

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – OCTOBER 18, 2022

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, OCTOBER 18, 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. – *RANDY STINSON, COMMISSIONER, PRECINCT 1*

PROCLAMATION:

A PROCLAMATION DECLARING OCTOBER AS FIRE PREVENTION & AWARENESS MONTH IN ELLIS COUNTY. –
TODD LITTLE, COUNTY JUDGE

CONSENT AGENDA: MINUTE ORDER 451.22

ADMINISTRATIVE:

- A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *CHERYL CHAMBERS, TREASURER*
- A2 APPROVING COMMISSIONERS' COURT SPECIAL MEETING MINUTES FROM SEPTEMBER 30, 2022. –
KRYSTAL VALDEZ, COUNTY CLERK
- A3 ACCEPTING THE DEPARTMENT OF DEVELOPMENT'S MONTHLY FINANCIAL REPORT FOR SEPTEMBER 2022, AS
REQUIRED BY LOCAL GOVERNMENT CODE §114.044. – *ALBERTO MARES, DEVELOPMENT OF DIRECTOR*
- A4 ACCEPTING THE ELLIS COUNTY AG EXTENSION MONTHLY REPORT FOR SEPTEMBER 2022, PURSUANT TO
LOCAL GOVERNMENT CODE §114.044. – *MARK ARNOLD, AGRILIFE EXTENSION SERVICE DIRECTOR*

- A5 ACCEPTING THE JUSTICE OF THE PEACE, PRECINCT 1 MONTHLY REPORT TO SATISFY LOCAL GOVERNMENT CODE §114.044. – *CHRIS MACON, JUSTICE OF THE PEACE PRECINCT 1*

FINANCIAL:

- F1 FY2023 LINE ITEM TRANSFER – *RANDY STINSON, COMMISSIONER, PRECINCT 1*
DECREASE 009-0602-570000 (CONTINGENCY-SURPLUS) BY \$249,750.00;
INCREASE 009-0602-508020 (EQUIPMENT) BY \$249,750.00.
- F2 FY2022 BUDGET AMENDMENT – *RANDY STINSON, COMMISSIONER, PRECINCT 1*
ACCEPTING INSURANCE REIMBURSEMENT FROM HARCO NATIONAL INSURANCE IN THE AMOUNT OF \$4,021.25 AND CENTURY CITY STEEL IN THE AMOUNT OF \$4,948.86 AS UNANTICIPATED REVENUE.
REQUEST FOR SPECIAL BUDGET OF UNANTICIPATED REVENUE:
INCREASE 009-0602-570000 (CONTINGENCY-SURPLUS) BY \$4,021.25.
PURSUANT TO TEXAS LGC §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR.
- F3 APPROVING THE 1ST QUARTERLY PAYMENT OF \$52,139.08 TO THE NORTH TEXAS BEHAVIORAL HEALTH AUTHORITY (NTBHA) FOR FY2023; COUNTY MATCH FUNDS TO BE PAID QUARTERLY. THE TOTAL AMOUNT TO BE PAID OUT FOR FY23 WOULD BE \$208,556.33. FUNDING WILL COME FROM FY2023 MENTAL HEALTH PROVIDER LINE. – *JANET MARTIN, COUNTY AUDITOR*
- F4 APPROVING FOR AN INVOICE IN THE AMOUNT OF \$306.53 DATED 09/02/2021 FOR HOBART SERVICE FOR THE JAIL TO BE PAID OUT OF FY22. – *JANET MARTIN, COUNTY AUDITOR*
- F5 FY2023 BUDGET AMENDMENT – *ESSWORTH HULING IV, VETERANS SERVICES DIRECTOR*
ACCEPTING JUROR DONATIONS TO THE ELLIS COUNTY VETERANS SERVICES OFFICE IN THE AMOUNT OF \$72.00 AS UNANTICIPATED REVENUE. REQUEST FOR SPECIAL BUDGET OF UNANTICIPATED REVENUE:
INCREASE 001-0070-506330 (VETERANS SERVICES – JURY DONATIONS) BY \$72.00
PURSUANT TO TEXAS LGC §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR.
- F6 FY2022 LINE ITEM TRANSFER – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*
DECREASE 001-0430-507030 (TELEPHONE) BY \$310.00;
DECREASE 001-0430-508020 (EQUIPMENT) BY \$4.01;
DECREASE 001-0430-508080 (FUEL) BY \$800.00;
DECREASE 001-0430-508150 (UNIFORMS) BY \$11.50;
DECREASE 001-0430-509960 (CONTRACT SERVICES – RADIO AGREEMENT) BY \$769.00;
INCREASE 001-0430-508050 (CONFERENCE) BY \$1,894.51.
- F7 FY2022 LINE ITEM TRANSFER – *CASEY BORDERS, CONSTABLE, PRECINCT 2*
DECREASE 001-0612-508190 (COMPUTER EQUIPMENT) BY \$1,400.00;
DECREASE 001-0612-508010 (SUPPLIES) BY \$820.12;
INCREASE 001-0612-508020 (EQUIPMENT) BY \$2,220.12.
- F8 FY2022 LINE ITEM TRANSFER – *KYLE BUTLER, COMMISSIONER, PRECINCT 4*
DECREASE 012-0755-508070 (OPERATING EXPENDITURES) BY \$28,764.91;
INCREASE 012-0755-509150 (ASPHALT) BY \$28,764.91.

