

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – JULY 11, 2023

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JULY 11, 2023, 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 CHIEF DEPUTY TINA CHAMBERS

PRECINCT 1 COMMISSIONER RANDY STINSON

PRECINCT 2 COMMISSIONER LANE GRAYSON

PRECINCT 3 COMMISSIONER PAUL PERRY

PRECINCT 4 COMMISSIONER KYLE BUTLER

**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. – *COUNTY JUDGE TODD LITTLE*

**CONSENT AGENDA: MINUTE ORDER 325.23 (WITHOUT A3)**

**ADMINISTRATIVE:**

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

A2 APPROVING OF COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM JUNE 27, 2023. – *COUNTY CLERK KRYSTAL VALDEZ*

A3 **MOVED TO REGULAR AGENDA BY COUNTY JUDGE**

A4 APPROVING FOR THE COUNTY JUDGE TO SIGN THE MAJOR EVENTS REIMBURSEMENT PROGRAM AGREEMENT WITH THE TEXAS MOTORPLEX FOR THE 2023 TEXAS NHRA FALL NATIONALS STAMPEDE OF SPEED. – *COUNTY JUDGE TODD LITTLE*

A5 ACKNOWLEDGING THE LOCAL PROVIDER PARTICIPATION FUND PAYMENT OF \$4,921,740.20. THESE FUNDS ARE PAID ON BEHALF OF THE LOCAL PARTICIPATING HOSPITALS AND ARE NOT ELLIS COUNTY FUNDS. – *TREASURER CHERYL CHAMBERS*

A6 ACCEPTING OF THE JUSTICE OF THE PEACE, PRECINCT 4 MONTHLY REPORT FOR APRIL 2023, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE LOUIS PONDER, JP PRECINCT 4*

A7 ACCEPTING OF THE JUSTICE OF THE PEACE, PRECINCT 1 MONTHLY REPORT FOR JUNE 2023, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE CHRIS MACON, JP PRECINCT 1*

- A8 ACCEPTING OF THE JUSTICE OF THE PEACE, PRECINCT 2 MONTHLY REPORT FOR JUNE 2023, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE JACKIE MILLER, JR., JP PRECINCT 2*
- A9 APPROVING FOR SHERIFF BRAD NORMAN TO SIGN THE AGREEMENT BETWEEN PFLUGERVILLE POLICE DEPARTMENT AND PARTNERS IN RELATION TO THE PFLUGERVILLE POLICE DEPARTMENT SPILLMAN INSIGHT SYSTEM. THE MOU IS FOR ACCESS TO THE INSIGHT SYSTEM, WHICH IS PART OF THE MOTOROLA RMS SYSTEM. – *SHERIFF BRAD NORMAN*
- A10 APPROVING AND EXECUTING INTERLOCAL AGREEMENTS WITH THE FOLLOWING ELLIS TAXING UNITS:
- CITIES: MILFORD, FERRIS, AND BARDWELL
  - ISD'S: MAYPEARL, AVALON, ENNIS AND WAXAHACHIE
  - ESD: MAYPEARL
  - PID'S: WESTSIDE PRESERVE MIA, WESTSIDE PRESERVE IA#1
- A11 ACCEPTING A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM JUNE 17, 2023 – JUNE 30, 2023, PURSUANT TO LGC§114.024 . – *COUNTY AUDITOR JANET MARTIN*
- A12 ACCEPTING OF THE DEPARTMENT OF DEVELOPMENT'S (DoD) MONTHLY REPORT FOR JUNE 2023, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *DoD DIRECTOR ALBERTO MARES*

