

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – MAY 31, 2022

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, MAY 31, 2022, 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:**

**COUNTY CLERK: KRystal VALDEZ**

**COMMISSIONERS:**

RANDY STINSON, COMMISSIONER, PCT. 1  
LANE GRAYSON, COMMISSIONER, PCT. 2 (JUDGE PRO TEM)  
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 STINSON, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE. – *PAUL PERRY, COMMISSIONER, PRECINCT #3*

**PROCLAMATION:**

PRESENTATION OF A PROCLAMATION BY COMMISSIONER LANE GRAYSON RECOGNIZING THE MONTH OF JUNE AS “ELDER ABUSE PREVENTION MONTH”.

**CONSENT AGENDA:**

**MINUTE ORDER 284.22**

**ADMINISTRATIVE:**

- A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER’S REPORTS. – *CHERYL CHAMBERS, TREASURER*
- A2 APPROVING COMMISSIONERS COURT SPECIAL MEETING MINUTES FROM MAY 12, 2022 AND REGULAR MEETING MINUTES FROM MAY 17, 2022. – *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 PRESENTATION OF A TABULATED REPORT OF THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM MAY 10, 2022 – MAY 20, 2022, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.024. – *JANET MARTIN, COUNTY AUDITOR*

- A4 APPROVING ESD #7 BRISTOL TO ACCEPT THE APPLICATION OF BRIAN ALMAND TO REPLACE GARY SPORTSMAN EMERGENCY SERVICE DISTRICT BOARD MEMBERS FOR A TWO-YEAR TERM THAT BEGAN ON JANUARY 2022 AND EXPIRES DECEMBER 2023. – *TIM BIRDWELL, FIRE MARSHAL*
- A5 ACCEPTING THE ANNUAL COMPILATION REPORT OF THE FISCAL ACCOUNTS AND RECORDS OF ESD #8 AVALON, PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.082. – *TIM BIRDWELL, FIRE MARSHAL*

**FINANCIAL:**

- F1 **FY2022 LINE ITEM TRANSFER – *PAUL PERRY, COMMISSIONER, PCT. #3***  
**DECREASE 005-0703-570000 RB3 CONTINGENCY BY \$2,000.00;**  
**INCREASE 005-0703-500805 RB3 CONFERENCE/DUES BY \$2,000.00.**
- F2 **FY2022 LINE ITEM TRANSFER – *KYLE BUTLER, COMMISSIONER, PCT. #4***  
**DECREASE 012-0755-570000 CONTINGENCY – SURPLUS BY \$13,000.00;**  
**INCREASE 012-0755-509060 CULVERTS BY \$13,000.00.**
- F3 **FY2022 LINE ITEM TRANSFER – *JANET MARTIN, COUNTY AUDITOR***  
**DECREASE 001-0030-508350 TRAINING BY \$75.68;**  
**INCREASE 001-0430-404100 EM SAFETY TRAINING BY \$75.68.**
- F4 APPROVING THE COUNTY TAX ASSESSOR COLLECTOR OFFICE TO ISSUE PROPERTY TAX REFUNDS IN THE AMOUNT OF \$31,747.67. - *RICHARD ROZIER, COUNTY TAX ASSESSOR COLLECTOR*

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

**DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 272.22** (1.1) ACCEPTING A PERFORMANCE BOND FOR THE PROPOSED CARRERA RANCH (PARCEL ID No. 277733). THE PROPERTY CONTAINS ± 16.00 ACRES OF LAND IN THE T. JACKSON SURVEY, ABSTRACT No. 574, LOCATED AT THE EAST SIDE OF FM 878, ± 2,440 FEET SOUTH OF THE INTERSECTION OF FM 878 & IKE ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PCT. No. 1.

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

**MINUTE ORDER 273.22** (1.2) APPROVING A PLAT OF LLAMA DEVELOPMENT ADDITION. THE PROPERTY CONTAINS ± 18.053 ACRES IN THE W. HARRISON SURVEY, ABSTRACT No. 515, LOCATED ON THE EAST SIDE OF CHRISTIAN ROAD, ± 1,020 FEET EAST OF THE INTERSECTION OF FALLEN ROAD & CHRISTIAN ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD & BRIDGE PCT. No. 2.

