

ELLIS COUNTY COMMISSIONERS COURT  
OFFICIAL MINUTES – AUGUST 20, 2024

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, AUGUST 20, 2024, 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: TINA CHAMBERS, CHIEF 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 PONDER, SECONDED BY COMMISSIONER BUTLER, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE: *PRECINCT 4 COMMISSIONER KYLE BUTLER*

**CONSENT AGENDA: MINUTE ORDER 388.24**

**ADMINISTRATIVE:**

- A.1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.2 APPROVING OF THE JULY 2024 MONTHLY TREASURER'S REPORT, PURSUANT TO LOCAL GOVERNMENT CODE §114.025. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.3 APPROVING THE COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM AUGUST 6, 2024. – *COUNTY CLERK KRYSTAL VALDEZ*
- A.4 ACCEPTING OF A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM JULY 13<sup>TH</sup> – AUGUST 9<sup>TH</sup>, 2024, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – *COUNTY AUDITOR STACI PARR*
- A.5 ACCEPTING OF THE MONTHLY AUDITOR'S REPORT FOR JULY 2024, PURSUANT TO LOCAL GOVERNMENT CODE §114.025. – *COUNTY AUDITOR STACI PARR*
- A.6 ACCEPTING OF THE JULY 2024 CASH AUDIT REPORTS. – *COUNTY AUDITOR STACI PARR*
- A.7 ACCEPTING OF THE AUDIT REPORT FOR EMERGENCY SERVICES DISTRICT #2 (MIDLOTHIAN), PURSUANT TO HEALTH AND SAFETY CODE §775.082. – *FIRE MARSHAL TIM BIRDWELL*
- A.8 ACCEPTING OF THE AUDIT REPORT FOR EMERGENCY SERVICES DISTRICT #4 (RED OAK), PURSUANT TO HEALTH AND SAFETY CODE §775.082. – *FIRE MARSHAL TIM BIRDWELL*

- A.9 ACCEPTING OF THE AUDIT REPORT FOR EMERGENCY SERVICES DISTRICT #9 (PALMER), PURSUANT TO HEALTH AND SAFETY CODE §775.082. – *FIRE MARSHAL TIM BIRDWELL*
- A.10 APPROVING OF THE JUSTICE OF THE PEACE, PRECINCT 1 MONTHLY REPORT FOR JULY 2024, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE CHRIS MACON, JUSTICE OF THE PEACE, PCT. 1*
- A.11 APPROVING OF THE JUSTICE OF THE PEACE, PRECINCT 2 MONTHLY REPORT FOR JULY 2024, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE JACKIE MILLER, JUSTICE OF THE PEACE, PCT. 2*
- A.12 ACCEPTING THE CONTINUING EDUCATIONAL TRAINING HOURS FOR COMMISSIONER LOUIS PONDER, PCT. 3 FOR THE V.G. YOUNG NORTH AND EAST COUNTY JUDGES AND COMMISSIONERS ANNUAL CONFERENCE JULY 15-18, 2024. – *PRECINCT 3 COMMISSIONER LOUIS PONDER*
- A.13 APPROVING OF A RESOLUTION ASSIGNING PRIVATE ACTIVITY BOND AUTHORITY FOR THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS. – *COUNTY JUDGE TODD LITTLE*