**FINANCIAL:**

- F1 FY2023 LINE-ITEM TRANSFER – *COUNTY JUDGE TODD LITTLE*  
 DECREASE 001-0130-508680 (BEHAVIORAL HEALTH OPERATING EXPENDITURES) BY \$208,556.33  
 INCREASE 001-0140-508660 (COMMUNITY SUPPORT) BY \$208,556.33
- F2 FY2023 LINE-ITEM TRANSFER – *THE HONORABLE JACKIE MILLER, JR., JP PRECINCT #2*  
 DECREASE 001-0520-506020 (STAFF TRAVEL) BY \$300.00  
 DECREASE 001-0520-508120 (RADIO) BY \$250.00  
 INCREASE 001-0520-508740 (DOCKET BOOKS – PRINTING) BY \$550.00
- F3 FY2023 LINE-ITEM TRANSFER – *EMERGENCY MANAGEMENT COORDINATOR MICHAELA SANDEFER*  
 DECREASE 001-0430-506980 (LAW BOOKS/DUES) BY \$902.00  
 INCREASE 001-0430-508080 (FUEL) BY \$902.00
- F4 ACCEPTING OF NINE (9) SQUARE BALES OF HAY DONATED TO THE ELLIS COUNTY SHERIFF'S OFFICE BY THE MIDLOTHIAN COMMUNITY DEVELOPMENT CORPORATION FROM THE JULY 4<sup>TH</sup> PARADE WITH AN ESTIMATED VALUE OF \$90.00. – *SHERIFF BRAD NORMAN*
- F5 APPROVING FOR THE TAX ASSESSOR/COLLECTOR TO DISBURSE PROPERTY TAX REFUNDS IN THE AMOUNT OF \$41,187.36. – *AUDITOR JANET MARTIN*
- F6 ACCEPTING FUNDS FROM SEDGWICK CLAIMS MANAGEMENT FOR THE TOTAL LOSS OF VEHICLE IN THE AMOUNT OF \$55,757.00 AS UNANTICIPATED REVENUE. REQUEST FOR SPECIAL BUDGET OF UNANTICIPATED REVENUE:  
 INCREASE 068-0145-509271 (ECSO VEHICLE PRINCIPAL) BY \$55,757.00  
 PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *AUDITOR JANET MARTIN*
- F7 ACCEPTING OF \$21.00 FROM MOBILE EXPRESS CAPITAL CORP FOR ATM COMMISSIONS AS UNANTICIPATED REVENUE. REQUEST FOR SPECIAL BUDGET OF UNANTICIPATED REVENUE:  
 INCREASE 001-0140-506940 (EMPLOYEE RECOGNITION) BY \$21.00

PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *AUDITOR JANET MARTIN*

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

**MINUTE ORDER 326.23** (A3) APPROVING OF COMMISSIONERS' COURT MEETING DATES FOR FISCAL YEAR 2024 WITH ONE AMENDMENT, MOVING THE TUESDAY, DECEMBER 26<sup>TH</sup> MEETING TO WEDNESDAY, DECEMBER 27<sup>TH</sup> DUE TO THE HOLIDAY. – *COUNTY JUDGE TODD LITTLE*

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

**REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:**

**DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 327.23** (1.1) APPROVING A PLAT OF ACOSTA ACRES. THE PROPERTY CONTAINS ± 4.097 ACRES OF LAND IN THE J. BAKER SURVEY, ABSTRACT NO. 35, AND THE R. MORGAN SURVEY, ABSTRACT NO. 694, LOCATED ON THE SOUTH SIDE OF FM 664, ± 1,670 FEET EAST OF THE INTERSECTION OF FM 664 & HILL ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF FERRIS, ROAD AND BRIDGE PRECINCT NO. 1.

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

**MINUTE ORDER 328.23** (1.2) APPROVING A PLAT OF BISON MEADOWS. THE PROPERTY CONTAINS ± 111.936 ACRES OF LAND IN THE N. NEWSOME SURVEY, ABSTRACT NO. 801, LOCATED ON THE SOUTH SIDE OF FM 813 ± 1,175 SOUTHWEST OF THE INTERSECTION OF FM 813 AND FALCON RIDGE DRIVE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, ROAD & BRIDGE PCT. 1.

