

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JANUARY 23, 2024

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JANUARY 23, 2024, 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: KRYSTAL VALDEZ

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 STINSON, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE. – *COUNTY JUDGE TODD LITTLE*

CONSENT AGENDA: MINUTE ORDER 113.24

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 JANUARY 9, 2024. – *COUNTY CLERK KRYSTAL VALDEZ*
- A.3 ACCEPTING OF THE ELLIS COUNTY AGRILIFE EXTENSION SERVICE MONTHLY REPORTS FOR DECEMBER 2023, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *AGRILIFE EXTENSION SERVICE DIRECTOR MARK ARNOLD*
- A.4 ACCEPTING THE COUNTY AUDITOR'S SEPTEMBER 2023 CASH AUDIT REPORTS. – *FIRST ASSISTANT AUDITOR STACI PARR*
- A.5 ACCEPTING OF A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM DECEMBER 22ND, 2023 – JANUARY 10TH, 2024, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.024. – *FIRST ASSISTANT AUDITOR STACI PARR*
- A.6 APPROVING TO PAY FY2023 INVOICES USING FY2024 BUDGETED FUNDS. – *FIRST ASSISTANT AUDITOR STACI PARR*

- A.7 ACCEPTING OF THE 2023 RACIAL PROFILING REPORT FOR THE ELLIS COUNTY SHERIFF'S OFFICE, WHICH HAS BEEN ELECTRONICALLY SUBMITTED TO THE TEXAS COMMISSION ON LAW ENFORCEMENT. – *SHERIFF BRAD NORMAN*
- A.8 APPROVING OF THE DEPARTMENT OF DEVELOPMENT'S MONTHLY FINANCIAL REPORT FOR DECEMBER 2023, AS REQUIRED BY LOCAL GOVERNMENT CODE §114.044. – *DoD DIRECTOR ALBERTO MARES*
- A.9 APPROVING TO APPOINT PAULA BAUCUM TO THE REGIONAL AGING ADVISORY COMMITTEE OF THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR A TERM BEGINNING JANUARY 1ST, 2024 AND ENDING DECEMBER 31ST, 2026. – *COUNTY JUDGE TODD LITTLE*

FINANCIAL:

- F.1 APPROVING FOR THE TAX COLLECTOR TO DISBURSE PROPERTY TAX REFUNDS IN THE AMOUNT OF \$28,924.66. – *FIRST ASSISTANT AUDITOR STACI PARR*
- F.2 ACCEPTING FUNDS FROM THE SALE OF ESTRAY ANIMALS BY THE SHERIFF'S OFFICE IN THE AMOUNT OF \$550.00 AS UNANTICIPATED REVENUE. REQUEST FOR SPECIAL BUDGET OF UNANTICIPATED REVENUE:
- INCREASE 001-0010-508700 (ESTRAY) BY \$550.00
PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *FIRST ASSISTANT AUDITOR STACI PARR*
- F.3 ACCEPTING FUNDS COLLECTED FOR RESTITUTION BY THE ELLIS COUNTY SHERIFF'S OFFICE IN THE AMOUNT OF \$210.00 AS UNANTICIPATED REVENUE. REQUEST FOR SPECIAL BUDGET OF UNANTICIPATED REVENUE:
- INCREASE 001-0010-506970 (EVIDENCE ANALYSIS) BY \$210.00
PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *FIRST ASSISTANT AUDITOR STACI PARR*
- F.4 FY2024 LINE-ITEM TRANSFER – *COUNTY JUDGE TODD LITTLE*
DECREASE 001-0140-570000 (CONTINGENCY SURPLUS) BY \$1,614.00
INCREASE 001-0613-505030 (CERTIFICATION PAY) BY \$734.00
INCREASE 001-0613-508150 (UNIFORM ALLOWANCE) BY \$880.00

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

(TO AGENDA ITEM 1.2)

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 114.24 (1.2) APPROVING A PLAT OF MORGAN CREEK, PHASE 4, LOT 25A-25C, BEING A REPLAT OF MORGAN CREEK, PHASE 4, LOT 25. THE ± 6.452-ACRE SITE IS LOCATED AT THE SOUTHWEST CORNER OF NORRELL ROAD AND MURR ROAD IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MIDLOTHIAN, IN ROAD AND BRIDGE PRECINCT NO. 4.

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

MINUTE ORDER 115.24 (1.3) APPROVING TO AMEND THE INTERLOCAL AGREEMENT WITH THE CITY OF OVILLA REGARDING PLATTING AUTHORITY IN ITS EXTRATERRITORIAL JURISDICTION (ETJ).