**FINANCIAL:**

- F.1 FY2024 LINE-ITEM TRANSFER – *COUNTY CLERK KRYSTAL VALDEZ*  
 DECREASE 001-0320-506010 (MILEAGE REIMBURSEMENT) BY \$1,500.00  
 DECREASE 001-0320-507030 (TELEPHONE) BY \$3,700.00  
 DECREASE 001-0320-508010 (SUPPLIES) BY \$7,300.00  
 DECREASE 001-0320-508050 (CONFERENCE) BY \$1,450.00  
 DECREASE 001-0320-508060 (BONDS/DUES) BY \$900.00  
 DECREASE 001-0320-508230 (LEGAL NOTICES) BY \$200.00  
 DECREASE 001-0320-508350 (TRAINING) BY \$300.00  
 INCREASE 001-0320-508030 (FURNITURE/FIXTURES) BY \$11,462.10  
 INCREASE 001-0320-508020 (EQUIPMENT) BY \$3,134.90  
 INCREASE 001-0320-508680 (CONTRACT SERVICES) BY \$753.00
- F.2 FY2024 LINE-ITEM TRANSFER – *DEPARTMENT OF DEVELOPMENT DIRECTOR ALBERTO MARES*  
 DECREASE 001-0060-508680 (CONTRACT SERVICES) BY \$16,500.00  
 INCREASE 001-0060-508190 (COMPUTER EQUIPMENT) BY \$16,000.00  
 INCREASE 001-0060-508010 (SUPPLIES) BY \$500.00
- F.3 FY2024 LINE-ITEM TRANSFER – *I.T. DIRECTOR JOCELYN KING*  
 DECREASE 001-0035-508010 (SUPPLIES) BY \$400.00  
 INCREASE 001-0035-508080 (AUTO/GAS/OIL) BY \$400.00
- F.4 FY2024 LINE-ITEM TRANSFER – *HUMAN RESOURCES DIRECTOR SHARON MANCILLA*  
 DECREASE 001-0425-508680 (CONTRACT SERVICES) BY \$400.00  
 DECREASE 001-0425-508650 (EMPLOYMENT) BY \$2,000.00  
 INCREASE 001-0425-506010 (MILEAGE REIMBURSEMENT) BY \$100.00  
 INCREASE 001-0425-508050 (CONFERENCE) BY \$200.00  
 INCREASE 001-0425-508010 (SUPPLIES) BY \$2,100.00
- F.5 FY2024 LINE-ITEM TRANSFER – *THE HONORABLE JACKIE MILLER, JR., JUSTICE OF THE PEACE, PRECINCT 2*  
 DECREASE 001-0520-506020 (STAFF TRAVEL) BY \$1,100.00  
 DECREASE 001-0520-508120 (RADIO) BY \$250.00  
 DECREASE 001-0520-508730 (MAINT-RPS) BY \$1,000.00  
 DECREASE 001-0520-508010 (SUPPLIES) BY \$500.00  
 INCREASE 001-0520-508050 (CONFERENCE) BY \$1,100.00  
 INCREASE 001-0520-508680 (CONTRACT SERVICES) BY \$250.00

