

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JUNE 13, 2023

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JUNE 13, 2023, 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:

PRECINCT 1 COMMISSIONER RANDY STINSON
PRECINCT 2 COMMISSIONER LANE GRAYSON
PRECINCT 3 COMMISSIONER PAUL PERRY
PRECINCT 4 COMMISSIONER KYLE BUTLER
COUNTY CLERK KRYSTAL VALDEZ

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, SECONDED BY COMMISSIONER PERRY, MOTION CARRIED

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

CONSENT AGENDA: MINUTE ORDER 285.23 (WITHOUT A9 AND A10)

ADMINISTRATIVE:

- A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *COUNTY TREASURER CHERYL CHAMBERS*
- A2 APPROVING OF COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM MAY 30, 2023. – *COUNTY CLERK KRYSTAL VALDEZ*
- A3 ACCEPTING THE JUSTICE OF THE PEACE, PRECINCT 1 MONTHLY REPORT FOR MAY 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE CHRIS MACON*
- A4 ACCEPTING THE JUSTICE OF THE PEACE, PRECINCT 4 MONTHLY REPORT FOR APRIL 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE LOUIS PONDER*
- A5 ACCEPTING A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM MAY 20, 2023 – JUNE 2, 2023, PURSUANT TO LGC§114.024 . – *COUNTY AUDITOR JANET MARTIN*
- A6 APPROVING OF AN INTERLOCAL AGREEMENT WITH THE CITY OF MAYPEARL. – *PRECINCT 3 COMMISSIONER PAUL PERRY*
- A7 APPROVING OF AN INTERLOCAL AGREEMENT WITH THE CITY OF ITALY. – *PRECINCT 3 COMMISSIONER PAUL PERRY*
- A8 APPROVING OF THE DEPARTMENT OF DEVELOPMENT'S MONTHLY FINANCIAL REPORT FOR MAY 2023, AS REQUIRED BY LOCAL GOVERNMENT CODE §114.024. – *DEPARTMENT OF DEVELOPMENT DIRECTOR ALBERTO MARES*

A9 MOVED TO REGULAR AGENDA BY COMMISSIONER GRAYSON

A10 MOVED TO REGULAR AGENDA BY COMMISSIONER GRAYSON

FINANCIAL:

- F1 FY2023 LINE-ITEM TRANSFER – *THE HONORABLE LOUIS PONDER*
DECREASE 001-0540-508020 (EQUIPMENT) BY \$117.15
INCREASE 001-0540-508060 (OFFICIAL BOND) BY \$117.15
- F2 FY2023 LINE-ITEM TRANSFER – *FIRE MARSHAL TIM BIRDWELL*
DECREASE 001-0450-506890 (GSA SOFTWARE CONTRACT) BY \$1,000.00
DECREASE 001-0450-508020 (EQUIPMENT) BY \$1,000.00
INCREASE 001-0450-508090 (AUTO REPAIR) BY \$2,000.00
- F3 APPROVING TO PAY FY2022 TEXAS INDIGENT HEALTH CARE ASSOCIATION INVOICE #103154 IN THE AMOUNT OF \$230.00 WITH FY2023 BUDGET FUNDS. – *COUNTY AUDITOR JANET MARTIN*
- F4 FY2023 LINE-ITEM TRANSFER – *COUNTY JUDGE TODD LITTLE*
DECREASE 001-0140-570000 (CONTINGENCY – SURPLUS) BY \$15,000.00
INCREASE 001-0360-509970 (OUT OF COUNTY WRIT) BY \$15,000.00
- F5 FY2023 LINE-ITEM TRANSFER – *THE HONORABLE JACKIE MILLER, JR.*
DECREASE 001-0520-508350 (TRAINING) BY \$500.00
INCREASE 001-0520-508050 (CONFERENCE) BY \$500.00
- F6 ACCEPTING OF FUNDS COLLECTED FROM WRIT OF EXECUTION IN THE AMOUNT OF \$10,325.55 BY THE ELLIS COUNTY SHERIFF’S OFFICE AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET OF UNANTICIPATED REVENUE:
INCREASE 001-0010-509980 (WRIT OF EXECUTION) BY \$10,325.55
PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *COUNTY AUDITOR JANET MARTIN*
- F7 ACCEPTING OF FUNDS FROM THE SALE OF AN ESTRAY ANIMAL IN THE AMOUNT OF \$730.00 AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET OF UNANTICIPATED REVENUE:
INCREASE 001-0010-508700 (ESTRAY) BY \$730.00
PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *COUNTY AUDITOR JANET MARTIN*
- F8 ACCEPTING OF FUNDS FROM RESTITUTION PAID IN THE AMOUNT OF \$1,884.00 FOR THE SHERIFF’S OFFICE AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET OF UNANTICIPATED REVENUE:
INCREASE 001-0010-506970 (EVIDENCE ANALYSIS AND TESTING) BY \$1,884.00
PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *COUNTY AUDITOR JANET MARTIN*
- F9 FY2023 LINE-ITEM TRANSFER – *SHERIFF BRAD NORMAN*
DECREASE 001-0330-409930 (ESTRAY REVENUE) BY \$95.00
INCREASE 001-0010-508700 (ESTRAY EXPENSES) BY \$95.00
- F10 FY2023 LINE-ITEM TRANSFER – *PRECINCT 4 COMMISSIONER KYLE BUTLER*
DECREASE 012-0755-570000 (CONTINGENCY SURPLUS) BY \$58,000.00
INCREASE 012-0755-509090 (REPAIRS & PARTS) BY \$50,000.00