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

(TO AGENDA ITEM 3.2)

NO ACTION (3.2) ANNUAL INTERPRETATION AND UPDATE OF AG EXTENSION PROGRAMS. – *MARK ARNOLD, AGRILIFE EXTENSION SERVICE DIRECTOR*

(TO AGENDA ITEM 3.1)

MINUTE ORDER 452.22 (3.1) **TABLING** TO DECEMBER 13, 2022 REGULAR MEETING. DISCUSSION, CONSIDERATION, AND RECOMMENDATION TO TXDOT REGARDING THE ALIGNMENT OF THE 1387 THOROUGHFARE ROUTE. – *KYLE BUTLER, COMMISSIONER, PRECINCT 4*

PUBLIC PARTICIPATION: (ATTACHED AS “EXHIBIT A”)

BREAK @ 2:19 P.M.

BREAK @ 4:27 P.M.

RECESS TO EXECUTIVE SESSION **5:47 P.M.**

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

RECONVENE TO REGULAR SESSION **5:58 P.M.**

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

MOTION TO TABLE 3.1 BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

(TO AGENDA ITEM 3.7)

NO ACTION (3.7) INFORMATIONAL BRIEFING REGARDING THE SMALL BUSINESS LOAN DECLARATION (TEXAS #17622) FOR THE AUGUST 22-25, 2022, LOCALIZED FLOODING. ELLIS COUNTY HOMEOWNERS, RENTERS, BUSINESSES, AND NON-PROFIT ORGANIZATIONS ARE ELIGIBLE FOR LOW INTEREST LOANS FOR PHYSICAL ECONOMIC DAMAGE FROM THE AUGUST 22-25 FLOODING EVENT. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*

(TO AGENDA ITEM 3.6)

MINUTE ORDER 453.22 (3.6) APPROVING A MEMORANDUM OF AGREEMENT (MOA) WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY INTEGRATED PUBLIC ALERT AND WARNING SYSTEM (IPAWS) PROGRAM MANAGEMENT OFFICE AND ELLIS COUNTY FOR THE USE OF ELLIS COUNTY OFFICE OF EMERGENCY MANAGEMENT INTEROPERABLE SYSTEM AND IPAWS OPEN PLATFORM FOR EMERGENCY NETWORKS (IPAWS-OPEN). THE MOA WILL PROVIDE A FRAMEWORK TO ENABLE INFORMATION INTEROPERABILITY ACROSS EMERGENCY ORGANIZATIONS AND SYSTEMS AS INTENDED BY THE FEMA IPAWS PROGRAM. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*

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

(To AGENDA ITEM 1.1)

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 454.22 (1.1) APPROVING A PLAT OF BUTLER AND PRUSKI ADDITION No. 2. THE PROPERTY CONTAINS ± 20.19 ACRES IN THE R. DE LA PENNA SURVEY, ABSTRACT No. 3, LOCATED ±665 FEET EAST OF THE INTERSECTION OF EASON ROAD AND CHEMLAR ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD AND BRIDGE PRECINCT No. 1.