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

PUBLIC HEARING (P.1)

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

(P.1) PUBLIC HEARING ON PROPOSED AMENDMENTS TO ORDER 182.11, THE ORDER ADOPTING RULES OF ELLIS COUNTY, TEXAS FOR ON-SITE SEWAGE FACILITIES, SPECIFICALLY REVISING SECTION 9 (AMENDMENTS). THESE AMENDMENTS PRIMARILY: 1) REORGANIZE THE TEXT LAYOUT, 2) ADOPT MINIMUM SIZING REQUIREMENTS & DESIGN CRITERIA, 3) INCREASE TESTING & REPORTING FOR NON-SINGLE-FAMILY SYSTEMS, 4) UPDATE REPORTING REQUIREMENTS, 5) UPDATE SURFACE APPLICATION SYSTEM REQUIREMENTS, AND 6) PROVIDE EXPEDITED ACTIONS FOR IMMEDIATE THREATS TO PUBLIC HEALTH, AND ANY OTHER RELATED ADDITIONS, DELETIONS, AND CHANGES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC PARTICIPATION: BRIAN WAKEFIELD

MOTION TO CLOSE P.1 BY COMMISSIONER PERRY, SECONDED BY COMMISSIONER GRAYSON, MOTION CARRIED

TABLED (1.4) DISCUSSION, CONSIDERATION, AND ACTION ON THE PROPOSED AMENDMENTS TO ORDER 182.11, THE ORDER ADOPTING RULES OF ELLIS COUNTY, TEXAS FOR ON-SITE SEWAGE FACILITIES.

PURCHASING

MINUTE ORDER 116.24 (2.1) AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE FINAL CONTRACTS FOR DEBRIS MONITORING WITH THOMPSON CONSULTING SERVICES, LLC (PRIMARY), DEBRISTECH, LLC (SECONDARY), AND WITT O'BRIEN'S LLC (TERTIARY), AWARDED JUNE 27, 2023 (MINUTE ORDER 313.23).

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

MINUTE ORDER 117.24 (2.2) APPROVING TO PURCHASE A PETERBILT 567 TRACTOR IN THE AMOUNT OF \$186,452.69 FROM RUSH TRUCK CENTER FOR ROAD & BRIDGE PRECINCT 3 USING BUYBOARD COOPERATIVE CONTRACT NUMBER 723-23.

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

MINUTE ORDER 118.24 (2.3) APPROVING A MATERIAL PRICE INCREASE REQUEST FROM VULCAN MATERIALS COMPANY FOR CRUSHED LIMESTONE, RFB-2022-016.

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

(COMMISSIONER PERRY LEFT THE MEETING AT 2:57 P.M.)

ADMINISTRATIVE

PUBLIC HEARING (P.2)

MOTION TO OPEN P.2 BY COMMISSIONER GRAYSON, SECONDED BY COMMISSIONER BUTLER, MOTION CARRIED

(P.2) PUBLIC HEARING FOR THE PROPOSED INSTALLATION OF STOP SIGNS ON WOODSTREAM RD AT THE INTERSECTION OF SPRINGWOOD LN, CREATING AN ALL WAY STOP. – *ENGINEER TED KANTOR*

PUBLIC PARTICIPATION: J. SARRATT, MIDLOTHIAN

MOTION TO CLOSE P.2 BY COMMISSIONER GRAYSON, SECONDED BY COMMISSIONER BUTLER, MOTION CARRIED

MINUTE ORDER 119.24 (3.1) APPROVING THE PROPOSED INSTALLATION OF STOP SIGNS ON WOODSTREAM RD AT THE INTERSECTION OF SPRINGWOOD LN. – *ENGINEER TED KANTOR*

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

PUBLIC HEARING (P.3)

MOTION TO OPEN P.3 BY COMMISSIONER STINSON SECONDED BY COMMISSIONER GRAYSON, MOTION CARRIED

(P.3) PUBLIC HEARING TO DISCUSS SETTING THE MANDATORY PAYMENT RATE FOR FISCAL YEAR 2024, APPLICABLE TO ELLIS COUNTY'S LOCAL PROVIDER PARTICIPATION PROGRAM. THE ELLIS COUNTY COMMISSIONERS' COURT WILL HOLD THE PUBLIC HEARING PURSUANT TO CHAPTER 296A.101 OF THE TEXAS HEALTH & SAFETY CODE, WHICH AUTHORIZED THE CREATION OF THE ELLIS COUNTY LOCAL PROVIDER PARTICIPATION PROGRAM. THE PUBLIC HEARING WILL DISCUSS THE AMOUNTS OF ANY MANDATORY PAYMENTS THAT THE COMMISSIONERS' COURT INTENDS TO REQUIRE DURING THE YEAR AND HOW THE REVENUE DERIVED FROM THOSE PAYMENTS IS TO BE SPENT.

