

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – NOVEMBER 16, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, NOVEMBER 16, 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 BUTLER, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE. – *KYLE BUTLER, COMMISSIONER, PRECINCT #4*

CONSENT AGENDA:

MINUTE ORDER 506.21 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *CHERYL CHAMBERS, TREASURER*
- A2 APPROVING COMMISSIONERS COURT SPECIAL MEETING MINUTES FROM OCTOBER 27, 2021; REGULAR MEETING MINUTES FROM NOVEMBER 2, 2021; AND SPECIAL MEETING MINUTES FROM NOVEMBER 10, 2021. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 APPROVING THE DEPARTMENT OF DEVELOPMENT'S (DOD) MONTHLY FINANCIAL REPORT FOR OCTOBER 2021, PURSUANT TO §114.044 OF THE TEXAS LOCAL GOVERNMENT CODE. – *ALBERTO MARES, DOD*
- A4 ACCEPTING A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM OCTOBER 25 – NOVEMBER 5, 2021, PURSUANT TO §114.024 OF THE TEXAS LOCAL GOVERNMENT CODE. – *JANET MARTIN, COUNTY AUDITOR*

- A5 ACCEPTING A DONATION OF 139 READING BOOKS DONATED BY ELAINE ZIRGER WITH THE NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION – QUANAH PARKER CHAPTER. ESTIMATED VALUE OF THE DONATION IS \$1,320.50. – *JANET MARTIN, COUNTY AUDITOR*
- A6 ACCEPTING THE CONTINUING EDUCATION HOURS REQUIRED BY §262.011, LOCAL GOVERNMENT CODE. CERTIFICATE FOR: NIGP: INSTITUTE FOR PUBLIC PROCUREMENT 2021 FORUM – PROCUREMENT METHODS AND INTERNAL CONTROLS, CHALLENGES AND OPPORTUNITIES IN THE PUBLIC PROCUREMENT, MITIGATING DISASTER IMPACT THROUGH PREPAREDNESS. – *EJ HARBIN, PURCHASING AGENT*
- A7 ACCEPTING THE CONTINUING EDUCATION HOURS REQUIRED BY §262.011, LOCAL GOVERNMENT CODE. CERTIFICATE FOR: NIGP: INSTITUTE FOR PUBLIC PROCUREMENT LEADERSHIP SUMMIT 2021 – LEADERSHIP DEVELOPMENT PROGRAM FOR SENIOR LEVEL PROCUREMENT PROFESSIONALS. – *EJ HARBIN, PURCHASING AGENT*

FINANCIAL:

- F1 **FY2022 LINE ITEM TRANSFER – *TODD LITTLE, COUNTY JUDGE***
DECREASE 001-0390-508730 MAINT./Rps. OFC. EQUIP. BY \$2,000.00;
INCREASE 001-0390-508680 CONTRACT SERVICES BY \$2,000.00.
- F2 **FY2022 LINE ITEM TRANSFER – *JUDGE JIM CHAPMAN, COUNTY COURT AT LAW #1***
DECREASE 001-0380-508730 MAINT/Rps OFC EQUIP. BY \$3,300.00;
INCREASE 001-0380-508680 CONTRACT SERVICES BY \$3,300.00.
- F3 **FY2022 LINE ITEM TRANSFER – *JUDGE GENE CALVERT, COUNTY COURT AT LAW #2***
DECREASE 001-0385-508730 MAINT/Rps OFC EQUIP. BY \$3,000.00;
INCREASE 001-0385-508680 CONTRACT SERVICES BY \$3,000.00.
- F4 **FY2022 LINE ITEM TRANSFER – *JUDGE JOE GALLO, COUNTY COURT AT LAW #3***
DECREASE 001-0387-508730 MAINT/Rps OFC EQUIP. BY \$3,500.00;
INCREASE 001-0387-508680 CONTRACT SERVICES BY \$3,500.00.
- F5 **FY2022 LINE ITEM TRANSFER – *TED KANTOR, COUNTY ENGINEER***
DECREASE 001-0375-508010 SUPPLIES BY \$1,500.00;
INCREASE 001-0375-508680 CONTRACT SERVICES BY \$1,500.00.
- F6 **FY2022 LINE ITEM TRANSFER – *PAUL PERRY, COMMISSIONER, PCT. #3***
DECREASE 005-0703-508070 RB3 MISC. EXP. BY \$1,000.00;
INCREASE 005-0703-508680 CONTRACT SERVICES BY \$1,000.00.
- F7 **FY2022 LINE ITEM TRANSFER – *JACKIE MILLER, JUSTICE OF THE PEACE, PCT. #2***
DECREASE 001-0520-508730 MAINT./Rps. OFC. EQUIP. BY \$2,000.00;
DECREASE 001-0520-508010 SUPPLIES BY \$910.00;
INCREASE 001-0520-508680 CONTRACT SERVICES BY \$2,910.00.