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

**PURCHASING**

**MINUTE ORDER 274.22** (2.1) APPROVING TO PURCHASE ONE 2022 WARREN PUP DUMP TRAILER FROM WARREN TRUCK AND TRAILER, LLC BODY COMPANY, INC. IN THE AMOUNT OF \$43,000.00. TO BE PAID OUT OF THE ROAD & BRIDGE, PRECINCT #1 EQUIPMENT LINE #003-0601-508020. – RANDY STINSON, COMMISSIONER, PCT. #1

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

**MINUTE ORDER 275.22** (2.2) APPROVING TO PURCHASE CISCO PHONES AND ANALOG GATEWAYS (HARDWARE ONLY) TO MERGE WITH CISCO WEBEX CLOUD SERVICES INCLUDING EQUIPMENT FROM FLAIR DATA SYSTEMS, INC. USING THE TEXAS DIR COOPERATIVE CONTRACT NO. DIR-TSO-2542 IN THE AMOUNT OF \$128,792.27, IF QUALIFIES WILL USE AMERICAN RESCUE PLAN ACT FUNDS, IF IT DOES NOT QUALIFY, WILL USE NON-DEPARTMENTAL FUNDS. – JOCELYN KING, ASSISTANT IT DIRECTOR

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

**MINUTE ORDER 276.22** (2.3) APPROVING TO PURCHASE ADDITIONAL BODY CAMERAS WITH EXISTING BUDGETED FUNDS, FROM AXON ENTERPRISES, INC., USING THE TEXAS ASSOCIATION OF SCHOOL BOARDS BUYBOARD COOPERATIVE CONTRACT NO. 648-21 IN THE AMOUNT OF \$18,189.24; TO BE PAID OUT OF THE SHERIFF’S EQUIPMENT LINE # 001-0010-508020. PAYMENT FOR JUNE 2022 TO BE PAID WITH CURRENT BUDGET FUNDS; PAYMENT FOR DEC. 2022 WILL USE NEXT YEAR’S BUDGET FUNDS, SCHEDULE IS DEPICTED IN THE FOLLOW GRAPH:

<u>PAYMENT DATE</u>	<u>SUBTOTAL</u>	<u>TAX</u>	<u>AMOUNT DUE</u>
JUNE 2022		\$0.00	\$9,094.62
DEC. 2022		\$0.00	\$9,094.62
TOTAL	\$18,189.24		\$18,189.24

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

**MINUTE ORDER 277.22** (2.4) APPROVING TO PURCHASE ADDITIONAL TASERS WITH EXISTING BUDGETED FUNDS, FROM AXON ENTERPRISES, INC., USING THE TEXAS ASSOCIATION OF SCHOOL BOARDS BUYBOARD COOPERATIVE CONTRACT NO. 648-21 IN THE AMOUNT OF \$23,621.51; TO BE PAID OUT OF THE SHERIFF’S EQUIPMENT LINE # 001-0010-508020. PAYMENTS FOR JUNE AND AUG. 2022 TO BE PAID WITH CURRENT BUDGET FUNDS; PAYMENTS FOR AUG. 2023 & AUG. 2024 TO BE PAID WITH NEXT YEAR’S BUDGET FUNDS. PAYMENT SCHEDULE IS DEPICTED IN THE FOLLOWING GRAPH:

<u>PAYMENT DATE</u>	<u>SUBTOTAL</u>	<u>TAX</u>	<u>AMOUNT DUE</u>
JUNE 2022	\$5,905.36	\$0.00	\$5,905.36
AUG. 2022	\$5,905.32	\$0.00	\$5,905.32
AUG. 2023	\$5,905.32	\$0.00	\$5,905.32

AUG. 2024	\$5,905.51	\$0.00	\$5,905.51
<b>TOTAL</b>	<b>\$23,621.51</b>	<b>\$0.00</b>	<b>\$23,621.51</b>

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

**MINUTE ORDER 278.22** (2.5) APPROVING THE DEMOLITION OF DAMAGED CEILING GRID OF THE SALLY PORT IN THE ELLIS COUNTY JAIL. COST OF DEMOLITION, LIGHTING MATERIAL AND LABOR = \$44,640.00; PAID OUT TO MINT EXTERIORS, LLC FROM THE JAILS BUDGET, JAIL REPAIR LINE # 001-0015-507020.

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

**MINUTE ORDER 279.22** (2.6) APPROVING TO REPLACE AND REPAIR THE CEILING IN THE BRIEFING ROOM AT THE ELLIS COUNTY JAIL. COST OF REPAIRS = \$21,300.00; PAID OUT TO ARMSTRONG COMMERCIAL CONSTRUCTION, LLC FROM THE JAIL'S BUDGET, JAIL REPAIR LINE # 001-0015-507020.

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

**NO ACTION** (2.7) DISCUSSION, CONSIDERATION AND APPROVAL TO REPLACE SPRINKLER HEADS AT THE ELLIS COUNTY JAIL. COST OF REPAIRS = \$17,250.00; PAID OUT TO FIVE STAR FIRE SYSTEMS, INC FROM THE JAIL'S BUDGET, JAIL REPAIR LINE # 001-0015-507020.

