

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – SEPTEMBER 17, 2024

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, SEPTEMBER 17, 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 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 STINSON, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE: *COUNTY JUDGE TODD LITTLE*

CONSENT AGENDA: MINUTE ORDER 428.24

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 SEPTEMBER 3, 2024. – *COUNTY CLERK KRYSTAL VALDEZ*
- A.3 APPROVING OF COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM SEPTEMBER 10, 2024. – *COUNTY CLERK KRYSTAL VALDEZ*
- A.4 APPROVING OF THE JUSTICE OF THE PEACE, PRECINCT 1 MONTHLY REPORT FOR AUGUST 2024, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE CHRIS MACON, JP, PCT. 1*
- A.5 ACCEPTING OF THE RESIGNATION OF BRIAN ALMAND FROM THE BOARD OF DIRECTORS OF EMERGENCY SERVICES DISTRICT #7, EFFECTIVE IMMEDIATELY. – *FIRE MARSHAL TIM BIRDWELL*
- A.6 APPROVING TO APPOINT ERIC KEATHLY TO THE BOARD OF DIRECTORS OF EMERGENCY SERVICES DISTRICT #7 FOR A TERM ENDING DECEMBER 31ST, 2025. – *FIRE MARSHAL TIM BIRDWELL*
- A.7 APPROVING FOR THE COUNTY & DISTRICT ATTORNEY TO SIGN GRANT AGREEMENT FROM THE TEXAS COMPTROLLER UNDER S.B. 22, THE RURAL PROSECUTOR'S ACT. – *COUNTY & DISTRICT ATTORNEY ANN MONTGOMERY*
- A.8 APPROVING TO CANCEL THE SCHEDULED COMMISSIONERS' COURT MEETING ON SEPTEMBER 24, 2024. – *COUNTY JUDGE TODD LITTLE*

FINANCIAL CONSENT:

- F.1 FY2024 LINE-ITEM TRANSFER – *THE HONORABLE BOB CARROLL, 40TH DISTRICT COURT JUDGE*
DECREASE 001-0180-508020 (EQUIPMENT) BY \$700.00
INCREASE 001-0180-506980 (LAW BOOKS/DUES) BY \$700.00
- F.2 FY2024 LINE-ITEM TRANSFER – *TEXAS AGRILIFE EXTENSION SERVICE DIRECTOR MARK ARNOLD*
DECREASE 001-0050-508050 (CONFERENCE) BY \$600.00
INCREASE 001-0050-508190 (COMPUTER EQUIPMENT) BY \$600.00
- F.3 FY2024 LINE-ITEM TRANSFER – *TEXAS AGRILIFE EXTENSION SERVICE DIRECTOR MARK ARNOLD*
DECREASE 001-0050-508030 (FURNITURE/FIXTURES) BY \$400.00
INCREASE 001-0050-508010 (SUPPLIES) BY \$400.00
- F.4 FY2024 LINE-ITEM TRANSFER – *COUNTY CLERK KRYSTAL VALDEZ*
DECREASE 001-0320-508010 (SUPPLIES) BY \$100.00
INCREASE 001-0320-506010 (MILEAGE REIMBURSEMENT) BY \$100.00
- F.5 FY2024 LINE-ITEM TRANSFER – *TAX COLLECTOR RICHARD ROZIER*
DECREASE 001-0370-507030 (TELEPHONE) BY \$6,500.00
DECREASE 001-0370-508880 (COMPUTER SERVICES) BY \$2,650.00
DECREASE 001-0370-508090 (AUTO REPAIRS) BY \$250.00
DECREASE 001-0370-508090 (AUTO REPAIRS) BY \$210.00
DECREASE 001-0370-506010 (MILEAGE REIMBURSEMENT) BY \$1,600.00
DECREASE 001-0370-508060 (OFFICIAL BOND/DUES) BY \$1,475.00
INCREASE 001-0370-508010 (SUPPLIES) BY \$6,500.00
INCREASE 001-0370-508350 (TRAINING) BY \$2,650.00
INCREASE 001-0370-508080 (AUTO GAS/OIL) BY \$250.00
INCREASE 001-0370-508050 (CONFERENCE) BY \$210.00
INCREASE 001-0370-508040 (POSTAGE) BY \$1,600.00
INCREASE 001-0370-508040 (POSTAGE) BY \$1,475.00
- F.6 FY2024 LINE-ITEM TRANSFER – *TAX COLLECTOR RICHARD ROZIER*
DECREASE 001-0370-505020 (SALARIES – F/T) BY \$19,430.00
INCREASE 001-0370-508730 (MAINT/Ofc EQUIP) BY \$2,400.00
INCREASE 001-0370-508070 (CONFERENCE) BY \$500.00
INCREASE 001-0370-508060 (BONDS/DUES) BY \$30.00
INCREASE 001-0370-508350 (TRAINING) BY \$500.00
INCREASE 001-0370-508010 (SUPPLIES) BY \$16,000.00
- F.7 FY2024 LINE-ITEM TRANSFER – *COUNTY TREASURER CHERYL CHAMBERS*
DECREASE 001-0400-508350 (TRAINING) BY \$1,800.00
INCREASE 001-0400-508010 (SUPPLIES) BY \$300.00
INCREASE 001-0400-508050 (CONFERENCE) BY \$1,500.00
- F.8 FY2024 LINE-ITEM TRANSFER – *EMERGENCY MANAGEMENT COORDINATOR MICHAELA SANDEFER*
DECREASE 001-0430-508100 (AUTO TIRES) BY \$400.00
INCREASE 001-0430-508110 (AUTO PURCHASE/INSURANCE) BY \$300.00
INCREASE 001-0430-508150 (UNIFORM EXPENSE) BY \$100.00
- F.9 FY2024 LINE-ITEM TRANSFER – *SHERIFF BRAD NORMAN*
DECREASE 001-0015-505020 (SALARIES) BY \$538,000.00

