

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – DECEMBER 27, 2023

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, DECEMBER 27, 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:

COUNTY JUDGE: TODD LITTLE

COUNTY CLERK: TINA CHAMBERS, CHIEF DEPUTY

COMMISSIONERS:

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 PERRY, SECONDED BY COMMISSIONER GRAYSON, MOTION CARRIED

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

CONSENT AGENDA: MINUTE ORDER 585.23

ADMINISTRATIVE:

- A.1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.2 APPROVING OF COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM DECEMBER 12, 2023. – *COUNTY CLERK KRYSTAL VALDEZ*
- A.3 APPROVING OF THE JUNE 2023 CASH AUDIT REPORTS. – *FIRST ASSISTANT AUDITOR STACI PARR*
- A.4 APPROVING OF THE JULY 2023 CASH AUDIT REPORTS. – *FIRST ASSISTANT AUDITOR STACI PARR*
- A.5 ACCEPTING OF THE COUNTY AUDITOR'S MONTHLY REPORT FOR NOVEMBER 2023, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.025. – *FIRST ASSISTANT AUDITOR STACI PARR*
- A.6 APPROVING TO RE-APPOINT THE FOLLOWING EMERGENCY SERVICE DISTRICT BOARD MEMBERS FOR TWO-YEAR TERMS BEGINNING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2025. – *FIRE MARSHAL TIM BIRDWELL*
 - ESD #1: CHARLES PEYTON
 - ESD #2: DANNY LONG, WILLIAM HOLMES, JR., TIMOTHY RAVEN
 - ESD #3: CLAY SPARKS, JOHN V. ALLEN
 - ESD #4: ALAN HANES, SHAUN MALONE

- ESD #5: STEVE SALMON, MARK HOPE
 - ESD #6: JAMES MALONE, RICHARD BEER
 - ESD #7: BRIAN ALMAND
 - ESD #8: ELIZABETH MCEWEN, TEANER JOHNSON
 - ESD #9: JAMES PREWITT
- A.7 ACCEPTING OF THE COMPLETED CONTINUING EDUCATION HOURS DURING THE DISTRICT 8 COUNTY JUDGES AND COMMISSIONERS' CONFERENCE ON 11/1/23. – *PRECINCT 1 COMMISSIONER RANDY STINSON*
- A.8 APPROVING OF THE DEPARTMENT OF DEVELOPMENT'S MONTHLY FINANCIAL REPORT FOR NOVEMBER 2023, AS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE §114.044. – *DOD DIRECTOR ALBERTO MARES*
- A.9 ACCEPTING OF THE ELECTION RESULTS FROM THE CERTIFICATION OF ELLIS APPRAISAL DISTRICT 2024 BOARD OF DIRECTORS ELECTION. – *COUNTY JUDGE TODD LITTLE*
- A.10 ACCEPTING OF THE 2023 ECONOMIC OUTLOOK DATA BY WORKFORCE SOLUTIONS OF NORTH CENTRAL TEXAS. – *COUNTY JUDGE TODD LITTLE*
- A.11 ACCEPTING OF THE \$10,000.00 SURETY BOND FOR FIRE MARSHAL TIM BIRDWELL FOR A PERIOD BEGINNING DECEMBER 15, 2023 AND ENDING DECEMBER 15, 2024. – *JP PRECINCT 4 LOUIS PONDER*

FINANCIAL:

- F.1 RATIFYING THE LOCAL PROVIDER PARTICIPATION FUND (LPPF) PAYMENT MADE DECEMBER 19, 2023 IN THE AMOUNT OF \$375,695.09. – *COUNTY TREASURER CHERYL CHAMBERS*
- F.2 ACCEPTING OF A DONATION OF CHRISTMAS DECORATIONS FOR THE COMMISSIONERS' COURTROOM OF THE HISTORIC COURTHOUSE FROM THE ELLIS COUNTY AUDITOR'S OFFICE IN THE AMOUNT OF \$600.00. – *FIRST ASSISTANT AUDITOR STACI PARR*

