

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JULY 26, 2022

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JULY 26, 2022, 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

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 BUTLER, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

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

RECOGNITIONS & PROCLAMATIONS

RECOGNIZING THE AUDITOR'S OFFICE FOR RECEIPT OF THE GFOA AWARD. – *TODD LITTLE, COUNTY JUDGE*

CONSENT AGENDA: MINUTE ORDER 344.22 WITHOUT A2 & A3

ADMINISTRATIVE:

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

A2 MOVED TO REGULAR AGENDA BY COMMISSIONER GRAYSON

A3 APPROVING COMMISSIONERS COURT REGULAR MEETING MINUTES FROM JULY 12, 2022. – *KRYSTAL VALDEZ, COUNTY CLERK*

A4 MOVED TO REGULAR AGENDA BY COUNTY JUDGE

FINANCIAL:

- F1 **FY2022 LINE ITEM TRANSFER – RANDY STINSON, COMMISSIONER, PCT. 1**
DECREASE 009-0602-570000 FM1 CONTINGENCY BY \$45,000.00;
INCREASE 009-0602-509140 FM1 TIRES BY \$5,000.00;
INCREASE 009-0602-509100 FM 1 FUEL BY \$40,000.00.
- F2 RECEIVING A TABULATED REPORT OF THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM JULY 2ND, 2022 – JULY 18TH, 2022, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – JANET MARTIN, COUNTY AUDITOR
- F3 APPROVING THE COUNTY TAX ASSESSOR/COLLECTOR TO DISBURSE PROPERTY TAX REFUNDS IN THE AMOUNT OF \$9,250.99. – JANET MARTIN, COUNTY AUDITOR
- F4 ACCEPTING A DONATION OF 35 BOOKS TO THE ELLIS COUNTY JAIL LIBRARY CART BY AUTHOR JANICE WRIGHT. THE DONATION HAS AN ESTIMATED VALUE OF \$222.00 – JANET MARTIN, COUNTY AUDITOR
- F5 ACCEPTING A DONATION OF 33 BOOKS TO THE ELLIS COUNTY JAIL LIBRARY CART BY AN ANONYMOUS DONOR. THE DONATION HAS AN ESTIMATED VALUE OF \$360.00 – JANET MARTIN, COUNTY AUDITOR
- F6 ACCEPTING A DONATION OF 51 BOOKS TO THE ELLIS COUNTY JAIL LIBRARY CART BY ANONYMOUS DONOR. THE DONATION HAS AN ESTIMATED VALUE OF \$460.00 – JANET MARTIN, COUNTY AUDITOR
- F7 APPROVING TO PAY FY2021 XEROX INVOICES USING FY2022 BUDGETED FUNDS. – JANET MARTIN, COUNTY AUDITOR
INVOICE #014006270 - \$190.86
INVOICE #013517451 – \$204.17
INVOICE #013270063 - \$292.97
TOTAL: \$688.00
- F8 **FY2022 LINE ITEM TRANSFER – KYLE BUTLER, COMMISSIONER, PCT. 4**
DECREASE 012-0755-570000 CONTINGENCY SURPLUS BY \$75,000.00;
INCREASE 012-0755-509110 GRAVEL BY \$75,000.00.
- F9 **FY2022 LINE ITEM TRANSFER – ELLSWORTH HULING IV, VETERANS SERVICES OFFICER**
DECREASE 001-0070-508050 CONFERENCE BY \$37.84;
INCREASE 001-0430-509770 EMERGENCY PREPAREDNESS TRAINING BY \$37.84.
- F10 **FY2022 LINE ITEM TRANSFER – PAUL PERRY, COMMISSIONER, PCT. 3**
DECREASE 005-0703-508070 RB3 OPERATING EXPENSES BY \$23,500.00;
INCREASE 005-0703-505027 RB3 SALARIES – SEASONAL BY \$23,500.00.
- F11 **FY2022 LINE ITEM TRANSFER – PAUL PERRY, COMMISSIONER, PCT. 3**
DECREASE 011-0704-570000 FM3 CONTINGENCY BY \$10,000.00;
INCREASE 011-0704-509060 FM3 CULVERTS BY \$10,000.00.
- F12 **FY2022 LINE ITEM TRANSFER – TODD LITTLE, COUNTY JUDGE**
DECREASE 001-0140-570000 CONTINGENCY SURPLUS BY \$15,384.00;
INCREASE 001-0035-508880 COMPUTER SOFTWARE BY \$15,384.00.
APPROVED PURSUANT TO MINUTE ORDER 320.22, COMMISSIONERS COURT, JUNE 28, 2022

F13 **FY2022 LINE ITEM TRANSFER – THERESA TAYLOR, HUMAN RESOURCES DIRECTOR**
DECREASE 001-0425-508350 SAFETY/TRAINING BY \$776.32;
INCREASE 001-0425-508190 COMPUTER BY \$776.32.

