

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – DECEMBER 12, 2023

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, DECEMBER 12, 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 KRYSTAL VALDEZ

PRECINCT 1 COMMISSIONER RANDY STINSON

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 STINSON, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE. – *PRECINCT 4 COMMISSIONER KYLE BUTLER*

**CONSENT AGENDA: MINUTE ORDER 556.23**

**ADMINISTRATIVE:**

- A.1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.2 APPROVING OF THE MONTHLY TREASURER'S REPORT FOR JULY 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.026. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.3 APPROVING OF THE MONTHLY TREASURER'S REPORT FOR AUGUST 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.026. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.4 APPROVING OF THE MONTHLY TREASURER'S REPORT FOR SEPTEMBER 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.026. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.5 APPROVING OF COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM NOVEMBER 28, 2023. – *COUNTY CLERK KRYSTAL VALDEZ*
- A.6 APPROVING TO APPOINT JERALD NICHOLS TO THE NORTH CENTRAL TEXAS BOARD OF WORKFORCE SOLUTIONS FOR A THREE-YEAR TERM BEGINNING NOVEMBER 13<sup>TH</sup>, 2023 AND ENDING SEPTEMBER 30<sup>TH</sup>, 2026. – *COUNTY JUDGE TODD LITTLE*
- A.7 APPROVING OF THE JUSTICE OF THE PEACE, PRECINCT 1 MONTHLY REPORT FOR NOVEMBER 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *JP PRECINCT 1 CHRIS MACON*
- A.8 MOVED TO REGULAR AGENDA BY COMMISSIONER PERRY

- A.9 APPROVING A PUBLIC OFFICIAL BOND IN THE AMOUNT OF \$5,000.00 FOR JUDGE DAN COX, JUSTICE OF THE PEACE FOR PRECINCT 3, IN ACCORDANCE WITH TEXAS GOVERNMENT CODE §27.001. – *JUSTICE OF THE PEACE PRECINCT 3 DAN COX*
- A.10 APPROVING OF THE JUSTICE OF THE PEACE, PRECINCT 3 MONTHLY REPORT FOR NOVEMBER 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *JP PRECINCT 3 DAN COX*
- A.11 APPROVING OF THE JUSTICE OF THE PEACE, PRECINCT 4 MONTHLY REPORT FOR NOVEMBER 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *JP PRECINCT 4 LOUIS PONDER*
- A.12 ACCEPTING OF THE COUNTY AUDITOR’S MONTHLY REPORT FOR OCTOBER 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.025. – *FIRST ASSISTANT AUDITOR STACI PARR*
- A.13 ACCEPTING A TABULATED REPORT OF THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM NOVEMBER 16, 2023 – DECEMBER 1, 2023 PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *FIRST ASSISTANT AUDITOR STACI PARR*
- A.14 ACCEPTING OF THE RESIGNATION OF ESD #9 DANIELLE VICK, WHOSE POSITION ENDS DECEMBER 12<sup>TH</sup>, 2023, AND ACCEPTING THE APPLICATION OF ZACHARY ZETT TO REPLACE DANIELLE VICK FROM DECEMBER 12<sup>TH</sup>, 2023 TO DECEMBER 31<sup>ST</sup>, 2024. – *FIRE MARSHAL TIM BIRDWELL*

