

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – DECEMBER 27, 2022

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, DECEMBER 27, 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:** 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 PERRY, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE. – *COMMISSIONER RANDY STINSON, PRECINCT 1*

**CONSENT AGENDA: MINUTE ORDER 556.22**

**ADMINISTRATIVE:**

- A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *COUNTY TREASURER CHERYL CHAMBERS*
- A2 APPROVING OF THE MONTHLY TREASURER'S REPORT FOR OCTOBER 2022. – *COUNTY TREASURER CHERYL CHAMBERS*
- A3 APPROVING COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM DECEMBER 13, 2022. – *COUNTY CLERK KRYSTAL VALDEZ*
- A4 APPROVING THE PRESENTATION OF A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM OCTOBER 21<sup>ST</sup>, 2022 TO DECEMBER 14, 2022, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *COUNTY AUDITOR JANET MARTIN*
- A5 APPROVING THE INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND FERRIS ISD, EFFECTIVE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023. – *COMMISSIONER RANDY STINSON, PCT. 1*
- A6 APPROVING THE INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF GARRETT, EFFECTIVE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023. – *COMMISSIONER RANDY STINSON, PCT. 1*

- A7 APPROVING THE INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF PALMER, EFFECTIVE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023. – *COMMISSIONER RANDY STINSON, PCT. 1*
- A8 APPROVING THE INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF RED OAK, EFFECTIVE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023. – *COMMISSIONER KYLE BUTLER, PCT. 4*
- A9 APPROVING THE INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND CITY OF OVILLA, EFFECTIVE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023. – *COMMISSIONER KYLE BUTLER, PCT. 4*
- A10 APPROVING THE INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND CITY OF OAK LEAF, EFFECTIVE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023. – *COMMISSIONER KYLE BUTLER, PCT. 4*
- A11 APPROVING THE INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND WAXAHACHIE ISD, EFFECTIVE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023. – *COMMISSIONER KYLE BUTLER, PCT. 4*
- A12 APPROVING THE INTERLOCAL COOPERATION CONTRACT BETWEEN ELLIS COUNTY AND RED OAK ISD, EFFECTIVE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023. – *COMMISSIONER KYLE BUTLER, PCT. 4*
- A13 APPROVING OF RE-APPOINTMENT AND RESIGNATION OF THE FOLLOWING ESD’S FOR TWO-YEAR TERMS BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2024:  
 APPOINTMENTS:  
     ESD #1 MAYPEARL: MARCUS BROWN, JAMES MORRISON  
     ESD #2: JOHN BINFORD, RONALD RUSSELL  
     ESD #3: JOSEPH BARRETT, VINCENTE GUERRERO, ALBERT GARCIA  
     ESD #4: STEVEN WAKELAND, BRIAN HENSON  
     ESD #5: ALFRED LEMON, DALLAS DIAL  
     ESD #6: CHARLES McCORMACK, WILLIAM HOWELL  
     ESD #7: ROBERT GRIMES  
 RESIGNATIONS:  
     ESD #1: MAYPEARL: GARRIS HARRISON  
     ESD #4: ROBERT McMILLIAN  
     ESD #6: RANDY JOHNSTON  
     ESD #7: DAVID FRUTAL
- A14 ACCEPTING OF GENERAL LIABILITY INSURANCE IN LIEU OF OFFICIAL BOND FOR HONORABLE TODD LITTLE, COUNTY JUDGE, EFFECTIVE JANUARY 1, 2023. – *COUNTY JUDGE TODD LITTLE*
- A15 ACCEPTING THE OFFICIAL BOND FOR LANE GRAYSON, COMMISSIONER, PRECINCT 2, EFFECTIVE JANUARY 1, 2023. – *COMMISSIONER LANE GRAYSON, PRECINCT 2*
- A16 ACCEPTING OF GENERAL LIABILITY INSURANCE IN LIEU OF OFFICIAL BOND FOR HONORABLE GENE CALVERT, JR., COUNTY COURT AT LAW #2, EFFECTIVE JANUARY 1, 2023. – *THE HONORABLE GENE CALVERT, JR., COUNTY COURT AT LAW #2*
- A17 ACCEPTING OF GENERAL LIABILITY INSURANCE IN LIEU OF OFFICIAL BOND FOR HONORABLE JIM CHAPMAN, COUNTY COURT AT LAW #1, EFFECTIVE JANUARY 1, 2023. – *THE HONORABLE JIM CHAPMAN, COUNTY COURT AT LAW #1*
- A18 ACCEPTING THE OFFICIAL BOND FOR HONORABLE LOUIS PONDER, JUSTICE OF THE PEACE, PRECINCT 4, EFFECTIVE JANUARY 1, 2023. – *THE HONORABLE LOUIS PONDER, JUSTICE OF THE PEACE, PRECINCT 4*