F14 **FY2022 LINE ITEM TRANSFER – SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR**
DECREASE 001-0430-509770 PREPAREDNESS TRAINING BY \$18.92;
INCREASE 001-0520-508350 JP2, PRECINCT 2 – JP2 TRAINING BY \$18.92.

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

MINUTE ORDER 345.22 (A2) APPROVING THE ELLIS COUNTY INVESTMENT POLICY AND 2ND QUARTER
2022 INVESTMENT REPORT. – *CHERYL CHAMBERS, COUNTY TREASURER*

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

MINUTE ORDER 346.22 (A4) APPROVING THE FY2023 BUDGET CALENDAR WITH SUGGESTED
AMENDMENTS TO NOTICE DEADLINE FOR ELECTED OFFICIAL SALARIES.

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

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 347.22 (1.1) APPROVING A PLAT OF FAITH FARMS, LOTS 1 AND 2. THE PROPERTY
CONTAINS ± 6.9712 ACRES OF LAND IN THE T.R. FOLLET SURVEY, ABSTRACT No. 373, LOCATED ON
THE SOUTH SIDE OF WEST FM 813 ± 700 FEET EAST OF THE INTERSECTION OF WEST FM 813 AND
SCENIC DRIVE IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND
BRIDGE PRECINCT No. 1.

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

MINUTE ORDER 348.22 (1.2) ACCEPTING A PERFORMANCE BOND FOR THE PROPOSED CARRERA RANCH
(PARCEL ID No. 277733). THIS 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 AND IKE ROAD IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY
OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 1.

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

MINUTE ORDER 349.22 (1.3) ACCEPTING A PERFORMANCE BOND FOR THE PROPOSED RANCH AT STONE
HILL (PARCEL ID No. 287990). THIS PROPERTY CONTAINS ± 125.00 ACRES OF LAND IN THE J WELLS

SURVEY, ABSTRACT NO. 1183; THE J. WOODS SURVEY, ABSTRACT NO. 1144; THE W.M. TURNER SURVEY, ABSTRACT NO. 1093; THE B BARTON SURVEY, ABSTRACT NO. 138; LOCATED AT THE SOUTH OF THE INTERSECTION OF GREATHOUSE ROAD AND GREATHOUSE CIRCLE, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

PUBLIC COMMENT: SUSAN SOROS

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

MINUTE ORDER 350.22 (1.4) APPROVING A REPLAT OF BOB WHITE ESTATES, PHASE 2, LOTS 10R1 & 10R2, BLOCK A. THE PROPERTY CONTAINS ± 2.69 ACRES OF LAND LOCATED ± 800 FEET SOUTH OF THE INTERSECTION OF BOB WHITE ROAD & BLACK CHAMP ROAD IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 4.

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

PURCHASING

NO ACTION (2.1) CONSIDERATION AND ACTION TO ENGAGE BERRY DUNN FOR THE NEXT PHASE OF THE ELLIS COUNTY, TEXAS JUSTICE AND PUBLIC SAFETY SOFTWARE PROJECT (IMPLEMENTATION SERVICES FOR A COMPUTER-AIDED DISPATCH, RECORDS-MANAGEMENT, AND JAIL MANAGEMENT SYSTEM).

MINUTE ORDER 351.22 (2.2) APPROVING AN INTERLOCAL AGREEMENT BETWEEN WAXAHACHIE INDEPENDENT SCHOOL DISTRICT AND ELLIS COUNTY IN ACCORDANCE WITH THE INTERLOCAL COOPERATION ACT PURSUANT TO THE TEXAS GOVERNMENT CODE CHAPTER 791.