INCREASE 012-0755-509140 (SIGNS) BY \$8,000.00

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

NO ACTION (A9) APPROVAL TO ENTER INTO A SERVICE AGREEMENT BETWEEN ELLIS COUNTY, TEXAS AND FIRST LOOK PREGNANCY CENTER IN THE AMOUNT OF \$30,000.00 FOR ONE YEAR TO PROVIDE A CLIENT-FOCUSED CENTER FOR CRISIS PREGNANCY INTERVENTION AND CARE. – *COUNTY JUDGE TODD LITTLE*

NO ACTION (A10) APPROVAL TO ENTER INTO A SERVICE AGREEMENT BETWEEN ELLIS COUNTY, TEXAS AND THE HEIGHTS ELLIS COUNTY FAMILY RESOURCES IN THE AMOUNT OF \$12,500.00 PER QUARTER FOR A TOTAL OF \$50,000 FOR ONE YEAR TO PROVIDE A CLIENT-FOCUSED CENTER FOR DOMESTIC VIOLENCE INTERVENTION AND PREVENTION. – *COUNTY JUDGE TODD LITTLE*

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 286.23 (1.1) APPROVING A PLAT OF LONGHORN ESTATES ON STACKS, BEING A REPLAT OF A PORTION OF LOT 47 AND LOT 48, FARM LOTS OF THE TOWN OF BRISTOL. THE PROPERTY CONTAINS ± 8.795 ACRES IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ON THE EAST SIDE OF STACKS ROAD, ± 360 FEET SOUTH OF THE INTERSECTION OF SLATE ROCK ROAD AND STACKS ROAD, ENNIS, ROAD AND BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER 287.23 (1.2) APPROVING A PLAT OF MAYRA & IVAN QUINONEZ ADDITION. THE PROPERTY CONTAINS ± 1.138 ACRES OF LAND IN THE J. BAKER SURVEY, ABSTRACT NO. 35, LOCATED ON THE NORTH SIDE OF PALMYRA ROAD, ± 470 FEET NORTH OF THE INTERSECTION OF PALMYRA ROAD AND HUNSUCKER ROAD, FERRIS, ROAD AND BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER 288.23 (1.3) APPROVING A REPLAT OF SUBURBAN ESTATES LOTS 84-A & 84-B. THE PROPERTY CONTAINS ± 2.283 ACRES IN THE LITTLETON WHITE SURVEY, ABSTRACT NO. 110, LOCATED ON THE SOUTH SIDE OF GOLIAD CIRCLE, ± 2,115 FEET NORTHEAST OF THE INTERSECTION OF EPPS ROAD AND GOLIAD CIRCLE, PALMER, ROAD AND BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER 289.23 (1.4) APPROVING A PLAT OF BUFFALO VISTA SUBDIVISION LOTS 1 AND 2, BLOCK 1. THE PROPERTY CONTAINS ± 10.447 ACRES OF LAND IN THE AJ McCASLAND SURVEY, ABSTRACT No. 720, LOCATED ON THE SOUTHEAST CORNER OF FM 985 AND SULLIVAN ROAD, ENNIS, ROAD AND BRIDGE PRECINCT No. 2.

