSSION REGARDING PROPOSED BUDGET REQUESTS FOR FY 2021-2022 FOR ELLIS COUNTY, TEXAS. – *TODD LITTLE, COUNTY JUDGE*

RECESS INTO EXECUTIVE SESSION 3:03 P.M.

MOTION TO RECESS BY COMMISSIONER BUTLER, 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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING SPECIAL DISTRICTS AND/OR TCEQ LAKEVIEW MUDs AND TPDES APPLICATION.
- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION INCLUDING PENDING OR CONTEMPLATED ADMINISTRATIVE PROCEEDINGS, CONCERNING TEXAS STATE BAR ADMINISTRATIVE MATTER.
- 4.3 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.
- 4.4 PURSUANT TO §551.089 AND §551.076 OF THE GOVERNMENT CODE, TO DELIBERATE REGARDING SECURITY DEVICES AND SECURITY AUDITS.

RECONVENE TO REGULAR SESSION 4:55 P.M.

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

To AGENDA ITEM 1.6

MINUTE ORDER 332.21 (1.6) APPROVING TO CONTEST, SUBMIT COMMENTARY, AND REQUEST CONTESTED HEARING REGARDING THE TPDES PERMIT FOR THE LAKEVIEW MUD DEVELOPMENT. (APPLICATION BY LVTP HOLDINGS, LLC TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM ("TPDES") PERMIT No. WQ0015964001).

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

To AGENDA ITEM 3.5

MINUTE ORDER 333.21 (3.5) APPROVING TO INCREASE THE CONTRACT AMOUNT BY \$8,050.00 FOR CAMPBELL & ASSOCIATES LAW FIRM, PC, RELATED TO TEXAS BAR ADMINISTRATIVE MATTER. – *ANN MONTGOMERY, COUNTY AND DISTRICT ATTORNEY*

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

To AGENDA ITEM 3.6

MINUTE ORDER 334.21 (3.6) APPROVING THE ESCROW AGREEMENT FOR \$185,000.00 BETWEEN THE CITY OF WAXAHACHIE, ELLIS COUNTY, AND EXCLUDING SOUTHFORK CAPITAL, LLC, REGARDING THE SALE OF THE FORMER CLASSROOM WING (NOW A STANDALONE BUILDING) OF THE OLD FIRST BAPTIST CHURCH CAMPUS ON 301 N. ROGERS STREET, WAXAHACHIE, TEXAS. – *TODD LITTLE, COUNTY JUDGE*

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

ADJOURNMENT 4:58 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON JULY 13, 2021, ARE HEREBY APPROVED.

PRESIDING OFFICER:


TODD LITTLE, COUNTY JUDGE

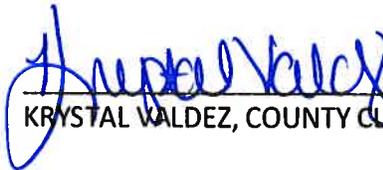

RANDY STINSON, COMMISSIONER, PCT 1

Absent
LANE GRAYSON, COMMISSIONER, PCT 2


PAUL PERRY, COMMISSIONER, PCT 3


KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 27TH DAY OF JULY 2021.


KRYSTAL WALDEZ, COUNTY CLERK