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

**MINUTE ORDER 329.23** (1.3) APPROVING A ONE-TIME VARIANCE FOR PARCEL ID No. 147570 (142 BATCHLER CIRCLE), FROM VOLUME 1, SECTION IV (A)(2)(RESIDENTIAL LOTS) OF THE SUBDIVISION & DEVELOPMENT STANDARDS TO ALLOW ONE (1) LOT WITHOUT MEETING THE MINIMUM PUBLIC ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 1.95 ACRES OF LAND LOCATED ON THE EAST SIDE OF BATCHLER CIRCLE, ± 1,500 FEET EAST OF THE INTERSECTION OF BATCHLER CIRCLE AND BATCHLER ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF RED OAK, ROAD AND BRIDGE PRECINCT NO. 1, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE PROPERTY SHALL NOT FURTHER SUBDIVIDE UNLESS IT MEETS THE REQUIREMENTS IN EFFECT AT THAT TIME.

2. ONLY ONE HOUSE AND ONE ACCESSORY BUILDING SHALL BE ALLOWED ON THIS PROPERTY.

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

**MINUTE ORDER 330.23** (1.4) APPROVING A ONE-TIME VARIANCE FOR PARCEL ID NO. 184605 FROM VOLUME I, SECTION IV (A)(2)(RESIDENTIAL LOTS) OF THE SUBDIVISION & DEVELOPMENT STANDARDS TO ALLOW ONE (1) LOT WITHOUT MEETING THE MINIMUM PUBLIC ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 41.76 ACRES OF LAND LOCATED NORTH OF SAWMILL ROAD ± 5,635 FEET WEST OF THE INTERSECTION OF SAWMILL ROAD AND JAMES ROAD, FERRIS, ROAD AND BRIDGE PCT. NO. 1, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THIS PROPERTY SHALL NOT FURTHER SUBDIVIDE UNLESS IT MEETS THE REQUIREMENTS IN EFFECT AT THIS TIME.
2. ONLY ONE HOUSE AND ONE ACCESSORY BUILDING SHALL BE ALLOWED ON THIS PROPERTY.
3. AN EXISTING ACCESS EASEMENT SHALL BE SHOWN AT THE TIME OF PERMITTING TO PROVE THAT IT HAS INGRESS AND EGRESS ONTO THE SITE.

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

**MINUTE ORDER 331.23** (1.5) APPROVING A PLAT OF ANDREW'S ROAD LOT 1, BLOCK A. THE PROPERTY CONTAINS ± 2.05 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ON THE EAST SIDE OF ANDREW'S ROAD, ± 1,670 FEET SOUTH OF THE INTERSECTION OF ANDREWS ROAD AND OLD JONES ROAD, ENNIS, ROAD AND BRIDGE PRECINCT NO. 1, SUBJECT TO THE FOLLOWING CONDITIONS:

1. ADD BUILDING SETBACK LINES & DRAINAGE AND UTILITY EASEMENTS TO THE LOT.
2. INSERT A MINIMUM 30-FOOT RIGHT-OF-WAY DEDICATION FROM THE CENTERLINE OF ANDREW'S ROAD & UPDATE THE ACREAGE SHOWN ON THE PROPOSED LOT ONCE THE RIGHT-OF-WAY DEDICATION IS ALLOTTED.
3. UPDATE THE COURT SIGNATURE BLOCK AND THE OWNER'S CERTIFICATE TO MATCH THE ONE SHOWN ON THE SAMPLE PLAT.
4. LABEL THE FLOODPLAIN ON THE PLAT AND PROVIDE THE NET ACREAGE OUTSIDE THE FLOODPLAIN.
5. INCLUDE THE OSSF STATEMENT AND SIGNATURE LINE.

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

**MINUTE ORDER 332.23** (1.6) APPROVING A PLAT OF GREEN LIGHT RANCH. THE PROPERTY CONTAINS ± 9.972 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ON THE NORTH SIDE OF EAST INDIA ROAD, ± 1,100 FEET EAST OF THE INTERSECTION OF EAST INDIA ROAD AND FM 660, FERRIS, ROAD AND BRIDGE PRECINCT NO. 1.