**FINANCIAL:**

- F.1 APPROVING OF A YEARLY CONTRIBUTION IN THE AMOUNT OF \$70,000.00 TO THE ELLIS COUNTY CHILDREN’S ADVOCACY CENTER FOR FISCAL YEAR 2024. – *COUNTY JUDGE TODD LITTLE*
- F.2 MOVED TO REGULAR AGENDA BY COUNTY JUDGE
- F.3 ACCEPTING FUNDS FROM THE CITY OF OAK LEAK BY FM4 IN THE AMOUNT OF \$46,568.00 AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET FOR UNANTICIPATED REVENUE:  
     INCREASE 002-0902-509300 (ROAD IMPROVEMENT – ROAD EXPENSES) BY \$46,568.00  
 PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE BY COUNTY AUDITOR. – *FIRST ASSISTANT AUDITOR STACI PARR*
- F.4 ACCEPTING FUNDS FROM THE CITY OF GLENN HEIGHTS BY FM4 IN THE AMOUNT OF \$46,568.00 AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET FOR UNANTICIPATED REVENUE:  
     INCREASE 002-0902-509300 (ROAD IMPROVEMENT – ROAD EXPENSE) BY \$46,568.00  
 PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE BY COUNTY AUDITOR. – *FIRST ASSISTANT AUDITOR STACI PARR*
- F.5 ACCEPTING FUNDS FROM JURY DONATIONS TO VETERAN’S SERVICES IN THE AMOUNT OF \$4,221.00 AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET FOR UNANTICIPATED REVENUE:  
     INCREASE 001-0070-506330 (JUROR DONATIONS) BY \$4,221.00  
 PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE BY COUNTY AUDITOR. – *FIRST ASSISTANT AUDITOR STACI PARR*
- F.6 ACCEPTING AUCTION PROCEEDS FROM THE SALE OF SURPLUS COMPUTER EQUIPMENT BY THE ELECTIONS DEPARTMENT IN THE AMOUNT OF \$3,100.00 AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET FOR UNANTICIPATED REVENUE:  
     INCREASE 001-0210-508190 (COMPUTER EQUIPMENT) BY \$3,100.00  
 PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE BY COUNTY AUDITOR. – *FIRST ASSISTANT AUDITOR STACI PARR*

- F.7 FY2024 LINE-ITEM TRANSFER – *PRECINCT 2 COMMISSIONER LANE GRAYSON*  
DECREASE 010-0653-508070 (FM2 GENERAL EXPENSES) BY \$10,000.00  
INCREASE 010-0653-509180 (FM2 HARDWARE/TOOLS) BY \$10,000.00
- F.8 FY2024 LINE-ITEM TRANSFER – *PRECINCT 2 COMMISSIONER LANE GRAYSON*  
DECREASE 004-0652-508070 (RB2 GENERAL EXPENSES) BY \$100.00  
INCREASE 004-0652-520100 (RB2 CDL REIMBURSEMENT) BY \$100.00
- F.9 FY2024 LINE-ITEM TRANSFER – *INDIGENT HEALTH CARE COORDINATOR TERRI KLEIN*  
DECREASE 001-0110-508520 (PRESCRIPTIONS) BY \$12,000.00  
INCREASE 001-0110-508680 (CONTRACT SERVICES) BY \$12,000.00

MOTION TO APPROVE WITHOUT A.8 AND F.2 BY COMMISSIONER PERRY, SECONDED BY COMMISSIONER BUTLER,  
MOTION CARRIED

**MINUTE ORDER 557.23** (A.8) APPROVING OF A PUBLIC OFFICIAL BOND IN THE AMOUNT OF \$10,000.00  
FOR COUNTY JUDGE TODD LITTLE FOR A PERIOD OF FOUR YEARS FROM JANUARY 1<sup>ST</sup>, 2023 TO JANUARY  
1<sup>ST</sup>, 2027 IN ACCORDANCE WITH TEXAS GOVERNMENT CODE §26.001. – *COUNTY JUDGE TODD LITTLE*

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

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

### **DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 558.23** (1.1) RATIFYING STAFF ACTION ON A PLAT OF ARLENE’S ADDITION LOT 1, BLOCK  
1. THE ± 5.939-ACRE SITE IS LOCATED ± 1,215 FEET SOUTH OF THE INTERSECTION OF FM 1181 AND  
HWY 34, SITUATED IN THE A DE LA GARZA SURVEY, ABSTRACT NO. 2, IN THE EXTRATERRITORIAL  
JURISDICTION (ETJ) OF THE CITY OF ENNIS, FERRIS, ROAD AND BRIDGE PRECINCT NO. 1.

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

**MINUTE ORDER 559.23** (1.2) RATIFYING STAFF ACTION ON A PLAT OF MORTON ACRES. THE ± 3.139-  
ACRE SITE IS LOCATED ± 595 FEET EAST OF THE INTERSECTION OF SLATE ROCK ROAD AND ANDREWS  
ROAD, SITUATED IN THE R DE LA PENNA SURVEY, ABSTRACT NO. 3, ENNIS, ROAD AND BRIDGE  
PRECINCT NO. 1. SUBJECT TO THE FOLLOWING CONDITION:

1. Provide updated ownership information for this plat prior to the filing of this plat (the deed provided lists both Mr. & Mrs. Tidwell).

