

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – DECEMBER 28, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, DECEMBER 28, 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: TINA CHAMBERS, CHIEF DEPUTY

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 STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

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

CONSENT AGENDA:

MINUTE ORDER 570.21 **APPROVING CONSENT AGENDA WITHOUT F8**

ADMINISTRATIVE:

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

A2 APPROVING COMMISSIONERS COURT REGULAR MEETING MINUTES FROM NOVEMBER 30, 2021 AND—
KRYSTAL VALDEZ, COUNTY CLERK

A3 APPROVING THE COUNTY CLERK SURETY BOND EFFECTIVE 01/01/22. – *KRYSTAL VALDEZ, COUNTY CLERK*

A4 ACCEPTING A DONATION OF 54 BOOKS FROM MATT OKOROWSKI WITH AN ESTIMATED VALUE OF \$809.46
TO THE WAYNE MCCOLLUM DETENTION CENTER. – *JANET MARTIN, COUNTY AUDITOR*

A5 PRESENTATION OF A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM
12/06/21 – 12/16/21, PURSUANT TO LGC §114.024. – *JANET MARTIN, COUNTY AUDITOR*

A6 APPROVING THE RE-APPOINTMENT OF THE FOLLOWING EMERGENCY SERVICE DISTRICT BOARD MEMBERS FOR TWO-YEAR TERMS BEGINNING ON 01/01/2022 – 12/31/2023 – *TIM BIRDWELL, FIRE MARSHAL*

ESD #1 (MAYPEARL): GENEVA MULLINS, CHARLES PEYTON. **ESD #2 (MIDLOTHIAN):** TIMOTHY RAVEN, DANNY LONG. **ESD #3 (ITALY):** JOHN ALLEN, CLAY SPARKS. **ESD #4 (RED OAK):** SHAUN MALONE, ANTHONY MODESTO JR. **ESD #5 (FERRIS):** STEVEN SALMON, MARK HOPE. **ESD #6 (WAXAHACHIE):** JAMES MALONE, RICHARD BEER. **ESD #7 (BRISTOL):** NONE. **ESD #8 (AVALON):** ELIZABETH MCEWAN, TEANER JOHNSON. **ESD #9 (PALMER):** RICK DAVIS.

MEMBERS RESIGNING: ESD #3 (ITALY): MURRIE WAINSCOTT. ESD #7 (BRISTOL): GARY SPORTSMAN, JAMES PHARR, CECIL HAMMONDS, TAMMY ALLEN. ESD #9 (PALMER): KENNY CALDWELL

FINANCIAL:

F1 REMOVED BY COUNTY JUDGE, ITEM APPROVED 12.14.21

F2 **FY2021-2022 LINE ITEM TRANSFER – RICHARD ROZIER, TAX ASSESSOR-COLLECTOR**
DECREASE 001-0140-570000 CONTINGENCY SURPLUS BY \$19,000.00;
INCREASE 001-0370-508040 POSTAGE BY \$17,000.00;
INCREASE 001-0370-508080 AUTO GAS BY \$500.00;
INCREASE 001-0370-508090 AUTO REPAIRS BY \$1,500.00.

F3 **FY2021-2022 LINE ITEM TRANSFER – TIM BIRDWELL, FIRE MARSHAL**
DECREASE 010-0450-508020 EQUIPMENT BY \$450.00;
INCREASE 001-0450-506030 AMMUNITION BY \$450.00.

F4 APPROVING A PAYMENT OF PROPERTY TAX REFUNDS IN THE AMOUNT OF \$8,619.32 BY THE ELLIS COUNTY TAX ASSESSOR/COLLECTOR. – *RICHARD ROZIER, TAX ASSESSOR-COLLECTOR*

F5 **FY2021-2022 LINE ITEM TRANSFER – JACKIE MILLER, JR. , JUSTICE OF THE PEACE, PCT. #2**
DECREASE 033-0933-508020 COURTHOUSE SECURITY BY \$2,050.00;
INCREASE 001-0520-508730 MAINT. RPS OFC EQUIP. BY \$2,050.00.

F6 **FY2021-2022 LINE ITEM TRANSFER – KYLE BUTLER, COMMISSIONER, PCT. #4**
DECREASE 012-0755-570000 CONTINGENCY SURPLUS BY \$110,000.00;
INCREASE 012-0755-508020 PURCHASE OF EQUIPMENT BY \$110,000.00.