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

MINUTE ORDER 352.22 (2.3) APPROVING TO PURCHASE REMEDIATION AND CONSTRUCTION SERVICES FOR DAMAGE OCCURRING AT THE ELLIS COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$25,134.90 USING BUYBOARD CONTRACT #591-19 WITH BLACKMON MOORING & MNS CAT.

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

MINUTE ORDER 353.22 (2.4) APPROVING THE AWARD OF BID NUMBER RFB-2022-023 ASPHALTIC SURFACE PRESERVATION TREATMENT TO INNOVATIVE ROADWAY RESOLUTIONS, LLC FOR ROAD AND BRIDGE PRECINCTS 1, 2, 3, & 4.

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

MINUTE ORDER 354.22 (2.5) APPROVING TO PURCHASE FURNITURE AND INSTALLATION SERVICES FOR THE RED OAK TAX OFFICE FROM OAK CLIFF OFFICE PRODUCTS USING THE TIPS COOPERATIVE CONTRACT #200301 FOR \$14,876.44, OMNIA PARTNERS COOPERATIVE CONTRACT #R191804 FOR \$257.16 AND BUYBOARD COOPERATIVE CONTRACT NUMBER 656-21 FOR \$460.76. THE TOTAL OF THE FURNITURE, FREIGHT, AND INSTALLATION WILL BE \$20,176.30.

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

MINUTE ORDER 355.22 (2.6) APPROVING TO SIGN A NOTICE EXERCISING THE OPTION TO RENEW A LEASE WITH LEASING IMPRESSIONS COMMERCIALS, LLC FOR A PROPERTY LOCATED AT 301 N. 8TH ST., MIDLOTHIAN, TX 76065 FOR A ONE-YEAR TERM IN AN AMOUNT OF \$10,000.00 PER MONTH.

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

MINUTE ORDER 356.22 (2.7) APPROVING TO REQUEST A QUOTE FROM THE TEXAS ASSOCIATION OF COUNTIES FOR LIABILITY AND PROPERTY INSURANCE COVERAGES FOR THE COUNTY.

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

FINDING (4.2) A FINDING PURSUANT TO TEXAS GOVERNMENT CODE §551.072, THAT DELIBERATIONS REGARDING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.

MOTION FOR A FINDING BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

ADJOURN TO EXECUTIVE SESSION 3:05 P.M.

MOTION TO ADJOURN BY COMMISSIONER PERRY, 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 CHAPTER 551 OR AS OTHERWISE MAY BE PERMITTED UNDER 551.

- 4.1 PURSUANT TO TEXAS GOVERNMENT CODE §551.074, DELIBERATION OF THE APPOINTMENT, EMPLOYMENT, EVALUATION, AND DUTIES OF THE ELLIS COUNTY PURCHASING AGENT.
- 4.2 PURSUANT TO TEXAS GOVERNMENT CODE §551.072, 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.
- 4.3 PURSUANT TO TEXAS GOVERNMENT CODE §551.071, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING A HOSTILE WORK ENVIRONMENT CLAIM. THE LEGAL CONSULTATION WILL BE CONDUCTED PURSUANT TO TEXAS GOVERNMENT CODE §551.129 VIA THE INTERNET.

RECONVENE TO REGULAR SESSION 4:30 P.M.

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

ADMINISTRATIVE

MINUTE ORDER 357.22 (3.1) APPROVING THE REAPPOINTMENT OF E.J. HARBIN AS THE ELLIS COUNTY PURCHASING AGENT FOR A TERM FROM JULY 31ST, 2022 THROUGH JULY 31ST, 2024. – *TODD LITTLE, COUNTY JUDGE*

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

MINUTE ORDER 358.22 (3.2) APPROVING THE BOND FOR ELLIS COUNTY PURCHASING AGENT E.J. HARBIN FOR A TERM FROM JULY 31ST, 2022 THROUGH JULY 31ST, 2024, IMMEDIATELY EFFECTIVE UPON SIGNING OF THE BRIBERY STATEMENT AND THE OATH OF OFFICE, AND BEING SWORN IN ON JULY 31ST, 2022. – *TODD LITTLE, COUNTY JUDGE*

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

(To 3.4)

PUBLIC HEARING

MOTION TO ENTER PUBLIC HEARING BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