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

MINUTE ORDER 290.23 (1.5) APPROVING A PLAT OF McDANIEL ADDITION. THE PROPERTY CONTAINS ± 6.376 ACRES OF LAND IN THE G. A. GIDDINGS SURVEY, ABSTRACT No. 414, LOCATED ON THE SOUTH SIDE OF BARDWELL DAM ROAD, ± 4,645 FEET SOUTH OF THE INTERSECTION OF BARDWELL DAM ROAD AND OBSERVATION DRIVE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD AND BRIDGE PRECINCT No. 2.

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

MINUTE ORDER 291.23 (1.6) APPROVING A REPLAT OF COCKERHAM ESTATES LOTS 1A-RR, 1R-R, LOT 3R, BLOCK A. THE PROPERTY CONTAINS ± 20.33 ACRES OF LAND IN THE CHARLES GREEN SURVEY, ABSTRACT No. 922, AND THE M. V. RHODES SURVEY, ABSTRACT No. 950, LOCATED ON THE NORTH SIDE OF FM 66, ± 2,115 FEET WEST OF THE INTERSECTION OF FM 66 AND ARROWHEAD ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITIES OF WAXAHACHIE AND MAYPEARL, ROAD AND BRIDGE PRECINCT No. 3.

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

MINUTE ORDER 292.23 (1.7) APPROVING A PLAT OF NIGO ESTATE. THE PROPERTY CONTAINS ± 12.074 ACRES OF LAND IN THE THOMAS SHOCKLEY SURVEY, ABSTRACT No. 1020, LOCATED ON THE EAST SIDE OF GREATHOUSE ROAD, ± 920 FEET SOUTH OF THE INTERSECTION OF GREATHOUSE ROAD AND BOZ ROAD, WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 3.

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

MINUTE ORDER 293.23 (1.8) APPROVING A REPLAT OF WINDING CREEK LOTS 17R & 18R, BLK. B. THE PROPERTY CONTAINS ± 2.723 ACRES OF LAND IN THE J. BERRY SURVEY, ABSTRACT No. 86, LOCATED ON THE WEST SIDE OF WILDER CIRCLE, ± 950 FEET NORTH OF THE INTERSECTION OF WILDER WAY AND WOODSTREAM ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF OVILLA, ROAD AND BRIDGE PRECINCT No. 4.

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

MINUTE ORDER 294.23 (1.9) APPROVING A REPLAT OF WINDING CREEK LOTS 20R & 21R, BLK. B. THE PROPERTY CONTAINS ± 2.542 ACRES OF LAND IN THE J. BERRY SURVEY, ABSTRACT No. 86, LOCATED ON THE WEST SIDE OF WILDER CIRCLE, ± 290 FEET NORTH OF THE INTERSECTION OF WILDER WAY AND WOODSTREAM ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF OVILLA, ROAD AND BRIDGE PRECINCT No. 4.

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

MINUTE ORDER 295.23 (1.10) APPROVING A REQUEST TO ACCEPT A PERFORMANCE BOND FOR THE PROPOSED BISON MEADOWS SUBDIVISION (PARCEL ID No. 188545). THE PROPERTY CONTAINS ± 111.936 ACRES OF LAND IN THE N. NEWSOME SURVEY – ABSTRACT No. 801, LOCATED NEAR THE INTERSECTION OF FM 813 AND GIBSON ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 1.

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

PURCHASING

NO ACTION (2.1) APPROVAL TO PURCHASE 85 HP FX36011G9 PENTSN6000 AA 4GB/128PC LTSC LAPTOP COMPUTERS LOADED WITH PROPRIETARY SOFTWARE AND HARDWARE FROM THE VOTEC CORPORATION TO BE USED AS POLLBOOK STATIONS IN THE ELECTIONS OFFICE AS SOLE-SOURCE PRODUCTS (MINUTE ORDER 346.19).