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

MINUTE ORDER 455.22 (1.2) APPROVING A REQUEST TO ACCEPT PERFORMANCE BONDS FOR THE PROPOSED ELLIS RANCH ESTATES (PARCEL ID No. 188955, 215690, AND 234508). THE PROPERTY CONTAINS ± 246.358 ACRES OF LAND IN THE J. PLUNKETT SURVEY – ABSTRACT No. 826, THE A. SMITH SURVEY – ABSTRACT No. 1037, AND THE H. SMITH SURVEY – ABSTRACT No. 1004, LOCATED AT THE NORTH SIDE OF FM 878 ± 5,050 FEET WEST OF THE INTERSECTION OF FM 878 AND RUTHERFORD 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 PERRY, MOTION CARRIED

MINUTE ORDER 456.22 (1.3) APPROVING A PLAT OF ANDERSON ACRES. THE PROPERTY CONTAINS ± 10.1106 ACRES IN THE ET BRANCH SURVEY, ABSTRACT No. 34, LOCATED NORTH OF THE INTERSECTION OF ANDERSON RANCH ROAD AND BILL LEWIS DRIVE, FORRESTON, ROAD AND BRIDGE PRECINCT No. 3.

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

MINUTE ORDER 457.22 (1.4) APPROVING WITH CONDITIONS, A REPLAT OF BARTON ACRES, LOTS 1A-1C. THE PROPERTY CONTAINS ± 6.179 ACRES LOCATED NORTHEAST AT THE INTERSECTION OF BARTON ROAD AND W. 1ST STREET, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MAYPEARL, ROAD AND BRIDGE PRECINCT No. 3.

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

MINUTE ORDER 458.22 (1.5) APPROVING A PLAT OF CELESTIAL FARM. THE PROPERTY CONTAINS ± 6.910 ACRES IN THE H. HARRIS SURVEY, ABSTRACT No. 480, LOCATED ON THE WEST SIDE OF BUD RUN ROAD, ± 1,650 FEET NORTH OF THE INTERSECTION OF BUD RUN ROAD AND HOLDER ROAD, WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 3.

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

MINUTE ORDER 459.22 (1.6) APPROVING A PLAT OF COMPTON ESTATES. THE PROPERTY CONTAINS ± 10.300 ACRES IN THE J. FIFER SURVEY, ABSTRACT NO. 351, LOCATED ON THE WEST SIDE OF COMPTON LANE, ± 1,900 FEET NORTH OF THE INTERSECTION OF COMPTON LANE AND COMPTON ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 460.22 (1.7) APPROVING A REPLAT OF GRANDE CASA RANCHITOS TRACT 17A-17C. THE PROPERTY CONTAINS ± 7.698 ACRES, LOCATED AT THE INTERSECTION OF OLD MAYPEARL ROAD AND GRANDE CASA ROAD, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

PUBLIC PARTICIPATION: LARRY WORLOW - OPPOSED

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

MINUTE ORDER 461.22 (1.8) APPROVING A PLAT OF McVICKERS ACRES. THE PROPERTY CONTAINS ± 7.976 ACRES IN THE M. CHEEK SURVEY, ABSTRACT NO. 219, LOCATED ON THE WEST SIDE OF SMITH ROAD, ±500 FEET NORTH OF THE INTERSECTION OF SMITH ROAD AND JACKSON ROAD, MAYPEARL, ROAD AND BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 462.22 (1.9) APPROVING A REPLAT OF STARKS ACRES, LOT 1 AR, BLOCK A. THE PROPERTY CONTAINS ± 2.814 ACRES OF LAND LOCATED AT THE INTERSECTION OF FM 66 AND RICHARD ROAD, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 463.22 (1.10) APPROVING WITH CONDITIONS, A PLAT OF THE RANCH AT STONE HILL. THIS PROPERTY CONTAINS ± 125.000 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 PARTICIPATION: SUSAN SOROS, WAXAHACHIE

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

MINUTE ORDER 464.22 (1.11) ACCEPTING A MAINTENANCE LETTER OF CREDIT FOR SAGEBRUSH ADDITION. THE PROPERTY CONTAINS ± 92.217 ACRES OF LAND LOCATED AT THE INTERSECTION OF

LONGBRANCH ROAD AND HAYES ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MIDLOTHIAN, ROAD AND BRIDGE PRECINCT NO. 4