**ADMINISTRATIVE**

**RECESS REGULAR MEETING AND ENTER INTO PUBLIC HEARING @ 2:30 P.M.**

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

**PUBLIC HEARING:**

CONDUCT A PUBLIC HEARING TO DISCUSS SETTING THE MANDATORY PAYMENT RATE FOR FY2022 (PERIOD OF 10/01/21-09/30-22) APPLICABLE TO ELLIS COUNTY'S LOCAL PROVIDER PARTICIPATION PROGRAM. THE ELLIS COUNTY COMMISSIONERS COURT WILL HOLD THE PUBLIC HEARING, PURSUANT TO CHAPTER 296A OF THE TEXAS HEALTH & SAFETY CODE, WHICH AUTHORIZED THE CREATION OF THE ELLIS COUNTY LOCAL PROVIDER PARTICIPATION PROGRAM. PUBLIC HEARING TO DISCUSS THE AMOUNTS OF ANY MANDATORY PAYMENTS THAT THE COMMISSIONERS COURT INTENDS TO REQUIRE DURING THE YEAR AND HOW THE REVENUE DERIVED FROM THOSE PAYMENTS IS TO BE SPENT.

**PUBLIC PARTICIPATION:** DAVID ELLIOTT, ADELANTO HEALTHCARE VENTURES, LLC

EXIT PUBLIC HEARING AND RECONVENE TO REGULAR MEETING

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

**MINUTE ORDER 280.22** (3.1) APPROVING TO SET MANDATORY PAYMENT RATE TO 6% FOR ELLIS COUNTY'S LOCAL PROVIDER PARTICIPATION PROGRAM FOR FISCAL YEAR 2022 AND HOW THE REVENUE DERIVED FROM THOSE PAYMENTS IS TO BE SPENT. – *CHERYL CHAMBERS, COUNTY TREASURER AND ADELANTO HEALTHCARE VENTURES, LLC*

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

**MINUTE ORDER 281.22** (3.2) APPROVING A RECLASSIFICATION OF THE ASSISTANT AUDITOR – FINANCIAL TO ASSISTANT AUDITOR – INTERNAL AUDIT. NO INCREASE OF MONEY IS REQUESTED. REQUEST TO BE EFFECTIVE IMMEDIATELY. – *JANET MARTIN, COUNTY AUDITOR*

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

**(TO AGENDA ITEM 3.5)**

NO ACTION (3.5) DISCUSSION, CONSIDERATION AND APPROVAL OF A RENEWED BURN BAN, CONTINGENT ON ANY UPDATED FIRE INCIDENT DATA DURING DRY SEASON. RECOMMENDATION: NO BURN BAN. – *TIM BIRDWELL, FIRE MARSHAL*

**ADJOURN TO EXECUTIVE SESSION 2:42 P.M.**

MOTION TO ADJOURN BY COMMISSIONER STINSON, 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 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 551.

- 4.1 PURSUANT TO TEXAS GOVERNMENT CODE §551.071 CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING A HOSTILE WORK ENVIRONMENT CLAIM.

4.2 PURSUANT TO TEXAS GOVERNMENT CODE §551.074 TO DELIBERATE PERSONNEL MATTERS INCLUDING THE NAMING OF A NEW DIRECTOR OF IT OR INTERIM DIRECTOR OF IT.

**RECONVENE TO REGULAR SESSION 3:20 P.M.**

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

**(TO AGENDA ITEM 3.3)**

**MINUTE ORDER 282.22** (3.3) APPROVING TO RETAIN ROSS, GANNAWAY, CLIFTON FOR INVESTIGATION AND LEGAL ADVICE CONCERNING A HOSTILE WORK ENVIRONMENT CLAIM. – *COMMISSIONER LANE GRAYSON, JUDGE PRO TEM*

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

**MINUTE ORDER 283.22** (3.4) APPROVING TO APPOINT JOCELYN KING AS IT DIRECTOR. – *COMMISSIONER LANE GRAYSON, JUDGE PRO TEM*

PUBLIC PARTICIPATION: ED DEWEESE

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

**ADJOURNMENT 3:25 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON MAY 31, 2022, ARE HEREBY APPROVED.

PRESIDING OFFICER:

  
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TODD LITTLE, COUNTY JUDGE

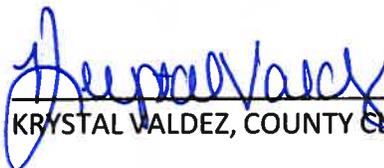
  
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RANDY STINSON, COMMISSIONER, PCT 1

  
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PAUL PERRY, COMMISSIONER, PCT 3

  
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LANE GRAYSON, COMMISSIONER, PCT 2

  
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KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 14<sup>TH</sup> DAY OF JUNE 2022.

  
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KRYSTAL VALDEZ, COUNTY CLERK