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

**MINUTE ORDER 560.23** (1.3) APPROVING A REQUEST FOR A VARIANCE FOR PARCEL ID 153766 FROM SECTION IV (A) OF THE SUBDIVISION & DEVELOPMENT REGULATIONS & SEPTIC REGULATIONS (ORDER 182.11) TO ALLOW THIS PROPERTY TO DEVELOP WITHOUT MEETING THE MINIMUM LOT SIZE AND DEPTH. THE ± 0.3627-ACRE SITE IS LOCATED NEAR THE INTERSECTION OF FM 664 AND RIDGE CREST DRIVE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF RED OAK, ROAD & BRIDGE PRECINCT No. 1. SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE PROPERTY OWNER OR APPLICANT SHALL SUBMIT A REPLAT IDENTICAL TO THE SURVEY PLAT PROVIDED FOR THE PROPERTY.
2. NO FURTHER SUBDIVISION OF THIS PROPERTY SHALL OCCUR UNTIL IT CAN MEET THE SUBDIVISION REQUIREMENTS IN EFFECT AT THAT TIME.
3. APPROVAL OF THIS VARIANCE REQUEST DOES NOT EXTEND TO MULTI-TENANT, MULTI-UNIT, OR ANY OTHER COMMERCIAL STRUCTURES OR BUSINESSES WITHOUT MEETING THE REQUIREMENTS IN EFFECT AT THAT TIME.
4. SUBMIT A SEPTIC DESIGN ALONG WITH A SITE PLAN OF ALL PROPOSED STRUCTURES ON THIS PROPERTY AT THE TIME OF PERMITTING TO ENSURE A SEPTIC SYSTEM CAN FIT.

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

**MINUTE ORDER 561.23** (1.4) DENYING A REQUEST FOR A VARIANCE FOR PARCEL ID 178744 FROM SECTION IV (A) OF THE SUBDIVISION & DEVELOPMENT REGULATIONS TO ALLOW THIS PROPERTY TO DEVELOP WITHOUT MEETING THE MINIMUM ROAD FRONTAGE REQUIREMENTS. THE ± 4.54-ACRE SITE IS LOCATED ± 1,500 FEET WEST OF THE INTERSECTION OF FM 813 & OATES ROAD, PALMER, ROAD & BRIDGE PRECINCT No. 1.

PUBLIC PARTICIPATION: JASON MATTHEWS

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

**MINUTE ORDER 562.23** (1.5) RATIFYING STAFF ACTION ON A PLAT OF SIMPKINS ADDITION LOTS 1 & 2, BLOCK A. THE ± 3.128-ACRE SITE IS LOCATED ± 1,690 FEET WEST OF THE INTERSECTION OF OAK GROVE ROAD AND BROWN ROAD, SITUATED IN THE GEORGE B MCKINSTRY SURVEY, ABSTRACT No. 668, ENNIS, ROAD AND BRIDGE PRECINCT No. 2.

MOTION TO APPROVE BY JUDGE LITTLE, SECONDED BY COMMISSIONER STINSON, MOTION CARRIED

**MINUTE ORDER 563.23** (1.6) APPROVING A REQUEST FOR A VARIANCE FOR PARCEL ID 189854 FROM SECTION IV (A) OF THE SUBDIVISION & DEVELOPMENT REGULATIONS TO ALLOW THIS PROPERTY TO DEVELOP WITHOUT MEETING THE MINIMUM ROAD FRONTAGE REQUIREMENTS. THE ± 12.65-ACRE SITE IS LOCATED ± 410 FEET WEST OF THE INTERSECTION OF TIGHT WAD ROAD AND FM 308, ITASCA, ROAD & BRIDGE PRECINCT No. 3. SUBJECT TO THE FOLLOWING CONDITIONS:

1. NO FURTHER SUBDIVISION OF THIS PROPERTY SHALL OCCUR UNTIL IT CAN MEET THE SUBDIVISION REQUIREMENTS IN EFFECT AT THAT TIME.