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

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 586.23 (1.1) DISCUSSION, CONSIDERATION AND ACTION ON A PLAT OF WALKER TRACT. THE ± 5.008-ACRE SITE IS LOCATED ± 2,630 FEET NORTHWEST OF THE INTERSECTION OF SHANKLE ROAD AND FM 660, SITUATED IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD AND BRIDGE PRECINCT NO. 1. SUBJECT TO THE FOLLOWING CONDITION:

1. APPROVAL OF AN ENGINEERED FLOOD STUDY BY THE FLOODPLAIN ADMINISTRATOR.

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

MINUTE ORDER 587.23 (1.2) RATIFYING STAFF ACTION ON A PRELIMINARY PLAT OF CHANTEUSE MANOR. THE ± 11.057-ACRE SITE IS LOCATED ± 4,630 FEET NORTHEAST OF THE INTERSECTION OF ROBNETT ROAD AND FM 813, SITUATED IN THE A. SLAYBACK SURVEY, ABSTRACT NO. 1005, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 1; SUBJECT TO THE FOLLOWING CONDITIONS:

1. RETITLE THE PLAT TO A PRELIMINARY PLAT.
2. REMOVE THE SIGNATURE BLOCK FOR THE COMMISSIONERS' COURT.
3. UPDATE THE FEMA FLOODPLAIN PANEL INFORMATION. NEW MAPS WERE ADOPTED IN 2023.
4. ADD 2FT. CONTOURS TO THE PLAT DRAWING.
5. HYDRANTS WILL NEED TO BE INSTALLED IN ACCORDANCE WITH THE COUNTY'S SUBDIVISION REGULATIONS PRIOR TO APPROVAL OF THE FINAL PLAT APPLICATION.
6. DRAINAGE INFRASTRUCTURE IMPROVEMENTS WILL BE REQUIRED. PLEASE CONTACT THE COUNTY ENGINEER'S OFFICE FOR ADDITIONAL INFORMATION AT 972-825-5112.
7. A SUBSEQUENT FINAL PLAT APPLICATION WILL NEED TO BE SUBMITTED FOR REVIEW.

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

MINUTE ORDER 588.23 (1.3) RATIFYING STAFF ACTION ON A PLAT OF WILSON PLACE. THE ± 1.970 – ACRE SITE IS LOCATED ± 4,270 FEET WEST OF THE INTERSECTION OF YOUNGBLOOD ROAD AND FM 878, SITUATED IN THE S. WILSON SURVEY, ABSTRACT NO. 1141, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER 589.23 (1.4) RATIFYING STAFF ACTION ON A PLAT OF ATCHLEY ADDITION. THE ± 2.800 – ACRE SITE IS LOCATED ± 3,490 FEET NORTHWEST OF THE INTERSECTION OF FM 877 AND HWY 34, SITUATED IN THE SAN ANTONIO AND MEXICAN GULF RAILROAD COMPANY SURVEY, ABSTRACT NO. 1051, ENNIS ROAD AND BRIDGE PRECINCT NO. 2. SUBJECT TO THE FOLLOWING CONDITIONS:

1. PLEASE LABEL THE EXISTING RIGHT-OF-WAY WIDTH FOR FM 877.
2. UPDATE THE FEMA FLOODPLAIN PANEL NUMBER. NEW MAPS WERE ADOPTED IN 2023.
3. ENSURE THAT EACH APPLICANT'S LEGAL NAME IS CONSISTENT THROUGHOUT THE PLAT.
4. DOCUMENTATION OF THE COMPLETION OF THE INSTALLATION OF UTILITIES MUST BE PROVIDED PRIOR TO THE FILING OF THE PLAT.