F8 **FY2022 LINE ITEM TRANSFER – TERRI KLEIN, INDIGENT HEALTH**
DECREASE 001-0110-508730 MAINT./Rps. OFC. EQUIP. BY \$2,500.00;
INCREASE 001-0110-508680 CONTRACT SERVICES BY \$2,500.00.

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

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 507.21 (1.1) APPROVING WITH CONDITIONS, A PLAT OF BARDWELL ESTATES. THE PROPERTY CONTAINS ± 38.86 ACRES OF LAND IN THE A. DE LA GARZA SURVEY, ABSTRACT NO. 2, LOCATED ON THE SOUTH SIDE OF FM 1181 ± 3,800 FEET EAST OF THE INTERSECTION OF CODY ROAD AND FM 1181, ENNIS, ROAD & BRIDGE PRECINCT NO. 2.

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

MINUTE ORDER 508.21 (1.2) APPROVING A PLAT OF EAGLE ESTATES, PHASE ONE. THE PROPERTY CONTAINS ± 17.812 ACRES OF LAND IN THE ELLIS CO. SCHOOL LAND SURVEY, ABSTRACT NO. 329, LOCATED ON THE SOUTH SIDE OF GOODWYN ROAD, ± 2,000 FEET EAST OF THE INTERSECTION OF FM 55 AND GOODWYN ROAD, AVALON, ROAD & BRIDGE PRECINCT NO. 2.

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

MINUTE ORDER 509.21 (1.3) APPROVING WITH CONDITIONS A PLAT OF BYRUM ACRES. THE PROPERTY CONTAINS ± 18.113 ACRES OF LAND IN THE J. JACKSON SURVEY, ABSTRACT NO. 561, LOCATED AT THE NORTHWEST CORNER OF FM 157 AND OZRO ROAD, MAYPEARL, ROAD & BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 510.21 (1.4) APPROVING A PLAT OF THUNDER RIDGE, PHASE ONE. THE PROPERTY CONTAINS ± 16.94 ACRES OF LAND IN THE M.D. BULLION SURVEY, ABSTRACT NO. 164, LOCATED ON THE SOUTHWEST CORNER OF OLD MAYPEARL ROAD AND NORTH FALLING LEAVES DRIVE, WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 511.21 (1.5) APPROVING THE RELEASE OF A PERFORMANCE BOND AND ACCEPTING A MAINTENANCE BOND FOR THUNDER RIDGE, PHASE ONE. THE PROPERTY IS LOCATED ON THE

SOUTHWEST CORNER OF OLD MAYPEARL ROAD AND NORTH FALLING LEAVES DRIVE, WAXAHACHIE,
ROAD & BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 512.21 (1.6) APPROVING A PLAT OF PATRICK ROAD ADDITION LOT 1, BLOCK A. THE PROPERTY CONTAINS ± 1.011 ACRES OF LAND IN THE CARTER H. HURST SURVEY, ABSTRACT NO. 456, LOCATED ON THE SOUTH SIDE OF PATRICK ROAD, ± 1,150 FEET EAST OF THE INTERSECTION OF PATRICK ROAD AND O'BRIEN ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 4.

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

PURCHASING

MINUTE ORDER 513.21 (2.1) APPROVING AND AUTHORIZING THE COMMISSIONERS COURT TO TRANSFER A 2014 FORD ESCORT FROM INDIGENT HEALTH SERVICES TO THE TAX OFFICE.