2. THE APPLICANT SHALL SUBMIT AN ELEVATION CERTIFICATE APPROVAL FROM THE COUNTY ENGINEER'S OFFICE PRIOR TO THE ACCEPTANCE OF A DEVELOPMENT PERMIT FOR THE HOUSE AND BARN.
3. APPROVAL OF THIS VARIANCE REQUEST DOES NOT EXTEND TO MULTI-TENANT, MULTI-UNIT, OR ANY OTHER COMMERCIAL STRUCTURES OR BUSINESSES WITHOUT MEETING THE REQUIREMENTS IN EFFECT AT THAT TIME.
4. PER THE APPLICANT'S REQUEST, THE MOBILE HOME SHALL BE REMOVED FROM THE PROPERTY UPON THE COMPLETION OF THE NEW HOUSE.

PUBLIC PARTICIPATION: CAMERON ADAMS

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

**PURCHASING**

**MINUTE ORDER 564.23** (2.1) APPROVING THE PURCHASE OF A CATERPILLAR MODEL 930M QC WHEEL LOADERS & INTEGRATED TOOL CARRIERS IN THE AMOUNT OF \$248,000.00 FOR ROAD & BRIDGE PRECINCT 3 USING THE SOURCEWELL COOPERATIVE CONTRACT #020223, FROM HOLT CAT.

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

**MINUTE ORDER 565.23** (2.2) APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF FERRIS AND ELLIS COUNTY IN ACCORDANCE WITH THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE.

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

**MINUTE ORDER 566.23** (2.3) RENEWING THE FOLLOWING BID FOR A ONE (1) YEAR RENEWAL PERIOD: BID No. 2020-020 CONVENIENCE STORE FUEL WITH PEARMAN OIL & LP GAS, INC.

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

**MINUTE ORDER 567.23** (2.4) APPROVING THE PURCHASE OF FURNITURE AND INSTALLATION SERVICES FOR THE ELLIS COUNTY CENTRAL BUILDING FROM TANGRAM INTERIORS USING THE OMNIA COOPERATIVE CONTRACT # 2019.001899 FOR \$1,026,537.02.

MOTION TO APPROVE BY COMMISSIONER BUTLER, SECONDED BY COMMISSIONER STINSON, WITH COMMISSIONER PERRY VOTING NO; MOTION CARRIED 3-1

**MINUTE ORDER 568.23** (2.5) APPROVING CHANGE ORDER #5 TO THE ROGERS-O'BRIEN CONTRACT (MINUTE ORDER 255.23) FOR REPLACEMENT OF INOPERABLE ELEVATOR WITH A NEW SCHINDLER ELEVATOR AT ELLIS COUNTY CENTRAL IN AN AMOUNT OF \$147,769.00.

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

**MINUTE ORDER 569.23** (2.6) APPROVING THE DESIGN SERVICE PROPOSAL FROM ENTOS DESIGN FOR THE MIDLOTHIAN TAX OFFICE IN AN AMOUNT NOT TO EXCEED \$15,400.00

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

## **ADMINISTRATIVE**

**MINUTE ORDER 570.23** (3.1) APPROVING TO RATIFY THE ELLIS COUNTY & DISTRICT ATTORNEY'S OFFICE APPLICATION FOR A GRANT WITH THE TEXAS VETERANS COMMISSION FOR THE CONTINUED IMPLEMENTATION OF A VETERAN'S TREATMENT COURT PROGRAM IN ELLIS COUNTY. – *COUNTY & DISTRICT ATTORNEY ANN MONTGOMERY*

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

**MINUTE ORDER 571.23** (3.2) APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE COUNTY OF ELLIS AND THE CITY OF OAK LEAF FOR A TERM AGREEMENT THROUGH DECEMBER 31<sup>ST</sup>, 2024. – *PRECINCT 4 COMMISSIONER KYLE BUTLER*