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

MINUTE ORDER 590.23 (1.5) RATIFYING STAFF ACTION ON A PRELIMINARY PLAT OF COTTON CREEK SUBDIVISION. THE ± 13.979 – ACRE SITE IS LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SANDSWITCH ROAD AND RAMONS ROAD, SITUATED IN JOSEPH GARWOOD SURVEY, ABSTRACT NO. 415, ENNIS, ROAD AND BRIDGE PRECINCT NO. 2. SUBJECT TO THE FOLLOWING CONDITIONS:

1. DRAINAGE IMPROVEMENTS MUST BE COMPLETED AND INSPECTED PRIOR TO THE FILING OF THE FINAL PLAT.

2. AS RECOMMENDED IN THE LETTER FROM PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT (PGCD) ON OCTOBER 6, 2023, A GROUNDWATER AVAILABILITY CERTIFICATION MUST BE COMPLETED PRIOR TO THE SUBMITTAL OF THE FINAL PLAT APPLICATION. ADDITIONALLY, IN ACCORDANCE WITH THE COUNTY'S CURRENT INTERLOCAL AGREEMENT WITH PGCD, THE GROUNDWATER AVAILABILITY CERTIFICATION MUST BE SUBMITTED TO PGCD FOR REVIEW PRIOR TO APPROVAL OF THE FINAL PLAT.
3. APPROVAL IS FOR THE REVISED SUBMITTED LAYOUT FROM 6 LOTS TO 4 LOTS.

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

MINUTE ORDER 591.23 (1.6) RATIFYING STAFF ACTION ON A PLAT OF MOLLY'S ACRES. THE ± 1.546 ACRE SITE IS LOCATED ± 320 FEET WEST OF THE INTERSECTION OF HWY 287 NORTH AND OLD CHURCH ROAD, SITUATED IN THE G. CARPENTER SURVEY, ABSTRACT NO. 190, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 2.

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

MINUTE ORDER 592.23 (1.7) RATIFYING STAFF ACTION ON A PLAT OF CASTANEDA – GUERRA ESTATES. THE ± 2.214 – ACRE SITE IS LOCATED ± 6,700 FEET EAST OF THE INTERSECTION OF FM 667 AND WHITE ROCK ROAD, SITUATED IN THE I.H. LOWE SURVEY, ABSTRACT NO. 613, ITALY, ROAD AND BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 593.23 (1.8) RATIFYING STAFF ACTION ON A PLAT OF MAYPEARL HIDDEN HILLS, LOT 48. THE ± 1.720 – ACRE SITE IS LOCATED NORTH OF THE INTERSECTION OF DUBOSE WAY & SULLIVAN WAY, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MAYPEARL, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 594.23 (1.9) RATIFYING STAFF ACTION ON A PLAT OF WOODARD FARMS ADDITION PHASE 3. THE ± 6.413 – ACRE SITE IS LOCATED ± 1,750 FEET WEST OF THE INTERSECTION OF N. ARMSTRONG ROAD AND MATTHEWS ROAD, SITUATED IN THE ADAM T. MILLER SURVEY, ABSTRACT NO. 716, VENUS, ROAD AND BRIDGE PRECINCT NO. 4. SUBJECT TO THE FOLLOWING CONDITIONS:

1. IN ACCORDANCE WITH THE COUNTY'S SUBDIVISION REGULATIONS, FIRE HYDRANTS MUST BE INSTALLED WITH SPACING NOT TO EXCEED MORE THAN 450 FT PRIOR TO DEVELOPMENT & PERMITTING OF THE SECOND AND THIRD LOT.
2. ONLY TWO (2) DRIVE CUTS SHALL BE ALLOWED FOR THESE THREE (3) LOTS. THESE WILL BE DETERMINED BY THIS APPLICANT AT THE TIME OF PERMITTING.

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

MINUTE ORDER 595.23 (1.10) RATIFYING STAFF ACTION ON A PLAT OF HURTIK ADDITION. THE ± 3.995 ACRE SITE IS LOCATED ± 960 FEET WEST OF THE INTERSECTION OF SMITH ROAD AND JACKSON ROAD, SITUATED IN THE MARGARET CHEEK SURVEY, ABSTRACT NO. 219, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MAYPEARL, ROAD AND BRIDGE PRECINCT No. 4.

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

PURCHASING

MINUTE ORDER 596.23 (2.1) APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ITALY AND ELLIS COUNTY IN ACCORDANCE WITH THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE.