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

**MINUTE ORDER 333.23** (1.7) APPROVING A PLAT OF NECK ROAD RANCH. THE PROPERTY CONTAINS ± 2.586 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ON THE SOUTH SIDE OF NECK ROAD, ± 440 FEET SOUTH OF THE INTERSECTION OF NECK ROAD AND NEWTON ROAD, FERRIS, ROAD AND BRIDGE PRECINCT NO. 1.

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

**MINUTE ORDER 334.23** (1.8) APPROVING A PLAT OF WILLIAM GRIFFIN ADDITION. THE PROPERTY CONTAINS ± 16.630 ACRES OF LAND IN THE JOHN G. LOVE SURVEY, ABSTRACT NO. 612, LOCATED AT THE NORTHEAST CORNER OF STATE HIGHWAY 34 & BOZEK LANE, ENNIS, ROAD & BRIDGE PCT. NO. 2.

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

**MINUTE ORDER 335.23** (1.9) APPROVING A PLAT OF TAYLOR-DURAN ESTATES. THE PROPERTY CONTAINS ± 5.919 ACRES OF LAND LOCATED IN THE JOSE A. GAONA SURVEY, ABSTRACT NO. 386, LOCATED ON THE NORTH SIDE OF FM 66, ± 770 FEET EAST OF THE INTERSECTION OF FM 66 AND GREATHOUSE ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MAYPEARL, ROAD AND BRIDGE PRECINCT NO. 3.

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

**MINUTE ORDER 336.23** (1.10) ACCEPTING PERFORMANCE BONDS FOR THE PROPOSED MATTHEWS FARMS, PHASES ONE & TWO (PARCEL ID NO. 188046). THE PROPERTY CONTAINS ± 174.457 ACRES OF LAND IN THE A.T. MILLER SURVEY, ABSTRACT NO. 716, AND THE A. STOCKTON SURVEY, ABSTRACT NO. 1010, LOCATED ON THE SOUTH SIDE OF MARION ROAD, ± 750 FEET WEST OF THE INTERSECTION OF MARION ROAD AND NORRELL ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MAYPEARL, ROAD & BRIDGE PRECINCT NO. 4.

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

**MINUTE ORDER 337.23** (1.11) ACCEPTING A PERFORMANCE BOND FOR THE PROPOSED BYRUM RANCH, PHASE 1-4 (PARCEL ID NO. 289990). THE PROPERTY CONTAINS ± 397.03 ACRES OF LAND LOCATED ON THE WEST SIDE OF FM 157, ON THE NORTHWEST CORNER OF THE INTERSECTION OF FM 157 AND OZRO ROAD, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITIES OF MAYPEARL AND VENUS, ROAD AND BRIDGE PRECINCT NO. 4.

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

## **PUBLIC HEARING NO. 1**

MOTION TO OPEN P1 BY COMMISSIONER PERRY, SECONDED BY COMMISSIONER GRAYSON, MOTION CARRIED

(P1) A PUBLIC HEARING TO CONSIDER AND ACT UPON A REQUEST TO AMEND THE DEVELOPMENT MASTER FEE SCHEDULE, LAST UPDATED UNDER MINUTE ORDER 379.19. THESE AMENDMENTS ARE PRIMARILY DESIGNED TO UPDATE THE FEES FOR DEVELOPMENT-RELATED ACTIVITIES AND ANY OTHER RELATED ADDITIONS, DELETIONS, AND CHANGES, PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

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

**MINUTE ORDER 338.23** (1.12) APPROVING A REQUEST TO AMEND THE DEVELOPMENT MASTER FEE SCHEDULE, LAST UPDATED UNDER MINUTE ORDER 379.19. THESE AMENDMENTS ARE PRIMARILY DESIGNED TO UPDATE THE FEES FOR DEVELOPMENT-RELATED ACTIVITIES AND ANY OTHER RELATED ADDITIONS, DELETIONS, AND CHANGES, PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

