

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – NOVEMBER 2, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, NOVEMBER 2, 2021, AT 2:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2<sup>ND</sup> 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. – *LANE GRAYSON, COMMISSIONER, PRECINCT #2*

**CONSENT AGENDA:**

**MINUTE ORDER 479.21**      **APPROVING CONSENT AGENDA**

**ADMINISTRATIVE:**

- A1      APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *CHERYL CHAMBERS, TREASURER*
- A2      APPROVING COMMISSIONERS COURT REGULAR MEETING MINUTES FROM OCTOBER 19, 2021. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3      APPROVING ELLIS COUNTY REDISTRICTING COMMITTEE MEETING MINUTES FROM OCTOBER 20, 2021. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A4      APPROVING THE ELLIS COUNTY 3<sup>RD</sup> QUARTER 2021 INVESTMENT REPORT. – *CHERYL CHAMBERS, COUNTY TREASURER*
- A5      APPROVING THE JULY 2021 CASH AUDIT REPORTS. – *DE VONDA SPURLOCK, AUDIT*
- A6      APPROVING THE AUGUST 2021 CASH AUDIT REPORTS. – *DE VONDA SPURLOCK, AUDIT*

- A7 APPROVING A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM OCTOBER 1 – OCTOBER 22, 2021, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *JANET MARTIN, COUNTY AUDITOR*
- A8 APPROVING THE COUNTY AUDITOR'S MONTHLY REPORT FOR SEPTEMBER 2021, PURSUANT TO LOCAL GOVERNMENT CODE §114.025. – *JANET MARTIN, COUNTY AUDITOR*
- A9 APPROVING OF THE TEXAS A&M AGRILIFE EXTENSION ACTIVITY REPORT FROM SEPTEMBER 2021. – *MARK ARNOLD, AGRILIFE EXTENSION*
- A10 APPROVING A WORK ORDER UNDER INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND CITY OF ENNIS TO RECLAIM AND 2-COURSE CHIP SEAL LAKEVIEW RD. FROM HWY 34 TO CITY/COUNTY BOUNDARY LINE IN THE AMOUNT OF \$12,000.00 – *LANE GRAYSON, COMMISSIONER, PRECINCT #2*

**FINANCIAL:**

- F1 APPROVING UNANTICIPATED REVENUE IN THE AMOUNT OF \$30 FROM ECSO REIMBURSEMENT FOR INMATE SUPPLIES, PURSUANT TO LOCAL GOVERNMENT CODE §111.07075. – *JANET MARTIN, COUNTY AUDITOR*  
**SPECIAL BUDGET 001-0015-508010 SUPPLIES**
- F2 APPROVING UNANTICIPATED REVENUE IN THE AMOUNT OF \$100,000.00 FROM SEDGWICK/AURGONAUT INSURANCE COMPANY FOR AN ADVANCE PAYMENT FOR SHERIFF OFFICE REPAIRS, PURSUANT TO LOCAL GOVERNMENT CODE §111.07075. – *JANET MARTIN, COUNTY AUDITOR*  
**SPECIAL BUDGET 001-0010-508730 CONTRACT SERVICES/MECHANICAL**
- F3 APPROVING UNANTICIPATED REVENUE IN THE AMOUNT OF \$1,740.58 FROM TEXAS ASSOCIATION OF COUNTIES FOR RESERVE REFUND. – *JANET MARTIN, COUNTY AUDITOR*  
**SPECIAL BUDGET 001-0140-505560 UNEMPLOYMENT FEE**
- F4 APPROVING UNANTICIPATED REVENUE IN THE AMOUNT OF \$45.90 FROM ACT QUICK BAIL BONDS FOR TRANSPORT. – *JANET MARTIN, COUNTY AUDITOR*  
**SPECIAL BUDGET 001-0110-508080 AUTO GAS AND OIL**
- F5 APPROVING ADMINISTRATIVE CHANGE TO THE FY2022 BUDGET. PURCHASES ARRIVING IN FY2022 AND ORDERED IN FY2021 WERE NOT ALLOCATED FROM FUND BALANCE. THE INFORMATION WAS DELAYED AS A RESULT OF MS. BROWN'S ACCIDENT. – *JANET MARTIN, COUNTY AUDITOR*

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

**DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 480.21** (1.1) APPROVING A PLAT OF EASON ESTATES. THE PROPERTY CONTAINS ± 8.001 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ON THE SOUTH SIDE OF EASON ROAD, ± 1,220 FEET SOUTHEAST OF THE INTERSECTION OF TROJACEK ROAD AND EASON ROAD, ENNIS, ROAD & BRIDGE PRECINCT NO. 1.