MOTION TO APPROVE BY JUDGE LITTLE, SECONDED BY COMMISSIONER GRAYSON, WITH COMMISSIONER PERRY VOTING NO; MOTION CARRIED

MINUTE ORDER 597.23 (2.2) APPROVING TO MODIFY MINUTE ORDER # 477.23, A REQUEST FOR STATEMENT OF QUALIFICATION (RFSQ) FOR A PROFESSIONAL ENGINEER OR ENGINEERING FIRM TO REVIEW THE COUNTY'S FLOOD STUDY AND OTHER GENERAL ENGINEERING SERVICES AS NEEDED BY THE COUNTY.

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

MINUTE ORDER 598.23 (2.3) APPROVING THE COUNTY JUDGE TO EXECUTE ONE (1) LEASE AGREEMENT WITH AMERICAN NATIONAL LEASING FOR ONE (1) 2024 CHEVROLET SILVERADO PPV FOR ELLIS COUNTY CONSTABLE, PRECINCT 2, USING TIPPS CONTRACT #210907.

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

MINUTE ORDER 599.23 (2.4) APPROVING THE COUNTY JUDGE TO SIGN A ONE (1) – YEAR CONTRACT FOR JAIL MAINTENANCE WITH TEXAS AIR SYSTEMS, LLC UTILIZING HERITAGE AIR SERVICES, LLC TO PERFORM THE MAINTENANCE USING TIPPS CONTRACT # 23010402.

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

MINUTE ORDER 600.23 (2.5) APPROVING THE COUNTY JUDGE TO SIGN A FIVE (5) – YEAR CONTRACT WITH AXON ENTERPRISE, INC. FOR BODY CAMERAS, TASERS, AND RELATED EQUIPMENT FOR THE ELLIS

COUNTY CONSTABLE, PRECINCT 2, IN THE AMOUNT OF \$27,196.20 TO BE PAID IN ANNUAL INSTALLMENTS USING BUYBOARD CONTRACT #648-21.

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

MINUTE ORDER 601.23 (2.6) APPROVING THE COUNTY JUDGE TO SIGN A FIVE (5) – YEAR CONTRACT WITH AXON ENTERPRISE, INC. FOR BODY CAMERAS, TASERS, AND RELATED EQUIPMENT FOR THE ELLIS COUNTY CONSTABLE, PRECINCT 3, IN THE AMOUNT OF \$25,125.22 TO BE PAID IN ANNUAL INSTALLMENTS USING BUYBOARD CONTRACT #648-21.

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

ADMINISTRATIVE

MINUTE ORDER 602.23 (3.1) APPROVING TO RECLASSIFY HEAVY EQUIPMENT OPERATOR POSITION #3601-730-005 TO ASSISTANT FOREMAN. NO FUNDING OR BUDGET CHANGE IS REQUIRED TO SUPPORT THIS RECLASSIFICATION. – *PRECINCT 1 COMMISSIONER RANDY STINSON*

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

MINUTE ORDER 603.23 (3.2) APPROVING TO RECLASSIFY PT CIVILIAN COORDINATOR (\$32,118.00) TO DEPUTY PT 20/WEEK (\$32,992.00). NO FUNDING OR BUDGET CHANGE IS REQUIRED TO SUPPORT THIS RECLASSIFICATION. – *SHERIFF BRAD NORMAN*

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

MINUTE ORDER 604.23 (3.3) APPROVING THE COUNTY JUDGE TO SIGN A TEMPORARY LEASE WITH WAXAHACHIE ISD FOR A STAGING AREA TO BE USED FOR THE CONSTRUCTION OF THE NEW JUSTICE OF THE PEACE, PRECINCT 2 SUB-COURTHOUSE. THE LEASE WILL BE AT A \$10.00 COST TO THE COUNTY BUT REMAINS SUBJECT TO CERTAIN CONDITIONS BY WAXAHACHIE ISD. – *COUNTY JUDGE TODD LITTLE*