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

## **PUBLIC HEARING NO. 2**

MOTION TO OPEN P2 BY COMMISSIONER PERRY, SECONDED BY COMMISSIONER STINSON, MOTION CARRIED

(P2) A PUBLIC HEARING TO CONSIDER AND ACT UPON A REQUEST TO AMEND THE ELLIS COUNTY QUALITY GROWTH INITIATIVES, VOLUME I, SECTION VIII (RELIEF BY COMMISSIONERS COURT). THESE PROPOSED AMENDMENTS WILL PRIMARILY UPDATE RELIEF DUE TO SUBDIVISION BY GIFT, DEVISE, OR DESCENT AND ADD A NEW SECTION ON UNRECORDED SUBDIVISIONS AND ANY OTHER CHANGES IN RELATED ARTICLES, SECTIONS, AND PARAGRAPHS, AND ANY OTHER RELATED ADDITIONS, DELETIONS, AND CHANGES, PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

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

**MINUTE ORDER 339.23** (1.13) APPROVING A REQUEST TO AMEND THE ELLIS COUNTY QUALITY GROWTH INITIATIVES, VOLUME I, SECTION VIII (RELIEF BY COMMISSIONERS COURT). THESE PROPOSED AMENDMENTS WILL PRIMARILY UPDATE RELIEF DUE TO SUBDIVISION BY GIFT, DEVISE, OR DESCENT AND ADD A NEW SECTION ON UNRECORDED SUBDIVISIONS AND ANY OTHER CHANGES IN RELATED ARTICLES, SECTIONS, AND PARAGRAPHS, AND ANY OTHER RELATED ADDITIONS, DELETIONS, AND CHANGES, PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

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

## **PURCHASING**

**MINUTE ORDER 340.23** (2.1) APPROVING TO SURPLUS AND DONATE THE FOLLOWING ITEMS TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY (TXDPS): FIVE (5) OFFICE DESKS, SIX (6) BOOK SHELVES, ONE (1) METAL LOCKER, ONE (1) REFRIGERATOR, THREE (3) PROJECTORS, TEN (10) CHAIRS, ONE (1) BUNN COFFEE MAKER, THREE (3) ROLLING SHELVES/FILES, ONE (1) DESK LIGHT, & ONE (1) METAL ROLLING CART.

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

(COURT BREAK 3:03 P.M. – 3:15 P.M.)

## **ADMINISTRATIVE**

**MINUTE ORDER 341.23** (3.1) APPROVING OF THE ELLIS COUNTY INVESTMENT POLICY. – *TREASURER CHERYL CHAMBERS*

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

**MINUTE ORDER 342.23** (3.2) PURSUANT TO LOCAL GOVERNMENT CODE §26.04, APPOINTING TAX ASSESSOR/COLLECTOR RICHARD ROZIER AS THE DESIGNATED OFFICIAL TO CALCULATE THE FISCAL YEAR 2024 TAX RATE. – *COUNTY JUDGE TODD LITTLE*

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

**NO ACTION** (3.3) DISCUSSION AND POSSIBLE ACTION ON EXCESSIVE TEMPERATURES IN THE COURTS & ADMINISTRATION BUILDING AND HISTORICAL COURTHOUSE. – *PCT. 3 COMMISSIONER PAUL PERRY*

**MINUTE ORDER 343.23** (3.4) APPROVING FOR THE COUNTY JUDGE TO SIGN THE LETTER OF ENGAGEMENT WITH PATILLO, BROWN & HILL, LLP TO PERFORM EXTERNAL AUDIT SERVICES FOR THE FISCAL YEAR 2023 ANNUAL AUDIT FOR ELLIS COUNTY. – *AUDITOR JANET MARTIN*