INCREASE 001-0015-505022 (OVERTIME) BY \$400,000.00
INCREASE 001-0015-505030 (CERTIFICATION PAY) BY \$6,400.00
INCREASE 001-0015-508010 (SUPPLIES) BY \$25,000.00
INCREASE 001-0015-508030 (FURNITURE) BY \$5,000.00
INCREASE 001-0015-508120 (RADIO) BY \$600.00
INCREASE 001-0015-508140 (INMATE FEEDING) BY \$101,000.00

- F.10 FY2024 LINE-ITEM TRANSFER – *SHERIFF BRAD NORMAN*
DECREASE 001-0010-505020 (SALARIES) BY \$79,000.00
INCREASE 001-0010-506020 (STAFF TRAVEL & EXPENSE) BY \$2,200.00
INCREASE 001-0010-507020 (REPAIRS) BY \$2,500.00
INCREASE 001-0010-507040 (PEST CONTROL) BY \$750.00
INCREASE 001-0010-508040 (SHIPPING) BY \$1,000.00
INCREASE 001-0010-508090 (AUTO REPAIRS) BY \$35,000.00
INCREASE 001-0010-508100 (AUTO TIRES) BY \$250.00
INCREASE 001-0010-508570 (PERIPHERAL) BY \$5,000.00
INCREASE 001-0010-508890 (TRANSPORT EXPENSE) BY \$20,000.00
INCREASE 001-0010-509020 (K9 SUPPLIES) BY \$7,300.00
INCREASE 001-0010-509960 (CONTRACT SVC-RADIO AGREEMENT) BY \$5,000.00

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

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 429.24 (1.1) DENYING A VARIANCE REQUEST TO VOLUME I, SECTION IV(A) OF THE SUBDIVISION & DEVELOPMENT STANDARDS REGARDING THE MINIMUM PUBLIC ROAD FRONTAGE REQUIREMENTS FOR PARCEL ID 192089. THIS 27.391-ACRE SITE IS LOCATED ± 2,000 FEET NORTH OF THE INTERSECTION OF FM 878 AND RIOS ROAD, PALMER, ROAD AND BRIDGE PRECINCT NO. 1.