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

PUBLIC HEARING

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

(1.12) A PUBLIC HEARING TO DISCUSS AMENDING MINUTE ORDER 215.06, THE ORDER REGULATING SCREENING OF CERTAIN OUTDOOR BUSINESSES AND LICENSING & REGULATION OF AUTOMOTIVE SALVAGE & JUNKYARDS, COLLECTIVELY KNOWN AS THE OUTDOOR BUSINESS ORDER, LAST ADOPTED ON JUNE 26, 2006. THE PRIMARY PURPOSE OF THESE AMENDMENTS IS TO PROVIDE UPDATED VISUAL AESTHETIC STANDARDS, DEVELOPMENT REVIEW PROCESS, LICENSING & REVOCATION PROCESS, AND ANY OTHER RELATED ADDITIONS, DELETIONS, AND CHANGES, PROVIDE A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AND SET AN EFFECTIVE DATE.

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

MINUTE ORDER 465.22 (1.13) APPROVING THE PROPOSED AMENDMENTS WITH CONDITIONS (EXCLUDE METAL WALLS, AND CONTINUING THE REQUIREMENT OF COMMISSIONERS COURT APPROVAL) TO MINUTE ORDER 215.06, THE ORDER REGULATING SCREENING OF CERTAIN OUTDOOR BUSINESSES AND LICENSING & REGULATION OF AUTOMOTIVE SALVAGE & JUNKYARDS, COLLECTIVELY KNOWN AS THE OUTDOOR BUSINESS ORDER, LAST ADOPTED ON JUNE 26, 2006. THE PRIMARY PURPOSE OF THESE AMENDMENTS IS TO PROVIDE UPDATED VISUAL AESTHETIC STANDARDS, DEVELOPMENT REVIEW PROCESS, LICENSING & REVOCATION PROCESS, AND ANY OTHER RELATED ADDITIONS, DELETIONS, AND CHANGES, PROVIDE A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AND SET AN EFFECTIVE DATE.

MOTION TO APPROVE BY JUDGE LITTLE, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

PUBLIC HEARING

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

(1.14) A PUBLIC HEARING TO DISCUSS AMENDING THE ELLIS COUNTY QUALITY GROWTH INITIATIVES, VOLUME I, SECTION IX (MOBILE/MANUFACTURED HOME & RV PARKS) AND SECTION XXI (DEFINITIONS). THESE AMENDMENTS ARE PRIMARILY DESIGNATED TO UPDATE THE REQUIREMENTS FOR INFRASTRUCTURE DEVELOPMENT PLANS FOR MANUFACTURED/MOBILE HOME & RV PARKS, MULTI-TENANT DEVELOPMENTS, AND ANY OTHER RELATED ADDITIONS, DELETIONS, AND CHANGES, PROVIDE A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

PUBLIC PARTICIPATION: ZACHARY ZETT, PALMER; JAMES ZETT, PALMER; SUSAN SOROS, WAXAHACHIE

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

MINUTE ORDER 466.22 (1.15) TABLING: CONSIDER AND ACT UPON PROPOSED AMENDMENTS TO THE ELLIS COUNTY QUALITY GROWTH INITIATIVES, VOLUME I, SECTION IX (MOBILE/MANUFACTURED HOME & RV PARKS) AND SECTION XXI (DEFINITIONS). THESE AMENDMENTS ARE PRIMARILY DESIGNATED TO UPDATE THE REQUIREMENTS FOR INFRASTRUCTURE DEVELOPMENT PLANS FOR MANUFACTURED/MOBILE HOME & RV PARKS, MULTI-TENANT DEVELOPMENTS, AND ANY OTHER RELATED ADDITIONS, DELETIONS, AND CHANGES, PROVIDE A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

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

PURCHASING

MINUTE ORDER 467.22 (2.1) APPROVING TO SIGN AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF WAXAHACHIE AND ELLIS COUNTY IN ACCORDANCE WITH THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE.