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

**MINUTE ORDER 572.23** (3.3) APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE COUNTY OF ELLIS AND RED OAK ISD FOR A TERM AGREEMENT THROUGH DECEMBER 31<sup>ST</sup>, 2024. – *PRECINCT 4 COMMISSIONER KYLE BUTLER*

PUBLIC PARTICIPATION: PENNY STORY, RED OAK

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

**MINUTE ORDER 573.23** (3.4) APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE COUNTY OF ELLIS AND WAXAHACHIE ISD FOR A TERM AGREEMENT THROUGH DECEMBER 31<sup>ST</sup>, 2024. – *PRECINCT 4 COMMISSIONER KYLE BUTLER*

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

**MINUTE ORDER 574.23** (3.5) APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE COUNTY OF ELLIS AND THE CITY OF WAXAHACHIE FOR A TERM AGREEMENT THROUGH DECEMBER 31<sup>ST</sup>, 2024. – *PRECINCT 4 COMMISSIONER KYLE BUTLER*

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

**MINUTE ORDER 575.23** (3.6) APPROVING TO AMEND THE BANK DEPOSITORY AGREEMENT TO INCLUDE ADDITIONAL LANGUAGE FOR THE FHLB LETTER OF CREDIT AND APPROVAL FOR THE COUNTY JUDGE TO SIGN A NEW BANK DEPOSITORY AGREEMENT AND COLLATERAL SECURITY AGREEMENT. – *COUNTY TREASURER CHERYL CHAMBERS*

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

**MINUTE ORDER 576.23** (3.7) AUTHORIZING THE COUNTY JUDGE TO SIGN A ONE-YEAR CONTRACT WITH INOVALON, IN THE AMOUNT OF \$12,000, WHICH WILL PROVIDE INSURANCE VERIFICATION FOR INDIGENT HEALTHCARE AND INMATE MEDICAL. – *INDIGENT HEALTH CARE COORDINATOR TERRI KLEIN*

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

**MINUTE ORDER 577.23** (3.8) AUTHORIZING THE NECESSARY POSTING AND PUBLIC NOTICE FOR THE REQUEST FOR A STOP SIGN ON WOODSTREAM RD. AT THE INTERSECTION OF SPRINGWOOD LN. AND SCHEDULE THE REQUIRED PUBLIC HEARING AT A FUTURE COMMISSIONERS COURT MEETING. – *COUNTY ENGINEER TED KANTOR*

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

(To AGENDA 3.11)

**MINUTE ORDER 578.23** (3.11) APPROVING THE COUNTY JUDGE TO SIGN AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO PURCHASE 2,330 SQUARE FEET OF RIGHT-OF-WAY FROM ELLIS COUNTY FOR U.S. HIGHWAY 45 IN THE AMOUNT OF \$23,230.00. – *COUNTY JUDGE TODD LITTLE*

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

**RECESS TO EXECUTIVE SESSION      3:20 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 CHAPTER 551, AND/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 CHAPTER 551.*

- 4.1      PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1), CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING TCEQ MATTERS, SPECIFICALLY PENDING TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEMS PERMITS (TPDES) AND PENDING PETITIONS FOR THE CREATION OF MUNICIPAL UTILITY DISTRICTS (MUDs).
- 4.2      PURSUANT TO LOCAL GOVERNMENT CODE §551.074, DELIBERATION OF THE APPOINTMENT, EMPLOYMENT, EVALUATION, AND DUTIES OF THE ELLIS COUNTY FIRE MARSHAL.
- 4.3      PURSUANT TO TEXAS GOVERNMENT CODE §551.071 (1)(B), CONSULTATION WITH OUTSIDE LEGAL COUNSEL REGARDING A SETTLEMENT OFFER WITH AMERICAN MEDICAL RESPONSE.
- 4.4      PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2), CONSULTATION WITH LEGAL COUNSEL 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 REGARDING SERVICES PROVIDED BY WELLPATH AND COORDINATION OF SERVICE BENEFITS AS IT RELATES TO THE PROPOSED INTERLOCAL AGREEMENT WITH THE NORTH TEXAS BEHAVIORAL HEALTH AUTHORITY (NTBHA).
- 4.5      PURSUANT TO LOCAL GOVERNMENT CODE §551.074, DELIBERATION OF THE APPOINTMENT, EMPLOYMENT, EVALUATION, AND DUTIES OF ELLIS COUNTY BEHAVIORAL HEALTH DIRECTOR CANDIDATES.
- 4.6      PURSUANT TO LOCAL GOVERNMENT CODE §551.074, DELIBERATION OF THE APPOINTMENT, EMPLOYMENT, EVALUATION, AND DUTIES OF THE ELLIS COUNTY HUMAN RESOURCES DIRECTOR CANDIDATES.