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

MINUTE ORDER 514.21 (2.2) APPROVING AND AUTHORIZING TO ADVERTISE AND SOLICIT BIDS FOR LIGHTWEIGHT AGGREGATE – TYLE L, GRADE 3; TYPE L, GRADE 4; TYPE L, GRADE 5, BLUE BASE, 1X3 OVERSIZE, 3-5 OVERSIZE – PRECINCTS 1, 2, 3 AND 4.

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

MINUTE ORDER 515.21 (2.3) APPROVING AND AUTHORIZING TO ADVERTISE AND SOLICIT BIDS FOR DENSE GRADED HOT-MIX ASPHALT – PRECINCTS 1, 2, 3 AND 4.

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

MINUTE ORDER 516.21 (2.4) APPROVING THE AWARD OF BID NUMBER RFB 2022-002 – CONTRACT FOR ASPHALTIC CONCRETE PATCHING MATERIAL STOCKPILE STORAGE TO SUSTAINABLE PAVEMENT TECHNOLOGIES.

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

MINUTE ORDER 517.21 (2.5) APPROVING THE AWARD OF BID NUMBER RFB 2022-003 – CONTRACT FOR CRUSHED CONCRETE FLEX BASE – TYPE D, GRADE 1; TYPE D, GRADE 2 TO BIG CITY CRUSHED CONCRETE (PRIMARY); AGGREGATES NOW (SECONDARY).

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

MINUTE ORDER 518.21 (2.6) DECLINING THE AWARD OF BID NUMBER RFB 2022-004 – CONTRACT FOR CRUSHED LIMESTONE TYPE D, GRADE 3; TYPE D, GRADE 4, AND TYPE D, GRADE 5 TO MARTIN MARIETTA.

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

MINUTE ORDER 519.21 (2.7) APPROVING THE AWARD OF BID NUMBER RFB 2022-005 – CONTRACT FOR CRUSHED LIMESTONE FLEX BASE – TYPE A, GRADE 1; TYPE A, GRADE 4 TO ALVARADO SAND AND GRAVEL, LLC (PRIMARY); RATTLER ROCK (SECONDARY).

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

MINUTE ORDER 520.21 (2.8) APPROVING THE AWARD OF BID NUMBER RFB 2022-007 – CONTRACT FOR HOT MIX, COLD LAID ASPHALT CONCRETE PAVEMENT TO SUSTAINABLE PAVEMENT TECHNOLOGIES.

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

MINUTE ORDER 521.21 (2.9) DECLINING THE AWARD OF BID NUMBER RFB 2022-008 – CONTRACT FOR WASHED PEA GRAVEL TO ALVARADO SAND AND GRAVEL, LLC.

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

MINUTE ORDER 522.21 (2.10) APPROVING THE AWARD OF BID NUMBER RFB 2022-009 – CONTRACT FOR RIP RAP TO ALVARADO SAND AND GRAVEL, LLC (PRIMARY); MARTIN MARIETTA, INC. (SECONDARY).

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

MINUTE ORDER 523.21 (2.11) APPROVING THE AWARD OF BID NUMBER RFB 2022-012 – CONTRACT FOR EMULSIFIED ASPHALTS TO ERGON ASPHALT AND EMULSIONS, INC. (PRIMARY); CLEVELAND ASPHALT (SECONDARY); WRIGHT ASPHALT (TERTIARY).

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

MINUTE ORDER 524.21 (2.12) APPROVING TO ENGAGE BERRY DUNN FOR PHASES 3, 4, AND 5, CONSISTING OF RFP DEVELOPMENT, PROPOSAL EVALUATIONS AND CONTRACT NEGOTIATIONS FOR THE REPLACEMENT OF THE JUSTICE AND PUBLIC SAFETY SYSTEMS SOFTWARE AND RELATED SERVICES IN AN AMOUNT OF \$167,100.00 USING TEXAS DIR COOPERATIVE CONTRACT DIR-TSO-3956.