- INCREASE 001-0520-508740 (DOCKET BOOKS PRINTING) BY \$1,000.00  
 INCREASE 001-0520-508060 (OFFICIAL BONDS) BY \$500.00
- F.6 FY2024 LINE-ITEM TRANSFER – *PRECINCT 4 COMMISSIONER KYLE BUTLER*  
 DECREASE 012-0755-508070 (OPERATING EXPENDITURES) BY \$12,000.00  
 INCREASE 012-0755-509090 (PARTS & REPAIRS) BY \$12,000.00
- F.7 FY2024 LINE-ITEM TRANSFER – *PRECINCT 4 COMMISSIONER KYLE BUTLER*  
 DECREASE 006-0754-570000 (CONTINGENCY SURPLUS) BY \$489,637.49  
 INCREASE 006-0754-508020 (PURCHASE OF EQUIPMENT) BY \$489,637.49
- F.8 FY2024 LINE-ITEM TRANSFER – *SHERIFF BRAD NORMAN*  
 DECREASE 001-0010-506490 (EMPLOYEE RECOGNITION) BY \$351.81  
 INCREASE 042-0942-4000870 (SHERIFF FORFEITURE) BY \$325.00  
 INCREASE 001-0010-508850 (SALES TAX) BY \$26.81
- F.9 FY2024 LINE-ITEM TRANSFER – *PRECINCT 2 COMMISSIONER LANE GRAYSON*  
 DECREASE 010-0653-509100 (FM2 GAS/OIL) BY \$15,000.00  
 DECREASE 010-0653-509150 (FM2 ASPHALT) BY \$15,000.00  
 INCREASE 010-0653-509090 (FM2 REPAIRS/PARTS) BY \$30,000.00
- F.10 FY2024 LINE-ITEM TRANSFER – *PRECINCT 1 COMMISSIONER RANDY STINSON*  
 DECREASE 009-0602-570000 (FM1 CONTINGENCY) BY \$130,000.00  
 INCREASE 009-0602-508680 (CONTRACT SERVICES) BY \$100,000.00  
 INCREASE 009-0602-509100 (FUEL) BY \$30,000.00
- F.11 FY2024 LINE-ITEM TRANSFER – *LAW LIBRARY DIRECTOR SAFAA CLOUD*  
 DECREASE 019-0919-506010 (MILEAGE REIMBURSEMENT) BY \$250.00  
 DECREASE 019-0919-508850 (SALES TAX) BY \$300.00  
 INCREASE 019-0919-508020 (EQUIPMENT) BY \$550.00
- F.12 FY2024 LINE-ITEM TRANSFER – *PRECINCT 3 CONSTABLE CURTIS POLK, JR.*  
 DECREASE 001-0613-508210 (UNIFORM EXPENSES) BY \$569.62  
 DECREASE 001-0613-508010 (SUPPLIES) BY \$36.38  
 DECREASE 001-0613-508020 (EQUIPMENT) BY \$27.90  
 INCREASE 001-0613-508090 (AUTO REPAIRS) BY \$338.90  
 INCREASE 001-0613-508350 (TRAINING) BY \$295.00
- F.13 ACCEPTING AUCTION PROCEEDS FROM RENE BATES AUCTIONEERS, INC. IN THE AMOUNT OF \$34,993.68 BY ROAD & BRIDGE PRECINCT 4 AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET OF UNANTICIPATED REVENUE: INCREASE 006-0754-508020 (PURCHASE OF EQUIPMENT) BY \$34,993.68 PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *COUNTY AUDITOR STACI PARR*
- F.14 ACCEPTING INSURANCE REIMBURSEMENTS FROM SEDGWICK CLAIMS MANAGEMENT IN THE AMOUNT OF \$9,967.00 AND FROM CONSUMERS COUNTY MUTUAL INSURANCE IN THE AMOUNT OF \$8,869.83 (TOTAL AMOUNT OF \$18,836.83) BY ROAD & BRIDGE PRECINCT 4 AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET OF UNANTICIPATED REVENUE: INCREASE 006-0754-508020 (PURCHASE OF EQUIPMENT) BY \$18,836.83. PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *COUNTY AUDITOR STACI PARR*

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

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

**DEPARTMENT OF DEVELOPMENT**

**MINUTE ORDER 389.24** (1.1) RATIFYING STAFF ACTION ON AN AMENDING PLAT OF WILLIAM GRIFFIN ADDITION, LOTS 3 & 4, BLOCK A. THE ± 9.495-ACRE SITE IS LOCATED AT THE NORTHEAST INTERSECTION OF WEST STATE HIGHWAY 34 AND BOZEK LANE, ENNIS, ROAD AND BRIDGE PRECINCT No. 2.

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

**MINUTE ORDER 390.24** (1.2) RATIFYING STAFF ACTION ON A PLAT OF BERRYHILL ESTATES 1<sup>ST</sup> INSTALLMENT, LOTS 1 & 2. THE ± 2.140-ACRE SITE IS LOCATED ± 1,350 FEET SOUTHWEST OF THE INTERSECTION OF FM 2258 AND FM 157, SITUATED IN THE LEEMAN KELSEY SURVEY, ABSTRACT NO. 594, LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF VENUS, ROAD AND BRIDGE PRECINCT No. 4.

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

**MINUTE ORDER 391.24** (1.3) RATIFYING STAFF ACTION ON PLAT OF BERRYHILL ESTATES 2<sup>ND</sup> INSTALLMENT, LOTS 3 & 4. THE ± 2.130-ACRE SITE IS LOCATED ± 1,700 FEET SOUTHWEST OF THE INTERSECTION OF FM 2258 AND FM 157, SITUATED IN THE LEEMAN KELSEY SURVEY, ABSTRACT NO. 594, LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF VENUS, ROAD AND BRIDGE PRECINCT No. 4.