**RECONVENED TO REGULAR SESSION      7:18 P.M.**

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

**MINUTE ORDER 579.23**      (F2) APPROVING OF THE 1<sup>ST</sup> AND 2<sup>ND</sup> QUARTERLY PAYMENTS OF \$52,139.08 EACH TO THE NORTH TEXAS BEHAVIORAL HEALTH AUTHORITY (NTBHA) FOR FY24; COUNTY MATCH FUNDS TO BE PAID QUARTERLY. THE TOTAL AMOUNT TO BE PAID OUT FOR FY24 WOULD BE \$208,556.33.  
– COUNTY JUDGE TODD LITTLE

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

**MINUTE ORDER 580.23** (3.9) AUTHORIZING TO REFER CASE WORK TO OUTSIDE COUNSEL, BICKERSTAFF, ON CURRENTLY PENDING MUNICIPAL UTILITY DISTRICT (MUD) APPLICATIONS, AND TO AUTHORIZE ASSOCIATED CASE EXPENSES. – *COMMISSIONER RANDY STINSON*

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

**MINUTE ORDER 581.23** (3.10) APPROVING THE RE-APPOINTMENT OF ELLIS COUNTY FIRE MARSHAL, TIM BIRDWELL, FOR A 2-YEAR PERIOD BEGINNING DECEMBER 14, 2023 AND ENDING DECEMBER 14, 2025. – *FIRE MARSHAL TIM BIRDWELL*

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

**MINUTE ORDER 582.23** (3.12) AUTHORIZING TO FINALIZE AND ACCEPT A SETTLEMENT AGREEMENT WITH AMERICAN MEDICAL RESPONSE. – *COUNTY JUDGE TODD LITTLE*

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

**MINUTE ORDER 583.23** (3.13) APPROVING THE WELLPATH CONTRACT AND COORDINATION OF SERVICE BENEFITS AS IT RELATES TO THE PROPOSED INTERLOCAL AGREEMENT WITH THE NORTH TEXAS BEHAVIORAL HEALTH AUTHORITY (NTBHA). – *COUNTY JUDGE TODD LITTLE*

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

**MINUTE ORDER 584.23** (3.14) APPROVING THE APPOINTMENT OF CAITLIN WILKINSON AS THE ELLIS COUNTY BEHAVIORAL HEALTH DIRECTOR, AND RELEVANT DUTIES. – *COUNTY JUDGE TODD LITTLE*

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

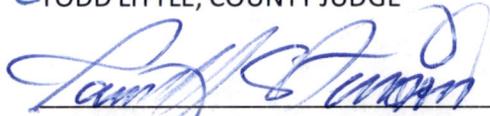
**ADJOURNMENT** **7:25 P.M.**

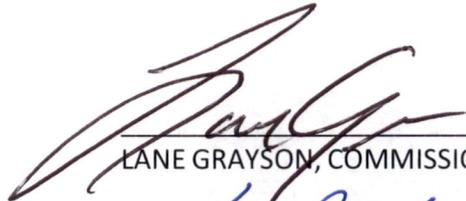
MOTION TO ADJOURN BY COMMISSIONER PERRY, SECONDED BY COMMISSIONER BUTLER, MOTION CARRIED

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON DECEMBER 12, 2023,  
ARE HEREBY APPROVED.

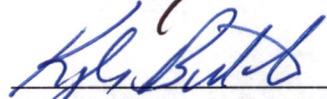
PRESIDING OFFICER:

  
\_\_\_\_\_  
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 27<sup>TH</sup> DAY OF DECEMBER 2023.

  
\_\_\_\_\_  
KRYSTAL VALDEZ, COUNTY CLERK *Deputy*