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

MINUTE ORDER 468.22 (2.2) APPROVING TO DECLARE THE LISTED ITEMS AS SURPLUS TO BE DISPOSED OF IN ACCORDANCE WITH LOCAL GOVERNMENT CODE, CHAPTER 263, FOR ROAD AND BRIDGE PRECINCT NO. 3: 1996 PETERBILT TRUCK MODEL 379, VIN IXP5DB8X9TD418074; 2014 DODGE 1500 PICK UP, VIN 3C6JRDT3EG190761; 2018 NEW HOLLAND TRACTOR TS6.120, NT00450M; 2011 CASE IH 85C CAB TRACTOR, 2BJB22137; 60" ALAMO TRIMMER HEAD; ALAMO MACHETE; AIR COMPRESSOR; CULVERTS (3 EACH); FLATBEAD TRAILER W/BOBCAT WELDER MOUNTED; TIMBER VST SICKLE BAR; LINCOLN WELDER.

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

MINUTE ORDER 469.22 (2.3) APPROVING (SUBJECT TO LEGAL REVIEW) THE PURCHASE OF BODY CAMERAS FROM AXON ENTERPRISE, INC. USING THE TEXAS ASSOCIATION OF SCHOOL BOARDS BUYBOARD COOPERATIVE CONTRACT NO. 648-21 IN THE AMOUNT OF \$249,561.50 FOR THE JAIL WITH A PAYMENT PLAN OVER 5 YEARS AT \$49,912.30 PER YEAR.

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

MINUTE ORDER 470.22 (2.4) APPROVING TO AWARD RFP-2022-005 DESIGN AND IMPLEMENTATION OF HIGH-SPEED GIGABIT FIBER INTERNET FOR A 5-YEAR CONTRACT WITH AT&T CORPORATION.

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

MINUTE ORDER 471.22 (2.5) APPROVING FOR THE COUNTY JUDGE TO EXECUTE A LEASE AGREEMENT WITH AMERICAN NATIONAL LEASING FOR A 2022 NISSAN ROGUE FOR THE COUNTY ATTORNEY'S OFFICE.

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

MINUTE ORDER 472.22 (2.6) APPROVING TO PURCHASE EQUIPMENT, SUPPLIES, AND SERVICES ON AN AS-NEEDED BASIS USING THE FOLLOWING COOPERATIVE CONTRACTS WITH A LIMIT UP TO \$50,000.00, PURCHASES OVER \$50,000.00, OR USING GRANT FUNDS, WILL REQUIRE COMMISSIONERS COURT APPROVAL: TEXAS ASSOCIATION OF SCHOOL BOARDS BUYBOARD COOPERATIVE CONTRACTS; TIPS COOPERATIVE CONTRACTS; TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR); CHOICE PARTNERS COOPERATIVE CONTRACT; OMNIA PARTNERS CONTRACTS; 1GOVERNMENT PROCUREMENT ALLIANCE; GENERAL SERVICES ADMINISTRATION (GSA); HOUSTON-GALVESTON AREA COUNCIL (H-GAC); SOURCEWLELL; TEXAS SMARTBUY; TEXAS MULTIPLE AWARD SCHEDULE PROGRAM (TXMAS).

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

MINUTE ORDER 473.22 (2.7) APPROVING TO ADVERTISE AND SOLICIT FOR A REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ) FOR A GRANT WRITER.

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

NO ACTION (2.8) DISCUSSION, CONSIDERATION, AND APPROVAL TO AWARD RFP-2022-024 MOBILE COMMAND VEHICLE TO SIDDONS MARTIN EMERGENCY GROUP, LLC IN THE AMOUNT OF \$2,069,315.00 FOR EMERGENCY MANAGEMENT.

MINUTE ORDER 474.22 (2.9) APPROVING (PENDING LEGAL REVIEW) THE PURCHASE OF PROPRIETARY EQUIPMENT; USE OF INTELLECTUAL PROPERTY AND INTEGRATION SERVICES FROM CML SECURITY FOR UPGRADES TO THE JAIL CONTROL SYSTEMS USING THE APPROVED SOLE SOURCE EXEMPTION (MINUTE ORDER 261.21) IN AN AMOUNT OF \$127,750.00.

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

MINUTE ORDER 475.22 (2.10) APPROVING (PENDING LEGAL REVIEW) THE SCHINDLER MODERNIZATION PROPOSAL TO MODERNIZE ELEVATORS 1 AND 2 AT THE ELLIS COUNTY JAIL IN THE AMOUNT OF \$383,582.00 WITH AUTHORIZATION TO PAY THE TOTAL OF \$383,582.00 OUT OF FUND 018, USING OMNIA COOPERATIVE CONTRACT #R200501 WITH SCHINDLER.