- A19 ACCEPTING THE OFFICIAL BOND FOR MELANIE REED, DISTRICT CLERK, EFFECTIVE JANUARY 1, 2023. –  
*DISTRICT CLERK MELANIE REED*
- A20 ACCEPTING THE OFFICIAL BOND FOR HONORABLE DAN COX, JUSTICE OF THE PEACE, PRECINCT 3,  
EFFECTIVE JANUARY 1, 2023. – *THE HONORABLE DAN COX, JUSTICE OF THE PEACE, PRECINCT 3*
- A21 ACCEPTING THE OFFICIAL BOND FOR KRYSTAL VALDEZ, COUNTY CLERK, EFFECTIVE JANUARY 1, 2023. –  
*COUNTY CLERK KRYSTAL VALDEZ*

**FINANCIAL:**

- F1 ACCEPTING SEDGWICK CLAIMS MANAGEMENT/ARGONAUT INSURANCE REIMBURSEMENT IN THE AMOUNT  
OF \$19,435.88 AS UNANTICIPATED REVENUE. REQUEST FOR SPECIAL BUDGET OF UNANTICIPATED  
REVENUE: INCREASE 001-0015-507020 (JAIL REPAIRS) BY \$19,435.88. PURSUANT TO TEXAS  
GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *COUNTY  
AUDITOR JANET MARTIN*
- F2 ACCEPTING BUY BOARD COOPERATIVE REBATE IN THE AMOUNT OF \$15,986.00 AS UNANTICIPATED  
REVENUE. REQUEST FOR SPECIAL BUDGET OF UNANTICIPATED REVENUE: INCREASE 001-0140-506940  
(EMPLOYEE RECOGNITION) BY \$15,986.00. PURSUANT TO TEXAS GOVERNMENT CODE §111.0108,  
UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *COUNTY AUDITOR JANET MARTIN*
- F3 APPROVING FOR THE TAX ASSESSOR/COLLECTOR TO DISBURSE PROPERTY TAX REFUNDS IN THE AMOUNT OF  
\$3,699.76. – *COUNTY AUDITOR JANET MARTIN*
- F4 FY2023 LINE ITEM TRANSFER – *HUMAN RESOURCES DIRECTOR THERESA TAYLOR*  
DECREASE 001-0140-505580 (CONTINGENCY/RESERVE) BY \$600.00  
INCREASE 001-0425-508650 (EMPLOYMENT SCREENING) BY \$600.00
- F5 FY2023 LINE ITEM TRANSFER – *THE HONORABLE WILLIAM WALLACE, 378<sup>TH</sup> DISTRICT COURT*  
DECREASE 001-0140-505580 (CONTINGENCY RESERVE) BY \$979.99  
INCREASE 001-0140-508190 (COMPUTER SOFTWARE) BY \$979.99
- F6 FY2023 LINE ITEM TRANSFER – *COUNTY & DISTRICT ATTORNEY ANN MONTGOMERY*  
DECREASE 001-0360-508350 (TRAINING) BY \$56.76  
INCREASE 001-0430-404100 (EMERGENCY PREPAREDNESS TRAINING) BY \$56.76

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

**DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 557.22** (1.1) APPROVING A PLAT OF HERNANDEZ ADDITION. THE PROPERTY CONTAINS  
±5.00 ACRES IN THE CHANCEY B. BOREN SURVEY, ABSTRACT No. 124, LOCATED ON THE SOUTH SIDE  
OF FM 879, ± 1,315 FEET WEST OF THE INTERSECTION OF FM 879 AND FM 1722, IN THE  
EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD AND BRIDGE PRECINCT No. 2.