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

**MINUTE ORDER 481.21** (1.2) APPROVING A PLAT OF MARTINEK ACRES. THE PROPERTY CONTAINS ± 1.360 ACRES OF LAND IN THE R. DE LA PENA SURVEY, ABSTRACT No. 3, LOCATED ON THE EAST SIDE OF UNION HILL ROAD, ± 500 FEET NORTH OF THE INTERSECTION OF FM 660 AND UNION HILL ROAD, ENNIS, ROAD & BRIDGE PRECINCT No. 1.

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

**MINUTE ORDER 482.21** (1.3) APPROVING A PLAT OF PALMYRA PARK. THE PROPERTY CONTAINS ± 7.00 ACRES OF LAND IN THE LITTLETON WHITE SURVEY, ABSTRACT No. 1110, LOCATED ON THE SOUTH SIDE OF PALMYRA ROAD, ± 352 FEET WEST OF THE INTERSECTION OF PALMYRA ROAD AND ALMAND ROAD, PALMER, ROAD & BRIDGE PRECINCT No. 1.

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

**MINUTE ORDER 483.21** (1.4) APPROVING A PLAT OF CORREA ESTATES. THE PROPERTY CONTAINS ± 6.939 ACRES OF LAND IN THE H. HARRIS SURVEY, ABSTRACT No. 480, LOCATED ON THE WEST SIDE OF BUD RUN ROAD, ± 1,780 FEET NORTH OF THE INTERSECTION OF HOLDER ROAD AND BUD RUN ROAD, WAXAHACHIE, ROAD & BRIDGE PRECINCT No. 3.

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

**MINUTE ORDER 484.21** (1.5) APPROVING A ONE-TIME VARIANCE FOR PARCEL No. 181582 FROM VOLUME III (STANDARD CONSTRUCTION DETAILS) SECTION II (C)(7)(III) OF THE COUNTY'S DEVELOPMENT REGULATIONS TO ALLOW CONSTRUCTION OF A CUL-DE-SAC THAT EXCEEDS THE MAXIMUM LENGTH REQUIREMENT. THE PROPERTY CONTAINS ± 51.98 ACRES OF LAND LOCATED ON THE WEST SIDE OF FM 157, ± 795 FEET SOUTH OF CAMPBELL ROAD AND FM 157, MAYPEARL, ROAD & BRIDGE PRECINCT No. 3.

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

## **PURCHASING**

**MINUTE ORDER 485.21** (2.1) APPROVING OF TASK ORDER No. 1 FOR COMPLIANCE MONITORING, REPORTING AND CONSTRUCTION CONSULTING SERVICES WITH KITCHELL FOR THE MCKINSTRY ENERGY SAVING PERFORMANCE PROJECT IN THE AMOUNT OF \$67,500 USING AMERICAN RESCUE PLAN ACT (ARPA) FUNDING.

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

**MINUTE ORDER 486.21** (2.2) APPROVING TO PURCHASE TWO (2) CIMLINE 7000 GALLON EMULSION TANKS IN THE AMOUNT OF \$142,856.00 FOR ROAD & BRIDGE PRECINCT 1 USING THE BUYBOARD COOPERATIVE CONTRACT NUMBER 597-019 FROM R.B. EVERETT & COMPANY.

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

**MINUTE ORDER 487.21** (2.3) APPROVING TO ADVERTISE AND SOLICIT BIDS FOR "BOTTLED WATER FOR EMERGENCY USE AND SPECIAL EVENTS".

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

**MINUTE ORDER 488.21** (2.4) APPROVING TO PURCHASE A BROCE RJT350 BROOM IN THE AMOUNT OF \$34,400.00 FOR ROAD & BRIDGE PRECINCT 3 USING THE BUYBOARD COOPERATIVE CONTRACT NUMBER 597-19 FROM R.B. EVERETT & COMPANY.

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

**MINUTE ORDER 489.21** (2.5) APPROVING TO AMEND THE EXISTING CONTRACT WITH NCIC INMATE COMMUNICATIONS TO INCLUDE INMATE MAIL SCANNING AND SCREENING.

