

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JULY 9, 2024

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JULY 9, 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: MANDY HOCUTT, DEPUTY

COMMISSIONERS:

PRECINCT 1 COMMISSIONER RANDY STINSON

PRECINCT 2 COMMISSIONER LANE GRAYSON

PRECINCT 3 COMMISSIONER LOUIS PONDER

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 GRAYSON, SECONDED BY COMMISSIONER BUTLER, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE: *PRECINCT 1 COMMISSIONER RANDY STINSON*

CONSENT AGENDA: MINUTE ORDER 336.24

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 JUNE 25, 2024. – *COUNTY CLERK KRYSTAL VALDEZ*
- A.3 ACCEPTING OF THE MAY 2024 CASH AUDIT REPORTS FROM THE COUNTY AUDITOR, PURSUANT TO LOCAL GOVERNMENT CODE §114.025. – *COUNTY AUDITOR STACI PARR*
- A.4 APPROVING OF A RESOLUTION OF SUPPORT BY ELLIS COUNTY FOR THE TEXAS HIGHWAY SPUR 394 PROJECT BETWEEN FM 877 AND I-35E. – *COUNTY JUDGE TODD LITTLE*
- A.5 APPROVING OF THE 2024 ANNUAL GENERAL CERTIFICATE NORTH CENTRAL TEXAS HOUSING FINANCE CORPORATION. – *COUNTY JUDGE TODD LITTLE*
- A.6 ACCEPTING OF THE ANNUAL COMPILATION REPORT FOR EMERGENCY SERVICES DISTRICT #7 (BRISTOL), PURSUANT TO HEALTH & SAFETY CODE §775.082. – *FIRE MARSHAL TIM BIRDWELL*
- A.7 ACCEPTING OF THE JUSTICE OF THE PEACE, PRECINCT 1 MONTHLY REPORT FOR JUNE 2024, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *CHRIS MACON, JUSTICE OF THE PEACE, PRECINCT 1*
- A.8 ACCEPTING OF THE JUSTICE OF THE PEACE, PRECINCT 3 MONTHLY REPORT FOR JUNE 2024, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *DAN COX, JUSTICE OF THE PEACE, PRECINCT 3*

- A.9 ACCEPTING OF THE JUSTICE OF THE PEACE, PRECINCT 4 MONTHLY REPORT FOR JUNE 2024, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – MIKE MCKENNA, JUSTICE OF THE PEACE, PRECINCT 4

FINANCIAL:

- F.1 FY2024 LINE-ITEM TRANSFER – COUNTY JUDGE TODD LITTLE
DECREASE 001-0140-509890 (TIRZ PAYMENTS) BY \$193,000.00
INCREASE 023-0923-509300 (PURCHASE OF RIGHT OF WAY) BY \$193,000.00
- F.2 FY2024 LINE-ITEM TRANSFER – SGT. R. NELSON, TX HIGHWAY PATROL
DECREASE 001-0340-506020 (STAFF TRAVEL REIMBURSEMENT) BY \$331.04
INCREASE 001-0340-508350 (EMPLOYEE TRAINING) BY \$102.86
INCREASE 001-0340-508010 (SUPPLIES) BY \$433.90

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

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 337.24 (1.1) APPROVING OF A VARIANCE REQUEST TO VOLUME I, SECTION IV (A) OF THE SUBDIVISION & DEVELOPMENT STANDARDS REGARDING THE MINIMUM PUBLIC ROAD FRONTAGE REQUIREMENTS FOR PARCEL ID 227605 & 250571. THIS ± 1.663-ACRE SITE IS LOCATED ± 615 FEET SOUTHEAST OF THE INTERSECTION OF FM 983 AND PARKSVILLE DRIVE (A PRIVATE ROAD) LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF FERRIS, ROAD AND BRIDGE PRECINCT NO. 1, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE PROPERTY OWNER OR APPLICANT SHALL SUBMIT A PLAT 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.

PUBLIC PARTICIPATION: JASON GARCIA, FERRIS

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

MINUTE ORDER 338.24 (1.2) APPROVING A PLATTING EXEMPTION FOR PARCEL ID No. 192131, AS STATED IN TEXAS LOCAL GOVERNMENT CODE, §232.0015(E). THE ± 2.00-ACRE SITE IS LOCATED ± 2,022 FEET WEST OF THE INTERSECTION OF WILSON ROAD AND BOYCE ROAD, WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 1, SUBJECT TO THE FOLLOWING CONDITIONS:

1. NO FURTHER SUBDIVISION OF THIS ENTIRE ± 2.00-ACRE SITE SHALL OCCUR UNTIL IT MEETS THE SUBDIVISION REQUIREMENTS IN EFFECT AT THAT TIME.
2. ANY FURTHER SUBDIVISION OF THIS PROPERTY SHALL REQUIRE A PRELIMINARY PLAT, IF APPLICABLE, OR A FINAL PLAT IN ACCORDANCE WITH THE COUNTY'S REGULATIONS IN EFFECT AT THAT TIME.