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

**MINUTE ORDER 392.24** (1.4) RATIFYING STAFF ACTION ON A PLAT OF SPROUL ACRES, LOT 1, BLOCK 1. THE ± 3.426-ACRE SITE IS LOCATED ± 2,200 FEET SOUTH OF THE INTERSECTION OF WEST HIGHLAND ROAD AND BRYSON LANE, SITUATED IN THE A.R. NEWTON SURVEY, ABSTRACT NO. 793, LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF MIDLOTHIAN, ROAD AND BRIDGE PRECINCT No. 4.

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

**PURCHASING**

**MINUTE ORDER 393.24** (2.1) APPROVING TO DECLARE THE FOLLOWING ITEMS AS SURPLUS AND THEN TO DONATE THEM TO THE TEXAS STATE GUARD HAM RADIO UNIT:

HANDHELD RADIOS		
MAKE	MODEL	QTY.
KENWOOD	TK-5520	3

KENWOOD	TK-2170	22
VERTEX	VX180V	5
KENWOOD	272G	3
KENWOOD	2160	6
MOTOROLA	RADIUS CP200	1
VEHICLE TYPE RADIOS		
<b>MAKE</b>	<b>MODEL</b>	<b>QTY</b>
MOTOROLA RADIUS	SM50-1	1
MOTOROLA RADIUS	M1225	3
MOTOROLA RADIUS	CM300	6
MOTOROLA RADIUS	GM300	8
MOTOROLA	MAX TRAK	3
MOTOROLA	XTL2500	1
MOTOROLA	1250	3
KENWOOD	7180	2
KENWOOD	900	1
KENWOOD	5720	1
KENWOOD	760G	2
KENWOOD	7520	1
COMTEX	TM8200	7
AEROWAVE	TM9155	1
YAESU	FT8900R	2
	<b>TOTAL</b>	<b>42</b>

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

**MINUTE ORDER 394.24** (2.2) APPROVING OF HOK TASK ORDER #2 COURTS AND ADMINISTRATION REMODEL USING THE MASTER SERVICES AGREEMENT (MSA) BETWEEN ELLIS COUNTY AND HOK, INC. (MINUTE ORDER #147.22) FOR ENGINEERING DESIGN SERVICES FOR REPLACEMENT OF A CHILLER SERVING THE COURTS AND ADMINISTRATION BUILDING IN THE AMOUNT OF \$10,500.00.

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

**MINUTE ORDER 395.24** (2.3) DECLARING THE LISTED ITEMS FROM THE SHERIFF'S OFFICE AS SURPLUS TO BE DISPOSED OF IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 263:

DESCRIPTION	MANUFACTURER	MODEL	YEAR	SERIAL No.
AUTOMOBILE	ACURA	MDX	2002	2HNYD18282H517476
TRUCK	FORD	F350	2000	1FTWW32FXE13652
TRUCK	CHEVROLET	AVALANCHE	2007	3GNEC12037G248059
TRUCK	CHEVROLET	SILVERADO	2003	1GCHK29UX3E218839
TRUCK	DODGE	RAM 1500	2012	1C6RD6KP3CS166473

SUV	FORD	K7D EXPLORER XLT	2013	1FM5K7D8XDGB71176
TRUCK	DODGE	RAM 1500	2012	1C6RD6KP5CS166474
TRUCK	CHEVROLET	SILVERADO	2011	3GCPCPEA9BG210367
TRUCK	CHEVROLET	C1500	2006	1GCEC19V26Z300340
SUV	CHEVROLET	TAHOE	2012	1GNSCAE02CR160516
TRUCK	CHEVROLET	SILVERADO	2015	1GCVKREC4FZ163276
TRUCK	FORD	F150	2010	1FTEW1CV2AFA07276

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

**MINUTE ORDER 396.24** (2.4) DECLARING A 1988 BOMAG RECYCLER, VIN 85831 FROM ROAD & BRIDGE PRECINCT 4 AS SURPLUS AND TO BE DISPOSED OF ACCORDANCE WITH LGC 263.