F7 **FY2021-2022 LINE ITEM TRANSFER – SAMANTHA PICKETT, EMERGENCY MANAGEMENT**
DECREASE 001-0430-508020 EQUIPMENT BY \$3,000.00;
INCREASE 001-0430-508080 GAS BY \$3,000.00.
DECREASE 001-0430-508020 EQUIPMENT BY \$709.00;
INCREASE 001-0430-508110 INSURANCE BY \$709.00.

F8 MOVED TO REGULAR AGENDA BY COUNTY JUDGE

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

MINUTE ORDER 571.21 (F8) **FY2021-2022 LINE ITEM TRANSFER** – *TODD LITTLE, COUNTY JUDGE*
DECREASE 001-0140-570000 CONTINGENCY-SURPLUS BY \$20,000.00;
INCREASE 001-0210-509420 ELECTION EXPENSES BY \$20,000.00.

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

(To 3.4)

MINUTE ORDER 572.21 (3.4) **APPROVING TO ENTER INTO A SERVICE AGREEMENT BETWEEN ELLIS COUNTY, TEXAS AND THE HEIGHTS ELLIS COUNTY FAMILY RESOURCES, IN THE AMOUNT OF \$50,000.00 FOR FY2021-2022, TO PROVIDE A CLIENT-FOCUSED CENTER FOR DOMESTIC VIOLENCE INTERVENTION AND PREVENTION.** – *JENNIFER SALZMAN, EXECUTIVE DIRECTOR OF THE HEIGHTS*

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

(To 1.1)

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 573.21 (1.1) **AUTHORIZING THE RELEASE OF A MAINTENANCE BOND FOR OXFORD RANCH TWO PHASE TWO AND ACCEPTING OF INFRASTRUCTURE.**

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

PURCHASING

NO ACTION (2.1) **DISCUSSION, CONSIDERATION, AND APPROVAL TO PURCHASE A BOMAG BW211PD-5 IN AN AMOUNT OF \$116,080.00 FROM R.B. EVERETT & COMPANY FOR ROAD & BRIDGE PRECINCT 1 USING THE BUYBOARD COOPERATIVE CONTRACT # 597.019.**

MINUTE ORDER 574.21 (2.2) **APPROVING TO RENEW THE FOLLOWING BID FOR A ONE (1) YEAR RENEWAL PERIOD, EFFECTIVE DATES 01/12/22 TO 01/11/23: BID No. 2020-020 CONVENIENCE STORE FUEL WITH PEARMAN OIL & LP GAS, INC.**

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

MINUTE ORDER 575.21 (2.3) APPROVING TO RENEW THE FOLLOWING BID FOR A ONE (1) YEAR RENEWAL PERIOD, EFFECTIVE DATES 01/26/22 TO 01/25/23: BID No. 2020-021 PRINTED FORMS WITH COLLEGE STREET PRINTING.

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

MINUTE ORDER 576.21 (2.4) APPROVING TO RENEW THE FOLLOWING BID FOR A ONE (1) YEAR RENEWAL PERIOD, EFFECTIVE DATES 01/26/22 TO 01/25/23: BID No. 2020-021 PRINTED FORMS WITH XL4U, LLC T/A XL DESIN4U.

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

MINUTE ORDER 577.21 (2.5) APPROVING TO PURCHASE ONE (1) ETNYRE ECS 250 CRACK SEALER FROM R.B. EVERETT & COMPANY IN AN AMOUNT OF \$68,656.00 USING THE BUYBOARD COOPERATIVE CONTRACT NUMBER 597-019 FOR ROAD & BRIDGE PRECINCT 4.

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

MINUTE ORDER 578.21 (2.6) APPROVING TO PURCHASE A PAGING SYSTEM EQUIPMENT AND INSTALLATION SERVICES FROM INFINITY SOUND, LTD IN THE AMOUNT OF \$29,713.00 USING THE TEXAS ASSOCIATION OF SCHOOL BOARDS BUYBOARD COOPERATIVE CONTRACT No. 655-21 FOR JUVENILE SERVICES DEPARTMENT USING AMERICAN RESCUE PLAN ACT FUNDS.