3. AS STATED IN TEXAS LGC 232.0015 (E), IF ANY PIECE OF THIS PROPERTY SELLS OUTSIDE OF THE FAMILY, THE ENTIRE PROPERTY SHALL BE PLATTED PRIOR TO ITS SALE.
4. ADHERENCE TO ANY OTHER REGULATIONS RELATING TO THIS PARTICULAR PLAT EXEMPTION AND OTHER DOCUMENTS SIGNED AS PART OF THIS APPLICATION. THIS INCLUDES A COPY OF THE SURVEY OF THE OVERALL 48-ACRE "PARENT" TRACT PRIOR TO THE ISSUANCE OF ANY PERMIT.
5. 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.

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

MINUTE ORDER 339.24 (1.3) APPROVING A PLAT OF WHISPERING MEADOWS REPLAT, TRACT 9A-1R & 9A-2R, BEING A REPLAT OF TRACT 9A WHISPERING MEADOWS. THE PROPERTY CONTAINS ± 4.920 ACRES OF LAND, LOCATED ± 350 FEET EAST OF THE INTERSECTION OF BOYCE ROAD AND WILSON 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 GRAYSON, MOTION CARRIED

MINUTE ORDER 340.24 (1.4) RATIFYING STAFF ACTION ON A PLAT OF MARTINEK CLARK ADDITION. THE ± 4.769-ACRE SITE IS LOCATED ± 2,600 FEET NORTHWEST OF THE INTERSECTION OF FM 660 AND UNION HILL ROAD, SITUATED IN THE R. DE LA PENNA SURVEY, ABSTRACT No. 3, ENNIS, ROAD AND BRIDGE PRECINCT No. 1.

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

MINUTE ORDER 341.24 (1.5) RATIFYING STAFF ACTION ON A PLAT OF EL RANCHITO DE TOTO. THE ± 9.135-ACRE SITE IS LOCATED ± 1,300 FEET NORTHWEST OF THE INTERSECTION OF FM 879 AND GIBSON ST RAILROAD CROSSING, SITUATED IN THE C. GARRETT SURVEY, ABSTRACT No. 383, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF GARRETT, ROAD AND BRIDGE PRECINCT No. 2.

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

MINUTE ORDER 342.24 (1.6) RATIFYING STAFF ACTION ON A PLAT OF WILD PLUM SUBDIVISION. THE ± 61.783-ACRE SITE IS LOCATED ± 4,750 FEET SOUTH OF THE INTERSECTION OF NASH HOWARD ROAD AND FM 55, SITUATED IN THE W.S. BUTCHER SURVEY, ABSTRACT No. 121, WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 2.

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

MINUTE ORDER 343.24 (1.7) RATIFYING STAFF ACTION ON A PLAT OF MATTHEWS ESTATE. THE ± 2.007-ACRE SITE IS LOCATED ± 2,800 FEET NORTHWEST OF THE INTERSECTION OF CAMPBELL ROAD AND

MATTHEWS ROAD, SITUATED IN THE R. WALKER SURVEY, ABSTRACT NO. 1153, VENUS, ROAD AND BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 344.24 (1.8) RATIFYING STAFF ACTION ON A PLAT OF TAYLOR ESTATES LOTS 1 & 2, BLOCK A. THE ± 38.333-ACRE SITE IS LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF FM 66 AND FM 916, SITUATED IN THE THOMAS F. MCCRARY SURVEY, ABSTRACT NO. 1287, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MAYPEARL, ROAD AND BRIDGE PRECINCT NO. 3, SUBJECT TO THE FOLLOWING CONDITIONS:

1. PROVIDE DRIVEWAY ACCESS APPROVAL FROM TX-DOT
2. PROVIDE AN ORIGINAL, EMBOSSED TAX CERTIFICATE DEMONSTRATING ALL PROPERTY TAXES ARE PAID IN FULL.
3. PRIOR TO THE FILING OF THIS PLAT, FIRE HYDRANTS SHALL BE INSTALLED ON THE PROPERTY PER THE CURRENT REGULATIONS.

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

PURCHASING

MINUTE ORDER 345.24 (2.1) APPROVING TO ADVERTISE AND SOLICIT A REQUEST FOR BIDS FOR PAVEMENT REHABILITATION AND RESURFACING SERVICES.