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

**MINUTE ORDER 344.23** (3.5) APPROVING OF THE COUNTY RETIREE HEALTH & DENTAL COVERAGES TO INCLUDE CONTINUED COST SHARE OF PREMIUMS FOR UNDER 65 & GRANDFATHERED RETIREES, AT THE CURRENT RATE OF 50% OF PREMIUM FOR FY2023-2024. – *HR DIRECTOR THERESA TAYLOR*

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

**MINUTE ORDER 345.23** (3.6) APPOINTING DR. ANNA TOKER, MD, AS THE LOCAL HEALTH AUTHORITY FOR ELLIS COUNTY, PURSUANT TO TEXAS HEALTH & SAFETY CODE §121.021. – *EMERGENCY MANAGEMENT COORDINATOR MICHAELA SANDEFER*

MOTION TO APPROVE BY COUNTY JUDGE LITTLE, SECONDED BY COMMISSIONER PERRY, MOTION CARRIED

**MINUTE ORDER 346.23** (4.2) APPROVING A FINDING ON AGENDA ITEMS 3.8, THAT THE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.

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

**RECESS TO EXECUTIVE SESSION** **3:52 P.M.**

MOTION TO RECESS BY COMMISSIONER BUTLER, SECONDED 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(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 CLEARLY CONFLICTS WITH THIS CHAPTER, AND REGARDING THE ELLIS COUNTY MUSEUM.
- 4.2 PURSUANT TO TEXAS GOVERNMENT CODE 551.072, TO DELIBERATE, 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-PARTY REGARDING PROPERTY OWNED BY THE COUNTY.
- 4.3 PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1), CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTER CONCERNING TCEQ MATTERS, SPECIFICALLY PENDING TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEMS PERMITS (TPDES) AND PENDING PETITIONS FOR THE CREATION OF MUNICIPAL UTILITY DISTRICTS (MUD's).
- 4.4 PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1), CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING LITIGATION REGARDING *ELLIS COUNTY V. WALGREENS BOOTS ALLIANCE, INC. ET. AL.*, MDL PRETRIAL CAUSE NO. 2018-63587, IN THE 152<sup>ND</sup> DISTRICT COURT OF HARRIS COUNTY, TEXAS.

**RECONVENED TO REGULAR SESSION 5:17 P.M.**

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

(TO AGENDA ITEM 3.7)

**MINUTE ORDER 347.23** (3.7) APPROVING A 3-YEAR AUTO RENEWABLE CONTRACT FOR FUNDING IN THE AMOUNT OF \$50,000.00 PER YEAR FOR THE ELLIS COUNTY MUSEUM; AUTHORIZING THE LEGAL DEPARTMENT TO NEGOTIATE THE TERMS, AND APPROVING THE COUNTY JUDGE TO SIGN THE FINAL CONTRACT.

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

**NO ACTION** (3.8) 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*

**MINUTE ORDER 348.23** (3.9) AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE SETTLEMENT WITH THE THREE (3) PARTIES (WALGREENS, CVS & WAL-MART) IN THE MATTER OF TEXAS OPIOID MULTI-DISTRICT LITIGATION FOR THE COUNTY IN THE MATTER OF *ELLIS COUNTY V. WALGREENS BOOTS ALLIANCE, INC. ET. AL.* – *COUNTY JUDGE TODD LITTLE*

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

**ADJOURNMENT 5:20 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON JULY 11, 2023, ARE HEREBY APPROVED.

PRESIDING OFFICER:

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

  
\_\_\_\_\_  
RANDY STINSON, COMMISSIONER, PCT 1

  
\_\_\_\_\_  
LANE GRAYSON, COMMISSIONER, PCT 2

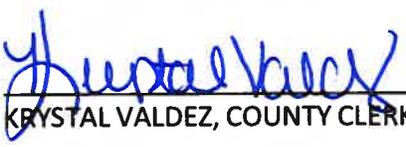


PAUL PERRY, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 25TH DAY OF JULY 2023.



KRYSTAL VALDEZ, COUNTY CLERK