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

(TO AGENDA ITEM 3.3)

ADMINISTRATIVE

MINUTE ORDER 476.22 (3.3) APPROVING THE ENGAGEMENT LETTER FROM GRS CONSULTING, WHO PROVIDE ACTUARIAL SERVICES NECESSARY FOR GASB 75 COMPLIANCE; APPROVAL INCLUDES JUDGE LITTLE SIGNING THE ENGAGEMENT LETTER. – *JANET MARTIN, COUNTY AUDITOR*

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

MINUTE ORDER 477.22 (3.4) APPROVING OF FY2022-2023 PAYROLL CHANGES NECESSARY FOR APPROVED EMPLOYEE RECLASSIFICATIONS THAT WERE INADVERTENTLY OMITTED FROM THE PAGE CONTAINING THE EMPLOYEE CLASSIFICATION LISTS BUT WERE INCLUDED IN THE APPROVED BUDGET. THESE CHARGES ARE TO BE EFFECTIVE OCTOBER 1, 2022. – *JANET MARTIN, COUNTY AUDITOR*

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

MINUTE ORDER 478.22 (3.5) APPROVING TO ADD FOUR (4) TOTAL CASH DRAWERS: TWO (2) PROPERTY TAX AND TWO (2) MOTOR VEHICLE DRAWERS FOR THE BUDGET APPROVED ADDITION OF CLERK II POSITIONS AT THE WAXAHACHIE TAX OFFICE. – *RICHARD ROZIER, TAX ASSESSOR/COLLECTOR*

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

(TO AGENDA ITEM 3.8)

MINUTE ORDER 479.22 (3.8) APPROVING THE COUNTY JUDGE TO SIGN A BOND APPROVAL FOR BAYLOR SCOTT & WHITE IN ACCORDANCE WITH 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 BUTLER, MOTION CARRIED

MINUTE ORDER 480.22 (3.9) APPROVING OF AN INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND THE AVALON INDEPENDENT SCHOOL DISTRICT, PURSUANT TO THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE.

(3.10) APPROVING OF AN INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND THE CITY OF ALMA, PURSUANT TO THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE.

(3.11) APPROVING OF AN INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND THE ENNIS INDEPENDENT SCHOOL DISTRICT, PURSUANT TO THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE.

(3.12) APPROVING OF AN INTERLOCAL AGREEMENT BETWEEN ELLIS COUNTY AND THE CITY OF ENNIS, PURSUANT TO THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE.

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

MINUTE ORDER 481.22 (3.13) APPROVING TO RENEW THE BURN BAN. – *TIM BIRDWELL, FIRE MARSHAL*

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

RECESS TO EXECUTIVE SESSION 8:40 P.M.

MOTION TO RECESS BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER, 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.

- E1 PURSUANT TO TEXAS GOVERNMENT CODE §551.071 (1) , CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTER CONCERNING AMR CONTRACT.
- E2 PURSUANT TO TEXAS GOVERNMENT CODE § 551.072, 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.
- E3 PURSUANT TO TEXAS GOVERNMENT CODE §551.071 (1), CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTER(S) CONCERNING NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES (TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM) PERMIT FOR MUNICIPAL WASTEWATER FROM TCEQ AND RELATED TO THE HIGHLAND LAKES MUD AND FM 875 MUD, AND POSSIBLE RETENTION OF COUNSEL TO FILE A CONTEST AND/OR RETENTION OF P3 WORKS.
- E4 PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1), CONSULTATION WITH LEGAL COUNSEL REGARDING CONTEMPLATED LITIGATION RELATED TO THE EYRIE MEADOWS SUBDIVISION AND

SPECIFICALLY, A CLAIM ON THE MAINTENANCE BOND ON THE DEVELOPER, AS WELL AS OTHER INVOLVED IN CONSTRUCTION AND DEVELOPMENT OF THE SUBDIVISION, DUE TO NUMEROUS DRAINAGE ISSUES AS WELL AS CONCRETE ROADS THAT ARE FAILING AND DO NOT MEET THE STANDARDS FOR COUNTY ACCEPTANCE.

RECONVENE TO REGULAR SESSION 9:33 P.M.