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

**MINUTE ORDER 558.22** (1.2) APPROVING A PLAT OF LEE SHIPMAN ADDITION. THE PROPERTY CONTAINS ±4.23 ACRES IN THE JOHN JACOBS SURVEY, ABSTRACT No. 571, LOCATED ON THE EAST SIDE OF RICHLAND BEND ROAD, ± 4,190 FEET NORTHWEST OF THE INTERSECTION OF RICHLAND BEND ROAD AND FINN ROAD, MILFORD, ROAD AND BRIDGE PRECINCT No. 3.

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

**MINUTE ORDER 559.22** (1.3) APPROVING A PLAT OF TUCKER ADDITION. THE PROPERTY CONTAINS ±1.142 ACRES IN THE AMASA HOWELL SURVEY, ABSTRACT No. 522, LOCATED ON THE NORTH SIDE OF CURTIS RAY ROAD, ± 575 FEET EAST OF THE INTERSECTION OF CURTIS RAY ROAD AND BAUCUM 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 560.22** (1.4) APPROVING TO RELEASE A MAINTENANCE BOND AND ACCEPT INFRASTRUCTURE FOR BENTLEY CREEK ESTATES. THE PROPERTY CONTAINS ± 114.16 ACRES OF LAND LOCATED 1,200 FEET EAST OF THE INTERSECTION OF GREATHOUSE ROAD AND BOZ ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MAYPEARL, ROAD AND BRIDGE PRECINCT 3.

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

## **PURCHASING**

**MINUTE ORDER 561.22** (2.1) APPROVING OF A UNIFORM AND SUPPLIES RENTAL PROGRAM WITH CINTAS CORPORATION USING THE OMNIA COOPERATIVE CONTRACT NUMBER R-BB-19002 IN ACCORDANCE WITH THE COOPERATIVE PURCHASING PROGRAM, CHAPTER 271 OF THE TEXAS GOVERNMENT CODE.

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

**MINUTE ORDER 562.22** (2.2) APPROVING TO RENEW THE FOLLOWING BID FOR A ONE (1) YEAR PERIOD: BID No. 2020-020 CONVENIENCE STORE FUEL WITH PEARMAN OIL & LP GAS, INC.

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

**MINUTE ORDER 563.22** (2.3) APPROVING THE "OPTION 1" PAYMENT METHOD AND SCHEDULE FOR AT&T FIBER PROJECT.

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

**MINUTE ORDER 564.22** (2.4) APPROVING TO PURCHASE CISCO WIRED NETWORK HARDWARE EQUIPMENT WITH SUPPORT SERVICES FROM FLAIR DATA SYSTEMS, INC. FOR THE RED OAK TAX OFFICE USING THE TEXAS DIR COOPERATIVE CONTRACT NO. DIR-TSO-4167.

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

**MINUTE ORDER 565.22** (2.5) APPROVING TO PURCHASE TEN (10) CISCO IP 8851 PHONES AND FIRMWARE FROM FLAIR DATA SYSTEMS, INC. USING THE TEXAS DIR COOPERATIVE CONTRACT NO. DIR-TSO-4167.

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

### **ADMINISTRATIVE**

**MINUTE ORDER 566.22** (3.1) APPROVING AN AMENDMENT TO TAX ABATEMENT AGREEMENT (MINUTE ORDER No. 314.19 DATED JULY 16, 2019) WITH ALAMO MISSION, LLC, OWNER AND APPLICANT, FOR PROPERTY LOCATED IN REINVESTMENT ZONE No. 9, CITY OF RED OAK, TX (CONSOLIDATING AND MODESTLY EXPANDING FORMER REINVESTMENT ZONES 5 & 6). – *COUNTY JUDGE TODD LITTLE*

PUBLIC PARTICIPATION: PENNY STORY, RED OAK; PAUL CHRISTIANSON, WAXAHACHIE

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

**MINUTE ORDER 567.22** (3.2) APPROVING TO AWARD COURT APPOINTED SPECIAL ADVOCATES OF ELLIS COUNTY (CASA) COUNTY GRANT PROGRAM IN THE AMOUNT OF \$50,000.00 FOR FY2022 AND \$50,000.00 FOR FY2023 FOR A TWO-YEAR CONTRIBUTION. – *COUNTY JUDGE TODD LITTLE*