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

MINUTE ORDER 605.23 (3.4) APPROVING TO RENEW 283 OFFICE 365 LICENSES FOR THE SHERIFF'S OFFICE USING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS IN THE AMOUNT OF \$120,376.00 FOR A SUBSCRIPTION PERIOD BEGGING DECEMBER 1, 2023 AND ENDING NOVEMBER 30, 2024. – *SHERIFF BRAD NORMAN*

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

MINUTE ORDER 606.23 (3.5) APPROVING TO USE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS IN AN AMOUNT NOT TO EXCEED \$820,000.00 AS A PARTIAL CONTRIBUTION FOR THE REPLACEMENT OF TEN (10) TEMPTROL AIR HANDLING UNITS AT THE ELLIS COUNTY JAIL. – *CHIEF DEPUTY TERRI OGDEN*

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

MINUTE ORDER 607.23 (3.6) APPROVING TO REPLACE TEN (10) TEMPTROL AIR HANDLING UNITS, INCLUDING RELATED EQUIPMENT AND LABOR AT THE ELLIS COUNTY JAIL IN AN AMOUNT NOT TO EXCEED \$1,157,513.00 USING TIPPS CONTRACT #23010401 AND #23010402 WITH TEXAS AIR SYSTEMS, LLC. – *CHIEF DEPUTY TERRI OGDEN*

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

(TO AGENDA ITEM 3.8)

MINUTE ORDER 608.23 (3.8) APPROVING AN ADVANCED FUNDING AGREEMENT AND RESOLUTION WITH TXDOT FOR THE REPLACEMENT OF NATIONAL BRIDGE INVENTORY STRUCTURE 18-071-AA02-91-002 (BRIDGE ON LOWELL ROAD OVER MILL CREEK) WITH NO EQUIVALENT MATCHING COST. – *ENGINEERING DIRECTOR TED KANTOR*

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

RECESS TO EXECUTIVE SESSION **2:55 P.M.**

MOTION TO RECESS BY COMMISSIONER BUTLER, SECONDED BY COMMISSIONER GRAYSON, 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 HUMAN RESOURCES DIRECTOR CANDIDATES.
- 4.3 PURSUANT TO TEXAS GOVERNMENT CODE §551.072, TO 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 REGARDING THE TEMPORARY LEASE TO HELP WITH THE CONSTRUCTION OF THE NEW JUSTICE OF THE PEACE, PRECINCT 2 SUB-COURTHOUSE.
- 4.4 PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2), CONSULTATION WITH LEGAL COUNSEL IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, AND REGARDING QUESTIONS ABOUT THE FIRST BAPTIST PURCHASE CONTRACT.

RECONVENED TO REGULAR SESSION 4:35 P.M.

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

MINUTE ORDER 609.23 (3.7) APPROVING TO AMEND THE PURCHASE AND SALE AGREEMENT FOR THE OLD FIRST BAPTIST CHURCH PROPERTY TO COMPLETE THE PERFORMANCE OF THE CONTRACT. —
COUNTY JUDGE TODD LITTLE

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

(To AGENDA 3.9)

MINUTE ORDER 610.23 (3.9) APPROVING TO GO BACK OUT ON A SEARCH FOR A NEW HR DIRECTOR. —
HUMAN RESOURCES DIRECTOR THERESA TAYLOR

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECONDED BY COMMISSIONER STINSON, WITH COMMISSIONER PERRY AND JUDGE LITTLE VOTING NO; MOTION CARRIED

ADJOURNMENT 4:42 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON DECEMBER 27, 2023,
ARE HEREBY APPROVED.

PRESIDING OFFICER:

Absent
TODD LITTLE, COUNTY JUDGE

Randy Stinson
RANDY STINSON, COMMISSIONER, PCT 1

Lane Grayson
LANE GRAYSON, COMMISSIONER, PCT 2

Paul Perry
PAUL PERRY, COMMISSIONER, PCT 3

Absent
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 9TH DAY OF JANUARY 2023.

Krystal Valdez
KRystal VALDEZ, COUNTY CLERK