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

NO ACTION (3.14) DISCUSSION, CONSIDERATION, AND APPROVAL OF ACTION IN RESPONSE TO BREACH OF CONTRACT AND RELATED ISSUES WITH AMR. – *TIM BIRDWELL, FIRE MARSHAL*

MINUTE ORDER 482.22 (3.15) APPROVING TO HIRE COUNSEL AND/OR RETENTION OF P3 WORKS IN RESPONSE TO THE NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES (TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM) PERMIT FOR MUNICIPAL WASTEWATER FROM TCEQ AND RELATED TO THE HIGHLAND LAKES MUD AND FM 875 MUD. – *TODD LITTLE, COUNTY JUDGE*

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

MINUTE ORDER 483.22 (3.16) APPROVING TO SEEK LEGAL ACTION RELATED TO THE EYRIE MEADOWS SUBDIVISION AND SPECIFICALLY, A CLAIM ON THE MAINTENANCE BOND OF THE DEVELOPER, AS WELL AS OTHERS INVOLVED IN THE CONSTRUCTION AND DEVELOPMENT OF THE SUBDIVISION DUE TO NUMEROUS DRAINAGE ISSUES AS WELL AS CONCRETE ROADS THAT ARE FAILING AND DO NOT MEET STANDARDS FOR COUNTY ACCEPTANCE. – *TODD LITTLE, COUNTY JUDGE*

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

ADJOURNMENT 9:35 P.M.

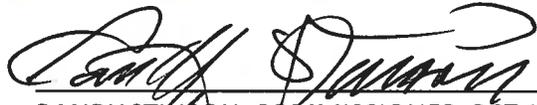
MOTION TO ADJOURN BY COMMISSIONER PERRY, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON OCTOBER 18, 2022,
ARE HEREBY APPROVED.

PRESIDING OFFICER:



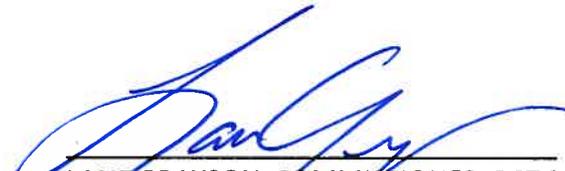
TODD LITTLE, COUNTY JUDGE



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 1ST DAY OF NOVEMBER 2022.



KRYSTAL WALDEZ, COUNTY CLERK



EXHIBIT "A"

ELLIS COUNTY COMMISSIONERS COURT PUBLIC PARTICIPATION LIST (AGENDA ITEM 3.1)

1. VICKIE DILLOW – WAXAHACHIE
2. TINA KING – WAXAHACHIE
3. KATHLENE LYONS (3 MINUTES YIELDED TO TINA KING) – WAXAHACHIE
4. CHARLES C. KING, JR. – WAXAHACHIE
5. DONNIE LOTZ – WAXAHACHIE
6. AMY LOTZ – WAXAHACHIE
7. JOANNA HASSELL COLE – WAXAHACHIE
8. FAITH WRIGHT (SPEAKING ON BEHALF OF DEREK PETERSON) – WAXAHACHIE
9. CHRIS DILLOW – MIDLOTHIAN
10. TRAVIS HOLT – WAXAHACHIE
11. JULIE MUSGROVE – WAXAHACHIE
12. SARITA HEITMAN – WAXAHACHIE
13. DANIEL SOUTHERLAND – WAXAHACHIE
14. BRANDON REICHENAU – MAYPEARL
15. RONALD RUSSELL – WAXAHACHIE
16. WILLIAM KOONCE – WAXAHACHIE
17. DANTE SMITH – WAXAHACHIE
18. JOY NOACK – WAXAHACHIE
19. JOHN BOSWELL – WAXAHACHIE
20. JENNIFER PETERSON – WAXAHACHIE
21. JEREMY HAZELWOOD – WAXAHACHIE
22. HANNAH SOUTHERLAND – WAXAHACHIE
23. RACHEL ASHCRAFT – WAXAHACHIE
24. FAITH WRIGHT – WAXAHACHIE
25. ARTHUR L. LOWERY – WAXAHACHIE
26. SETH SORENSON – WAXAHACHIE
27. MIKE DILLOW – WAXAHACHIE
28. TIMOTHY O'CONNOR (FORM SUBMITTED, DID NOT SPEAK) - WAXAHACHIE