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

**MINUTE ORDER 490.21** (2.6) APPROVING THE COUNTY JUDGE TO EXECUTE A LEASE WITH AMERICAN NATIONAL LEASING FOR TWO (2) 2021 CHEVROLET TAHOE 4WD PPV's, FOUR (4) 2022 CHEVROLET TAHOE 2WD PPV's, AND SIXTEEN (16) 2022 CHEVROLET TAHOE 4WD PPV's, WITH EMERGENCY EQUIPMENT FROM CAP FLEET, USING BUYBOARD CONTRACT # 601-19 FOR THE ELLIS COUNTY SHERIFF'S OFFICE.

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

## **ADMINISTRATIVE**

MOTION TO ENTER P1 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

**P1** PUBLIC HEARING ON THE PROPOSED ABANDONMENT OF A PORTION OF ANTHONY ROAD. – *TED KANTOR, ENGINEERING*

MOTION TO CLOSE P1 BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

MOTION TO OPEN P2 BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

**P2** PUBLIC HEARING ON THE PROPOSED INSTALLATION OF A STOP SIGN ON BOZ ROAD AT THE INTERSECTION WITH CURRY ROAD. – *TED KANTOR, ENGINEERING*

PUBLIC PARTICIPANTS: JAMES BARNES

MOTION TO CLOSE P2 BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

**MINUTE ORDER 491.21** (3.1) APPROVING THE ABANDONMENT OF A PORTION OF ANTHONY ROAD. -  
*TED KANTOR, ENGINEERING*

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

**MINUTE ORDER 492.21** (3.2) APPROVING THE INSTALLATION OF A STOP SIGN ON BOZ ROAD AT THE INTERSECTION WITH CURRY ROAD. – *TED KANTOR, ENGINEERING*

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

**MINUTE ORDER 493.21** (3.3) APPROVING THE FY2022 TIDC FORMULA GRANT RESOLUTION. – *JANET MARTIN, COUNTY AUDITOR*

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

**MINUTE ORDER 494.21** (3.4) ACCEPTING THE AUDIT REPORT FROM THE INTERNAL AUDIT OF THE ELLIS COUNTY TAX ASSESSOR COLLECTOR'S OFFICE. – *JANET MARTIN, COUNTY AUDITOR*

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

To 3.7

**MINUTE ORDER 495.21** (3.7) APPROVING THE ELLIS COUNTY RETIREE MEDICAL AND DENTAL COVERAGE POLICY, WHICH WILL BECOME EFFECTIVE 01/01/2022. – *THERESA TAYLOR, HUMAN RESOURCES*

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

To 3.6

**MINUTE ORDER 496.21** (3.6) APPROVING TO AUTHORIZE THE COUNTY JUDGE TO SIGN AN AGREEMENT WITH TEXAS ASSOCIATION OF COUNTIES TO PROVIDE A POST-65 GROUP RETIREE HEALTHCARE PROGRAM (PACKAGE 1) BEGINNING 01/01/2022. – *THERESA TAYLOR, HUMAN RESOURCES*

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

To 3.8

**MINUTE ORDER 497.21** (3.8) APPROVING A CONTRACT WITH RIMKUS CONSULTING GROUP, INC. TO CONDUCT AN AIR QUALITY CONTROL TEST FOR THE PROPERTY ROOM LOCATED IN THE ELLIS COUNTY SHERIFF'S OFFICE, TO BE PAID OUT OF THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS. THE TOTAL COST WILL BE \$5,736.90. – *BRAD NORMAN, SHERIFF*

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

RECESS FROM 3:29 – 3:36

@ 3:36 P.M. THE COMMISSIONERS COURT HEARD PUBLIC COMMENTS ON AGENDA ITEM 3.10 AND 3.11

PUBLIC PARTICIPANTS: KELLY BLACKBURN – WAXAHACHIE; BETTY COLEMAN – WAXAHACHIE; LOUIS PONDER – MIDLOTHIAN; JOSHUA SOUTHERLAND – WAXAHACHIE; HANNAH SOUTHERLAND – WAXAHACHIE; SYLVIA COULSON – WAXAHACHIE; RICK RIDGEWAY – RED OAK; RANDY BELLOMY - OVILLA

**ADJOURN TO EXECUTIVE SESSION** **4:12 P.M.**

MOTION TO ADJOURN BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED WITH COMMISSIONER PERRY VOTING NO

**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 §551 OR AS OTHERWISE MAY BE PERMITTED UNDER §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 CHAPTER §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTER CONCERNING OPIOID LITIGATION.
- 4.3 PURSUANT TO CHAPTER §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTER CONCERNING ELECTION LAW, REDISTRICTING, AND/OR COUNTY GOVERNMENT LAW QUESTIONS.