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

MINUTE ORDER 346.24 (2.2) APPROVING TO ADVERTISE AND SOLICIT A REQUEST FOR BIDS FOR HOURLY RATES FOR BRIDGE AND HEADWALL REPAIR.

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

MINUTE ORDER 347.24 (2.3) APPROVING TO AWARD RFP-2024-002 FULL-SERVICE VENDING MACHINE SERVICES TO SPG VENDING SOLUTIONS, LLC, AND TO ENTER INTO CONTRACT NEGOTIATIONS.

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

MINUTE ORDER 348.24 (2.4) APPROVING TO ENGAGE BERRY DUNN FOR IMPLEMENTATION OF THE COURT CASE MANAGEMENT (DISTRICT CLERK, COUNTY CLERK, DISTRICT COURTS, COUNTY COURTS, JUSTICE OF THE PEACE COURTS, AND CONSTABLES); LAND AND VITAL RECORDS; AND JURY MANAGEMENT SYSTEM.

PUBLIC PARTICIPATION: TERRY BOHAN, BERRY DUNN

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

MINUTE ORDER 349.24 (2.5) AUTHORIZING BERRY DUNN TO WORK WITH LEGAL TO IMPLEMENT THE CONTRACT WITH EQUIVANT FOR COURT CASE MANAGEMENT (DISTRICT CLERK, COUNTY CLERK, DISTRICT COURTS, COUNTY COURTS, JUSTICE OF THE PEACE COURTS, AND CONSTABLES); LAND AND VITAL RECORDS; AND JURY MANAGEMENT SYSTEM AWARDED APRIL 30, 2024 (MINUTE ORDER 236.24) AND AUTHORIZING THE USE OF ARPA FUNDS FOR A PORTION OF THE COST. THE TOTAL COST WILL BE \$5,755,644.62 (PAID OVER TEN YEARS), WITH \$2,751,985.50 TO BE PAID USING ARPA FUNDS.

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

MINUTE ORDER 350.24 (2.6) APPROVING TO PURCHASE UPGRADES TO THE AUDIO-VISUAL EQUIPMENT INCLUDING INSTALLATION SERVICES FOR THE COUNTY COURT AT LAW #1, COUNTY COURT AT LAW #2, COUNTY COURT AT LAW #3, AND 443RD DISTRICT COURT WITH INFINITY SOUND, LTD., IN AN AMOUNT OF \$329,420.00, USING THE BUYBOARD CONTRACTS # 655-21 AND # 663-22.

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

ADMINISTRATIVE

MINUTE ORDER 351.24 (3.1) APPROVING THE COMPOSITION OF THE 2024 SALARY GRIEVANCE COMMITTEE TO INCLUDE SIX (6) ELECTED OFFICIALS AND THREE (3) PUBLIC MEMBERS CHOSEN FROM THE 2023 GRAND JURY LIST. – *COUNTY CLERK KRYSTAL VALDEZ*

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

MINUTE ORDER 352.24 (3.2) APPROVING OF THE THREE (3) PUBLIC MEMBERS CHOSEN FROM THE GRAND JURY LIST TO COMPLETE THE SALARY GRIEVANCE COMMITTEE; AND 24 ALTERNATES. – *COUNTY CLERK KRYSTAL VALDEZ*

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

NO ACTION (3.3) PRESENTATION AND DISCUSSION OF THE FISCAL YEAR 2025 PROPOSED BUDGET. – *COUNTY JUDGE TODD LITTLE AND CHIEF OF STAFF RYAN GARRETT*

RECESS TO EXECUTIVE SESSION 4:06 P.M.

MOTION TO RECESS BY COMMISSIONER GRAYSON, SECONDED BY COMMISSIONER PONDER, 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 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 GOVERNMENT CODE §551.071 (1), CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING A LETTER RECEIVED FROM ONCOR.

RECONVENED TO REGULAR SESSION 5:10 P.M.

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

ADJOURNMENT 5:10 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON JULY 9, 2024 ARE HEREBY APPROVED.

PRESIDING OFFICER:


TODD LITTLE, COUNTY JUDGE

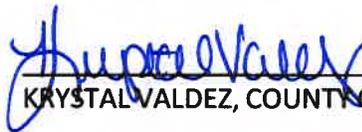

RANDY STINSON, COMMISSIONER, PCT 1


LOUIS PONDER, COMMISSIONER, PCT 3


LANE GRAYSON, COMMISSIONER, PCT 2


KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 23RD DAY OF JULY 2024.


KRYSTAL VALDEZ, COUNTY CLERK