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

**MINUTE ORDER 397.24** (2.5) APPROVING THE PURCHASE OF A 2024 BOMAG RECLAIMER FROM R.B. EVERETT & CO. USING SOURCEWELL CONTRACT #060122-BA IN THE AMOUNT OF \$543,468.00 FOR COMMISSIONER, PRECINCT 4.

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

**MINUTE ORDER 398.24** (2.6) APPROVING TO ADVERTISE AND SOLICIT A REQUEST FOR BIDS FOR FLEX BASE, TYPE A, GRADE 1-2 COMBINATION MIX.

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

**ADMINISTRATIVE**

**MINUTE ORDER 399.24** (3.1) APPROVING OF A VARIANCE FOR PID 190189 TO DELAY PLATTING, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE VARIANCE FOR A DEVELOPMENT PERMIT BEFORE PLATTING SHALL ONLY BE FOR ONE ACCESSORY STRUCTURE OF APPROXIMATELY 2,400 SQUARE FEET.
2. THE PROPERTY OWNER/APPLICANT SHALL SUBMIT A PLAT WITHIN A PERIOD NOT TO EXCEED (4) MONTHS FROM THIS DATE OF APPROVAL.
3. IF NO PLAT IS SUBMITTED WITHIN THE TIME FRAME ABOVE, ALL ASSOCIATED PERMITS ON THIS PROPERTY SHALL BE REVOKED, AND PROCEEDINGS TO GO TO COURT SHALL BEGIN IMMEDIATELY.

PUBLIC PARTICIPATION: TOMMY MITCHELL, AGENT

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

(TO AGENDA ITEM 3.3)

**MINUTE ORDER 400.24** (3.3) APPROVING TO ENACT A BURN BAN IN ELLIS COUNTY. – *FIRE MARSHAL  
TIM BIRDWELL*

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

**NO ACTION** (3.4) DISCUSSION REGARDING THE FISCAL YEAR 2025 PROPOSED BUDGET. NO ACTION WILL BE  
TAKEN. – *COUNTY JUDGE TODD LITTLE, RYAN GARRETT, CHIEF OF STAFF*

**PUBLIC HEARING (P.1)**

MOTION TO OPEN P.1 BY COMMISSIONER PONDER, SECONDED BY COMMISSIONER GRAYSON, MOTION CARRIED

(P.1) PUBLIC HEARING REGARDING THE FISCAL YEAR 2025 PROPOSED BUDGET.

**\*\*NO PUBLIC PARTICIPATION\*\***

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

**PUBLIC HEARING (P.2)**

MOTION TO OPEN P2 BY COMMISSIONER GRAYSON, SECONDED BY COMMISSIONER PONDER, MOTION CARRIED

(P.2) PUBLIC HEARING REGARDING ELECTED OFFICIAL SALARIES.

**\*\*NO PUBLIC PARTICIPATION\*\***

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

**MINUTE ORDER 401.24** (3.5) APPROVING TO THE SET SALARIES FOR ELECTED OFFICIALS. – *COUNTY  
JUDGE TODD LITTLE*

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

## **PUBLIC HEARING (P.3)**

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

(P.3) CONDUCT A PUBLIC HEARING TO DISCUSS SETTING THE MANDATORY PAYMENT RATE FOR FISCAL YEAR 2025 APPLICABLE TO ELLIS COUNTY'S LOCAL PROVIDER PARTICIPATION PROGRAM. THE ELLIS COUNTY COMMISSIONERS' COURT WILL HOLD THE PUBLIC HEARING PURSUANT TO CHAPTER 296A OF THE TEXAS HEALTH & SAFETY CODE, WHICH AUTHORIZED THE CREATION OF ELLIS COUNTY LOCAL PROVIDER PARTICIPATION PROGRAM. PUBLIC HEARING TO 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.