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

MINUTE ORDER 579.21 (2.7) DECLARING THE FOLLOWING ITEMS AS SURPLUS TO BE DISPOSED OF IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE 263:
GARRETT WALK THROUGH METAL DETECTORS (2 EA.); OFFICE CHAIRS (APPROX. 90)
MODULAR/CUBICLE OFFICE PANELS W/HARDWARE (APPROX. 20)
WOOD CREDENZA 91) OFFICE DESKS/WORKSTATIONS 92)/TABLES (APPROX.10), CORKBOARDS (4)
ARBITRATOR/CAMERA SYSTEMS (APPROX. 10); CELL PHONES (APPROX. 60)
OUT OF DATE LAW BOOKS (APPROX. 80 BOXES)
METAL SHELVING (APPROX. 40); SOFA (1 EA.); WHEELCHAIR (1 EA.); WALKER (1 EA.)
AUDIO VISUAL EQUIPMENT: 2 TV'S, 1 VHS RECORDER, AV METAL STAND
COMPUTER EQUIPMENT: 4 MONITORS, 1 PRINTER, 2 SATELLITE DISHES
COMPACT REFRIGERATOR (1), METAL FILE CABINETS (3), VEHICLE THIRD BACK SEATS (8)

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

MINUTE ORDER 580.21 (2.8) DECLARING CERTAIN EQUIPMENT AND VARIOUS ITEMS AS SALVAGE FOR PRECINCT 3 AND TO BE DISPOSED OF IN ACCORDANCE WITH LOCAL GOVERNMENT CODE CHAPTER 263; THE ITEMS ARE SO WORN, DAMAGED, OR OBSOLETE THAT THEY HAVE NO VALUE FOR THE PURPOSES FOR WHICH THEY WERE ORIGINALLY INTENDED:
FLOOR JACK (1 EA.); AIR COMPRESSOR (1 EA.)

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

(To 3.2)

ADMINISTRATIVE

MINUTE ORDER 581.21 (3.2) APPROVING THE ELLIS COUNTY INDIGENT BURIAL AND CREMATION POLICY PURSUANT TO §694.002 (TEXAS HEALTH AND SAFETY CODE). - *REBECCA LUNDBERG, ASSISTANT COUNTY & DISTRICT ATTORNEY*

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

MINUTE ORDER 582.21 (3.3) APPROVING TO AUTHORIZE THE COUNTY JUDGE TO SIGN A CERTIFICATE OF THE JUDGE OF ELLIS COUNTY, TEXAS WITH RESPECT TO THE APPROVAL OF THE TARRANT COUNTY CULTURAL EDUCATION FACILITIES FINANCE CORPORATION HOSPITAL REVENUE REFUNDING BONDS (METHODIST HOSPITALS OF DALLAS) SERIES 2022 ISSUED TO FINANCE OR REFINANCE CERTAIN FACILITIES LOCATED WITHIN THE COUNTY IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 147 (F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED. – *TODD LITTLE, COUNTY JUDGE*

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

ADJOURN TO EXECUTIVE SESSION 2:58 P.M.

MOTION TO ADJOURN BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, 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 §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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION, INCLUDING PENDING LEGAL PROCEEDINGS CONCERNING TEXAS STATE BAR ADMINISTRATIVE MATTER.

RECONVENE TO REGULAR SESSION **4:03 P.M.**

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

(To 3.1)

MINUTE ORDER 583.21 (3.1) APPROVING TO RESOLVE ALL CLAIMS ASSOCIATED WITH THE CAMPBELL & ASSOCIATES LAW FIRM PC FOR \$5,000.00 AS IT RELATES TO REPRESENTATION OF A TEXAS BAR ADMINISTRATIVE MATTER. – *ANN MONTGOMERY, COUNTY & DISTRICT ATTORNEY*

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED, WITH COMMISSIONER PERRY VOTING NO

ADJOURNMENT **4:20 P.M.**

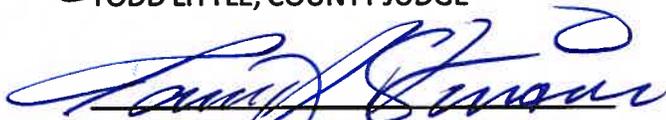
MOTION TO ADJOURN BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON DECEMBER 28, 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 11TH DAY OF JANUARY 2022.



KRYSTAL VALDEZ, COUNTY CLERK *Deputy*