(3.4) PUBLIC HEARING TO CONSIDER A RECOMMENDATION FROM THE ENNIS ECONOMIC DEVELOPMENT CORPORATION TO APPROVE AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH DECRA ROOFING SYSTEMS, INC., REGARDING PROPERTY LOCATED IN A TEXAS

ENTERPRISE ZONE AND THEREFORE LOCATED IN A REINVESTMENT ZONE IN THE CITY OF ENNIS, ELLIS COUNTY, TEXAS. THE IMPROVEMENTS TO BE INCLUDED IN THE TAX ABATEMENT AGREEMENT GENERALLY CONSIST OF REAL AND QUALIFIED PERSONAL PROPERTY. THE ESTIMATED COSTS OF THE ACQUISITION AND IMPROVEMENTS OF APPROXIMATELY 204,000 SF. ARE AT LEAST \$31 MILLION.

PARTICIPATION: MATT POOLE, DECRA METAL ROOFING; JIM WEHMEIER, CITY OF ENNIS

MOTION TO CLOSE PUBLIC HEARING BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

(To 3.3)

MINUTE ORDER 359.22 (3.3) APPROVING TAXPAYER JANE WILEMON'S REQUEST FOR A REFUND, PURSUANT TO §33.011(H) OF THE TEXAS TAX CODE. – *TODD LITTLE, COUNTY JUDGE*

PARTICIPATION: CHARLES BRADY, LINEBARGER

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

(To 3.5)

NO ACTION (3.5) DISCUSSION AND CONSIDERATION OF A BID RELATING TO #RFB-2022-022 FOR THE PURCHASE OF ARMORED CAR/ARMED COURIER SERVICES, INCLUDING EITHER APPROVAL OF THE BID VENDOR OR AUTHORIZATION TO PURSUE OTHER ALTERNATIVES FOR SERVICES NEEDED. – *CHERYL CHAMBERS, TREASURER*

NO ACTION (3.6) DISCUSSION, CONSIDERATION, AND ACTION REGARDING A BURN BAN, CONTINGENT ON ANY UPDATED DATA DURING DRY SEASON AND SUMMER WEATHER. – *TIM BIRDWELL, FIRE MARSHAL*

MINUTE ORDER 360.22 (3.7) APPROVING FOR THE SHERIFF'S OFFICE TO PROVIDE A VACCINATION CLINIC IN CONJUNCTION WITH THE SPCA ON AUGUST 13, 2022, AT THE ELLIS COUNTY YOUTH EXPO CENTER. – *BRAD NORMAN, SHERIFF*

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

NO ACTION (3.8) RECEIVE UPDATE ON THE SPCA'S CONTINUED CLOSED INTAKE STATUS AND ITS EFFECT ON THE ABILITY OF ANIMAL CONTROL TO RESPOND TO CITIZEN CALLS. – *BRAD NORMAN, SHERIFF*

NO ACTION (3.9) DISCUSSION, CONSIDERATION, AND ACTION REGARDING RECOMMENDATIONS BY LEGAL COUNSEL CONCERNING A HOSTILE WORK ENVIRONMENT CLAIM. – *THERESA TAYLOR, HR DIRECTOR*

MINUTE ORDER 361.22 (3.10) APPROVING TO EXTEND THE CURRENT ELLIS COUNTY TAX ABATEMENT GUIDELINES PURSUANT TO TEXAS TAX CODE §312.002(c).

PARTICIPATION: PENNY STORY, RED OAK; KYLE KINATEDER, CITY OF MIDLOTHIAN

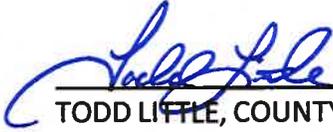
MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

ADJOURNMENT 5:45 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON JULY 26, 2022, ARE HEREBY APPROVED.

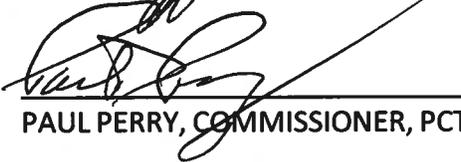
PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



PAUL PERRY, COMMISSIONER, PCT 3



LANE GRAYSON, COMMISSIONER, PCT 2



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 9TH DAY OF AUGUST 2022.



KRYSTAL VALDEZ, COUNTY CLERK