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

**MINUTE ORDER 402.24** (3.6) SETTING THE MANDATORY PAYMENT RATE TO 6% FOR FISCAL YEAR 2025, PURSUANT TO CHAPTER 296A OF THE TEXAS HEALTH & SAFETY CODE. – *COUNTY TREASURER CHERYL CHAMBERS*

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

## **RECESS TO EXECUTIVE SESSION 3:16 P.M.**

MOTION TO RECESS BY COMMISSIONER PONDER, 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 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 LITIGATION CONCERNING THE SETTLEMENT IN CAUSE No. 109725 IN THE 40<sup>TH</sup> DISTRICT COURT, STYLED ELLIS COUNTY, TEXAS V. PAYNECON, INCORPORATED, AKA, PAYNE CONCRETE, INC., ET.AL.
- 4.3 PURSUANT TO GOVERNMENT CODE §551.071 (1), CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION CONCERNING THE LETTER FROM ONCOR.

- 4.4 PURSUANT TO GOVERNMENT CODE §551.087 TO DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS RELATING TO COUNTY OWNED PROPERTY.

**RECONVENED TO REGULAR SESSION 5:20 P.M.**

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

(TO AGENDA ITEM 3.2)

**MINUTE ORDER 403.24** (3.2) APPROVING FOR THE COUNTY JUDGE TO SIGN AN EXTENSION TO WELLPATH FOR INMATE MEDICAL FROM OCTOBER 1 TO DECEMBER 15, 2024. THIS ADJUSTMENT IS A 4.5% INFLATIONARY ADJUSTMENT AND INCLUDES AN INCREASE THAT WAS REQUESTED. APPROVING OF THE \$100,000.00 EXTENSION FEE, FOR A TOTAL CONTRACT EXTENSION AMOUNT OF \$697,042.63. – *INDIGENT HEALTH COORDINATOR TERRI KLEIN*

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

(TO AGENDA ITEM 3.7)

**MINUTE ORDER 404.24** (3.7) APPROVING FOR THE COUNTY JUDGE TO SIGN A LEASE AGREEMENT BETWEEN ELLIS COUNTY AND HAIGHT, TAYLOR, McCLAIN LLC (HTM) FOR A ONE-YEAR TERM, IN AN AMOUNT OF \$5,500.00 PER MONTH. – *COUNTY JUDGE TODD LITTLE AND PURCHASING AGENT EJ HARBIN*

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

**NO ACTION** (3.8) DISCUSSION, CONSIDERATION, AND ACTION ON THE RESOLUTION OF PENDING LITIGATION CONCERNING THE SETTLEMENT IN CAUSE NO. 109725 IN THE 40<sup>TH</sup> DISTRICT COURT, STYLED ELLIS COUNTY, TEXAS V. PAYNECON, INCORPORATED, AKA, PAYNE CONCRETE, INC., ET. AL.

**MINUTE ORDER 405.24** APPROVING TO SCHEDULE A SPECIAL MEETING FOR TUESDAY, AUGUST 27<sup>TH</sup>, 2024 AT 10:00 A.M. TO SET THE PROPOSED TAX RATE.

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

**ADJOURNMENT      5:23 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON AUGUST 20, 2024 ARE HEREBY APPROVED.

PRESIDING OFFICER:

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

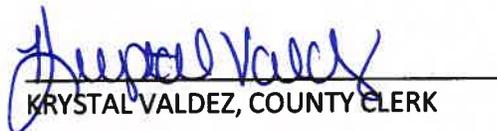
  
\_\_\_\_\_  
RANDY STINSON, COMMISSIONER, PCT 1

  
\_\_\_\_\_  
LOUIS PONDER, COMMISSIONER, PCT 3

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

  
\_\_\_\_\_  
KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 3<sup>RD</sup> DAY OF SEPTEMBER 2024.

  
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KRYSTAL VALDEZ, COUNTY CLERK