PUBLIC PARTICIPATION: NONE

MOTION TO CLOSE P.3 BY COMMISSIONER BUTLER, SECONDED BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 120.24 (3.2) APPROVING TO SET A MANDATORY PAYMENT RATE TO 6% FOR THE COUNTY HEALTH CARE PROVIDER PARTICIPATION PROGRAM FROM FISCAL YEAR 2024, PURSUANT TO HEALTH & SAFETY CODE 296(A)(101). – *TREASURER CHERYL CHAMBERS*

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

MINUTE ORDER 121.24 (3.3) APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE COUNTY OF ELLIS AND THE CITY OF VENUS, TO RUN THROUGH DECEMBER 31, 2024. – *PRECINCT 4 COMMISSIONER KYLE BUTLER*

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

(TO AGENDA ITEM 3.5)

MINUTE ORDER 122.24 (3.5) APPROVING TO APPOINT THE FOLLOWING MEMBERS TO THE ELLIS COUNTY CHILD WELFARE BOARD, A.K.A. THE ELLIS COUNTY CHILD PROTECTIVE SERVICES BOARD, FOR A ONE-YEAR TERM THAT BEGAN ON JANUARY 1ST AND WILL CONTINUE THROUGH DECEMBER 31, 2024. – *COUNTY JUDGE TODD LITTLE*

- LETITIA RUTAN
- EMIL SLOVACEK
- EMILY HINDMAN
- HEATHER POOL

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

NO ACTION (3.6) PRESENTATION BY THE ELLIS COUNTY CHILD WELFARE BOARD TO UPDATE COMMISSIONERS ON THE PROGRESS OF THE ORGANIZATION. – *COUNTY JUDGE TODD LITTLE*

MINUTE ORDER 123.24 (1.1) APPROVING A PLAT OF IRWIN BRANCH ADDITION LOT 1R-A & 1R-B, BEING A REPLAT OF IRWIN BRANCH ADDITION, LOT 1. THE ± 4.019-ACRE SITE IS LOCATED AT THE SOUTHWEST CORNER OF MARSHALL ROAD AND FM 664 IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF WAXAHACHIE, IN ROAD AND BRIDGE PRECINCT NO. 4.

PUBLIC COMMENT: SHERYLE WOLFE, WAXAHACHIE

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECONDED BY COMMISSIONER STINSON, MOTION CARRIED WITH COMMISSIONER BUTLER VOTING NO

(TO AGENDA ITEM 3.7)

MINUTE ORDER 124.24 (3.7) APPROVING TO ACCEPT THE DONATION OF A COMMEMORATIVE PLAQUE FEATURING THE WILLIAM B. TRAVIS "VICTORY OR DEATH LETTER" FROM THE ALAMO LETTER SOCIETY, TO BE INSTALLED ON THE HISTORIC COURTHOUSE GROUNDS PENDING APPROVAL. – *COUNTY JUDGE TODD LITTLE*

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

RECESS TO EXECUTIVE SESSION **3:55 P.M.**

MOTION TO RECESS BY COMMISSIONER STINSON, 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 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 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 TEXAS GOVERNMENT CODE §551.072, 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 THIRD PARTIES REGARDING THE HAMPTON ROAD RIGHT-OF-WAY PURCHASES.

RECONVENED TO REGULAR SESSION **4:30 P.M.**

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

(TO AGENDA ITEM 3.4)

MINUTE ORDER 125.24 (3.4) APPROVING TO RETAIN KEVIN KOSORIS AS OUTSIDE COUNSEL FOR NEGOTIATIONS ON THREE (3) RIGHT-OF-WAY PURCHASES FOR WORK ON HAMPTON ROAD BRIDGE AT LITTLE CREEK BRIDGE. – *PRECINCT 4 COMMISSIONER KYLE BUTLER*

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

ADJOURNMENT 4:31 P.M.

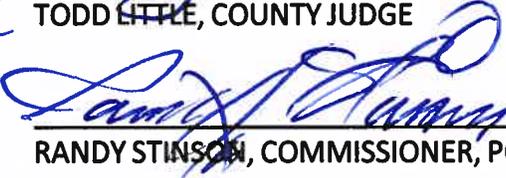
MOTION TO ADJOURN BY COMMISSIONER GRAYSON, SECONDED BY COMMISSIONER BUTLER, MOTION CARRIED

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON JANUARY 23, 2024 ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2

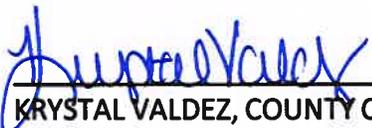
Absent

PAUL PERRY, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 6TH DAY OF FEBRUARY 2024.



KRYSTAL VALDEZ, COUNTY CLERK