MINUTE ORDER 296.23 (2.2) APPROVING INSTALLATION SERVICES FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP) GENERATOR FROM LOOKUP CONSTRUCTION SERVICES USING CITY OF FORT WORTH COOPERATIVE CONTRACT # 57047 IN THE AMOUNT OF \$68,027.70

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

MINUTE ORDER 297.23 (2.3) APPROVING TO EXECUTE AN ORDER FORM WITH THOMPSON REUTERS FOR WEST COMPLETE PRODUCTS FOR THE LAW LIBRARY.

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

MINUTE ORDER 298.23 (2.4) APPROVING TO AWARD RFP-2023-009 PROFESSIONAL AUDIT SERVICES WITH PATTILLO, BROWN & HILL, LLP, FOR A ONE-YEAR TERM WITH FOUR AUTOMATIC RENEWAL OPTIONS.

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

ADMINISTRATIVE

NO ACTION (3.1) DISCUSSION, CONSIDERATION, AND ACTION TO CONVEY INTEREST IN “STRUCK OFF” PROPERTY FROM THE COUNTY TO THE CITY OF MIDLOTHIAN FOR PUBLIC USE. – *COUNTY JUDGE TODD LITTLE*

MINUTE ORDER 299.23 (3.2) APPROVING FOR THE COUNTY JUDGE TO SIGN THE UT SOUTHWESTERN MEDICAL CENTER MOBILE MAMMOGRAPHY SERVICE AGREEMENT. – *HUMAN RESOURCES DIRECTOR THERESA TAYLOR*

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

MINUTE ORDER 300.23 (3.3) APPROVING THE AMENDED ORDINANCE PERTAINING TO ANIMAL CONTROL; THIS AMENDMENT IS TO CHANGE THE DURATION THAT A RABIES VACCINATION IS VALID, EITHER FOR 1 OR 3 YEARS. LEGAL HAS APPROVED. – *SHERIFF BRAD NORMAN*

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

NO ACTION (3.4) DISCUSSION, CONSIDERATION, AND ACTION ON A REQUEST TO GRANT A SANITARY SEWER AND TEMPORARY CONSTRUCTION EASEMENT THROUGH COUNTY-OWNED PROPERTY (COUNTY FARM – PARCEL 193411). – *ENGINEERING DIRECTOR TED KANTOR*

NO ACTION (3.5) DISCUSSION, CONSIDERATION, AND ACTION ON A REQUEST TO GRANT AN ELECTRIC LINE EASEMENT THROUGH COUNTY-OWNED PROPERTY (COUNTY FARM – PARCEL 194448). – *ENGINEERING DIRECTOR TED KANTOR*

RECESS TO EXECUTIVE SESSION **2:31 P.M.**

MOTION TO RECESS BY COMMISSIONER PERRY, SECONDED 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.

4.1 PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1), CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTERS CONCERNING TCEQ AND SOAH CONCERNING TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEMS PERMITS (TPDES) AND PETITIONS FOR

THE CREATION OF MUNICIPAL UTILITY DISTRICTS (MUDs), INCLUDING BUT NOT LIMITED TO ELLIS RANCH MUD No. 1.

- 4.2 PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2), CONSULTATION WITH LEGAL COUNSEL ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY OF THE GOVERNMENTAL BODY UNDER THE TEXAS RULES OF DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS IF SUCH RULE CLEARLY CONFLICTS WITH THE CHAPTER, REGARDING AMBULANCE COVERAGE FOR THE COUNTY.
- 4.3 PURSUANT TO TEXAS GOVERNMENT CODE §551.089(3), DISCUSSION OF THE DEPLOYMENT OF SECURITY PERSONNEL FOR COUNTY DEPOSIT SECURITY.

RECONVENED TO REGULAR SESSION 3:30 P.M.

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

ADJOURNMENT 3:31 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON JUNE 13, 2023, ARE HEREBY APPROVED.

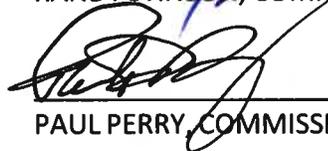
PRESIDING OFFICER:



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 27TH DAY OF JUNE 2023.



KRISTAL VALDEZ, COUNTY CLERK *Deputy*