**RECONVENE TO REGULAR SESSION            5:40 P.M.**

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

**To 3.5**

**MINUTE ORDER 498.21**            (3.5) TABLING TO NOVEMBER 16, 2021, DISCUSSION, CONSIDERATION, AND APPROVAL OF A RESOLUTION OF CANDIDATE NOMINATIONS FOR THE ELLIS APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE YEARS 2022-2023, PER §6.03 (G) OF THE TEXAS PROPERTY TAX CODE.

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

**To 3.10**

**MINUTE ORDER 499.21**            (3.10) APPROVING MAP A-1, THE REDISTRICTING PLAN FOR THE ELLIS COUNTY COMMISSIONERS' PRECINCT BOUNDARIES BASED ON 2020 CENSUS, INCLUDING THE AMENDMENT TO INCLUDE THE ELECTIONS OFFICE ON JEFFERSON STREET IN PRECINCT 2. – *TODD LITTLE, COUNTY JUDGE*

MOTION TO APPROVE MAP B-1 BY COMMISSIONER PERRY, SECOND BY COUNTY JUDGE LITTLE, MOTION FAILED WITH COMMISSIONER STINSON, COMMISSIONER GRAYSON & COMMISSIONER BUTLER VOTING NO

MOTION TO APPROVE MAP A-1 WITH THE AMENDMENT BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, MOTION CARRIED WITH COMMISSIONER BUTLER VOTING YES; AND COMMISSIONER PERRY AND COUNTY JUDGE LITTLE VOTING NO

**MINUTE ORDER 500.21**            (3.11) TABLING TO NOVEMBER 16, 2021, DISCUSSION, CONSIDERATION, AND APPROVAL FOR THE ELLIS COUNTY JUSTICE OF THE PEACE AND CONSTABLE PRECINCT BOUNDARIES AND ANY AMENDMENTS, IF NECESSARY, TO FINALIZE THE PROPOSED PLAN FOR ADOPTION. – *TODD LITTLE, COUNTY JUDGE*

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

**MINUTE ORDER 501.21** (3.9) AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL NECESSARY DOCUMENTS TO PURCHASE FROM WAXAHACHIE INDEPENDENT SCHOOL DISTRICT A PORTION OF AN UNIMPROVED TRACT OF LAND CONSISTING OF APPROXIMATELY 4.245 ACRES, LOCATED ON THE SOUTHWESTERN SIDE OF WEST U.S. 287 BUSINESS NEAR WAXAHACHIE HIGH SCHOOL, NOT TO EXCEED THE PURCHASE PRICE OF \$389,000.00 PLUS CLOSING COSTS NOT TO EXCEED \$3,000.00. – *TODD LITTLE, COUNTY JUDGE*

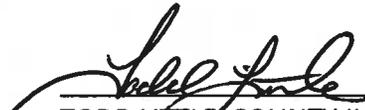
MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

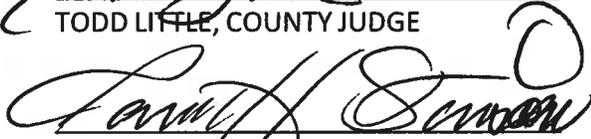
**ADJOURNMENT** **6:00 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON NOVEMBER 2, 2021, ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
TODD LITTLE, COUNTY JUDGE

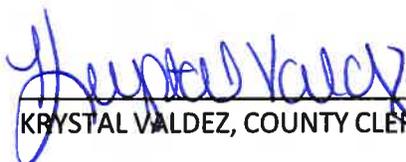
  
RANDY STINSON, COMMISSIONER, PCT 1

  
PAUL PERRY, COMMISSIONER, PCT 3

*Absent*  
LANE GRAYSON, COMMISSIONER, PCT 2

  
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 16TH DAY OF NOVEMBER 2021.

  
KRYSTAL VALDEZ, COUNTY CLERK