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

**TABLED** (3.3) DISCUSSION, CONSIDERATION, AND APPROVAL TO AWARD \$50,000.00 TO THE HEIGHTS ELLIS COUNTY FAMILY RESOURCES GRANT PROGRAM FOR THE FY2023 YEARLY CONTRIBUTION. – *COUNTY JUDGE TODD LITTLE*

**MINUTE ORDER 568.22** (3.4) APPROVING TO AWARD \$50,000.00 TO THE ELLIS COUNTY CHILDREN'S ADVOCACY CENTER FOR THE FY2023 YEARLY CONTRIBUTION. – *COUNTY JUDGE TODD LITTLE*

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

**MINUTE ORDER 569.22** (3.5) APPROVING TO PURCHASE BUDGET SOFTWARE FROM 001-0140-508880 (COMPUTER SOFTWARE) WITH A FIRST-YEAR COST OF \$34,000.00. – *COUNTY AUDITOR JANET MARTIN AND COUNTY TREASURER CHERYL CHAMBERS*

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

**MINUTE ORDER 570.22** (3.6) APPROVING TO ACCEPT THE DONATION OF AN AKC PET DISASTER RELIEF UNIT/TRAILER FROM AKC REUNITE TO THE ELLIS COUNTY OFFICE OF EMERGENCY MANAGEMENT. THIS PET DISASTER RELIEF UNIT IS A TRAILER OUTFITTED WITH CRUCIAL SUPPLIES NEEDED TO SET UP SAFE SHELTERING OPTIONS FOR CITIZENS' PETS DURING AN EVACUATION AND HAS AN ESTIMATED VALUE OF \$22,000.00. – *EMERGENCY MANAGEMENT COORDINATOR SAMANTHA PICKETT*

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

(TO AGENDA ITEM 3.8)

**TABLED** (3.8) APPROVAL OF THE APPOINTMENT OF DR. LEIGH NORDSTROM TO CONTINUE AS THE ELLIS COUNTY LOCAL HEALTH AUTHORITY FOR A TWO-YEAR TERM ENDING OCTOBER 1, 2024. – *COUNTY JUDGE TODD LITTLE*

PUBLIC PARTICIPATION: JAMES BUFORD, FERRIS

**RECESS TO EXECUTIVE SESSION** **2:50 P.M.**

MOTION TO RECESS BY COMMISSIONER PERRY, SECOND BY JUDGE LITTLE, 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 CONTEMPLATED LITIGATION MATTERS RELATED TO THE CONTRACT BETWEEN ELLIS COUNTY AND THE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA) OF TEXAS.
- E2 PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1), CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING LITIGATION MATTER(S) CONCERNING THE NOTICE OF APPLICATION BY CIRCLE

S. MIDLOTHIAN LLC TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) SEEKING TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES) PERMIT NO. WQ0016243001 TO AUTHORIZE THE DISCHARGE OF TREATED WASTEWATER

**RECONVENE TO REGULAR SESSION 3:38 P.M.**

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

(TO AGENDA ITEM 3.7)

**MINUTE ORDER 571.22** (3.7) APPROVING TO RETAIN OUTSIDE COUNSEL AND ENGAGE P3 WORKS, LLC IN RESPONSE TO THE NOTICE OF APPLICATION BY CIRCLE S. MIDLOTHIAN LLC TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) SEEKING TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES) PERMIT NO. WQ0016243001 TO AUTHORIZE THE DISCHARGE OF TREATED WASTEWATER. – *COUNTY JUDGE TODD LITTLE*

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

**ADJOURNMENT 3:40 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON DECEMBER 27, 2022,  
ARE HEREBY APPROVED.

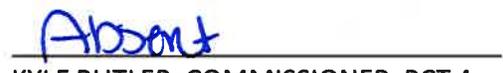
PRESIDING OFFICER:

  
\_\_\_\_\_  
TODD LITTLE, COUNTY JUDGE

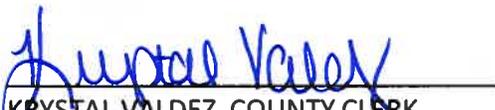
  
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RANDY STINSON, COMMISSIONER, PCT 1

  
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PAUL PERRY, COMMISSIONER, PCT 3

  
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LANE GRAYSON, COMMISSIONER, PCT 2

  
\_\_\_\_\_  
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 10TH DAY OF JANUARY 2023.

  
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KRYSTAL VALDEZ, COUNTY CLERK