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

ADMINISTRATIVE

MINUTE ORDER 525.21 (3.1) APPROVING ELLIS COUNTY TO AUTHORIZING SIGNATURE ON LETTER OF ENDORSEMENT IN SUPPORT OF THE LARGEST FUNNY CAR RACE IN THE WORLD. THIS EVENT WILL BRING A LARGE ECONOMIC IMPACT TO THE COUNTY. 1320 SPORTS LOCAL ORGANIZING COMMITTEE WILL PUT UP MATCHING FUNDS – THERE IS NO COST TO ELLIS COUNTY. - *ANDY CARTER, GM, TEXAS MOTORPLEX*

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

MINUTE ORDER 526.21 (3.2) APPROVING TO CONVEY INTEREST IN “STRUCK OFF” PROPERTY FROM THE COUNTY TO THE CITY OF MIDLOTHIAN FOR PUBLIC USE. – *CHARLES BRADY, LINEBARGER GOGGAN BLAIR & SAMPSON, LLP*

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

MINUTE ORDER 527.21 (3.3) APPROVING AND AUTHORIZING SHERIFF BRAD NORMAN TO SIGN THE ANNUAL CONTINUATION AGREEMENT FOR FIRE & POLICE SELECTION INC. FOR 2021 TO PROVIDE THE SHERIFF’S OFFICE WITH WRITTEN TESTS USED IN THE HIRING PROCESS. THIS AGREEMENT WAS ORIGINALLY SIGNED BY JUDGE LITTLE IN NOVEMBER 2019; RENEWED AND SIGNED BY SHERIFF EDGE IN 2020. – *BRAD NORMAN, COUNTY SHERIFF*

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

MINUTE ORDER 528.21 (3.4) APPROVING AND AUTHORIZING DENNIS BREARLEY OF THE SHERIFF'S OFFICE TO APPLY FOR GENERAL ISSUE LICENSE PLATES FOR EXEMPT VEHICLES ON TWO SHERIFF'S OFFICE UNMARKED VEHICLES. THE TWO VEHICLES ARE 2021 CHEVROLET TAHOE'S WITH THE LAST 6 DIGITS OF THE VIN BEING 358311 AND 356546. – *BRAD NORMAN, COUNTY SHERIFF*

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

MINUTE ORDER 529.21 (3.5) APPROVING A JOINT RESOLUTION FOR THE ELLIS COUNTY REPUBLICAN PARTY CHAIR AND THE DEMOCRATIC PARTY CHAIR TO ENTER INTO A 2022 JOINT PRIMARY ELECTION SERVICES CONTRACT WITH THE ELLIS COUNTY ELECTION ADMINISTRATOR FOR BOTH THE PRIMARY MARCH 1, 2022 AND PRIMARY RUNOFF MAY 24, 2022 ELECTIONS. – *JANA ONYON, ELECTIONS*

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

MINUTE ORDER 530.21 (3.6) ACCEPTING THE DONATION OF LAND DESCRIBED AS 3.2786 ACRES OF REAL PROPERTY LOCATED AT 200 I-45 IN ENNIS, TEXAS, APPROXIMATELY ONE BLOCK SOUTH OF THE INTERSECTION OF STATE HIGHWAY 34, WITH AN APPRAISED VALUE OF \$435,000.00, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SEC. 81.032 FOR THE PURPOSES OF PERFORMING A FUNCTION CONFERRED BY LAW ON THE COUNTY OR A COUNTY OFFICER; COUNTY TO PAY ALL TITLE AND CLOSING COSTS. – *TODD LITTLE, COUNTY JUDGE*

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

MINUTE ORDER 531.21 (3.7) APPROVING A RESOLUTION OF CANDIDATE NOMINATIONS, WITH ALL 837 VOTES CAST FOR KEN MARKS, FOR THE ELLIS APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE YEARS 2022-2023, PER SECTION 6.03(G) OF THE TEXAS PROPERTY TAX CODE. – *TODD LITTLE, COUNTY JUDGE*

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

MINUTE ORDER 532.21 (3.8) APPROVING THE NEW 4-H AGENT, SIDNEY ATCHLEY; START DATE WILL BE FEBRUARY 1, 2022. – *MARK ARNOLD, AGRILIFE EXTENSION OFFICE*

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

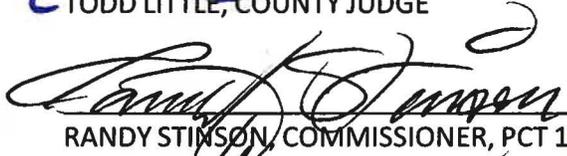
ADJOURNMENT **3:24 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON NOVEMBER 16, 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 30TH DAY OF NOVEMBER 2021.


KRYSTAL VALDEZ, COUNTY CLERK *Deputy*