PUBLIC PARTICIPATION: MAGHANN HERNANDEZ, SELLERS REPRESENTATIVE

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

MINUTE ORDER 430.24 (1.2) APPROVING TO AMEND THE CONDITIONS OF THE PREVIOUSLY APPROVED VARIANCE REQUEST FOR PARCEL ID No. 294695 FROM VOLUME I, SECTION IV (A)(2)(RESIDENTIAL LOTS) OF THE SUBDIVISION & DEVELOPMENT STANDARDS. THE PROPERTY CONTAINS ± 64.81 ACRES OF LAND LOCATED ON THE NORTH SIDE OF FM 1181, ± 1,475 FEET EAST OF THE INTERSECTION OF FM 1181 AND ALLARD ROAD, ENNIS, ROAD AND BRIDGE PRECINCT NO. 2, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) ANY FURTHER SUBDIVISION OF THIS PROPERTY SHALL REQUIRE A PLAT MEETING THOSE REGULATIONS IN EFFECT AT THE TIME OF PLATTING.
- 2) 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. ANYTHING BEYOND THE SECOND RESIDENTIAL STRUCTURE SHALL TRIGGER THE MULTI-TENANT DEVELOPMENT CRITERIA IN EFFECT AT THAT TIME.

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

MINUTE ORDER 431.24 (1.3) RATIFYING STAFF ACTION ON PLAT OF LANGLEY ADDITION LOTS 1 & 2, BLOCK A. THE ± 0.858-ACRE SITE IS LOCATED AT THE NORTHEAST INTERSECTION OF FM 34 AND HEMPHILL STREET, SITUATED IN ELLIS COUNTY LAND SCHOOL SURVEY, ABSTRACT 329, AVALON, ROAD AND BRIDGE PRECINCT No. 2.

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

MINUTE ORDER 432.24 (1.4) APPROVING A PLAT OF AMERICASE BUSINESS PARK, LOTS 4A & 4B, BEING A REPLAT OF AMERICASE BUSINESS PARK, LOT 4. THE PROPERTY CONTAINS ± 6.06 ACRES OF LAND, LOCATED AT THE NORTHWEST INTERSECTION OF PERIMETER ROAD AND HOYT ROAD, WAXAHACHIE, ROAD AND BRIDGE PRECINCT No. 3, SUBJECT TO CONDITIONS:

- 1) UPDATE THE OSSF STATEMENT TO MATCH THE SAMPLE PLAT ATTACHED
- 2) SHOW ROW FROM THE CENTERLINE ON BOTH ROADS
- 3) LABEL THE ETJ CITY LIMIT LINES.

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

PURCHASING

MINUTE ORDER 433.24 (2.1) APPROVING TO SURPLUS AND DONATE TWO OFFICE DESKS FROM THE SHERIFF'S OFFICE TO TEXAS DEPARTMENT OF PUBLIC SAFETY (1720 E MAIN, WAXAHACHIE).

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

MINUTE ORDER 434.24 (2.2) APPROVING THE PURCHASE OF FIREARMS AND ACCESSORIES IN AN AMOUNT OF \$128,788.49 FROM GT DISTRIBUTORS, INC. USING THE BUYBOARD COOPERATIVE CONTRACT # 698-23, FOR THE ELLIS COUNTY SHERIFF'S OFFICE.

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

MINUTE ORDER 435.24 (2.3) APPROVING TO GRANT AN EXEMPTION UNDER LOCAL GOVERNMENT CODE §262.024 (7) (THE SOLE SOURCE EXEMPTION) FROM THE BIDDING REQUIREMENTS OF LOCAL

GOVERNMENT CODE §262.023 FOR THE MAINTENANCE OF PROPRIETARY EQUIPMENT WITH EXPRESSVOTE BMD'S.

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

MINUTE ORDER 436.24 (2.4) AUTHORIZING TO PURCHASE HARDWARE MAINTENANCE SERVICES FOR 350 EXPRESSVOTE BMD'S FOR AN AMOUNT OF \$47,250.00 FROM ELECTIONS SYSTEMS & SOFTWARE USING THE APPROVED SOLE SOURCE EXEMPTION (MINUTE ORDER #310.23)

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

MINUTE ORDER 437.24 (2.5) APPROVING OF AN INTERLOCAL AGREEMENT BETWEEN GRAYSON COUNTY AND ELLIS COUNTY IN ACCORDANCE WITH THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE.

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

MINUTE ORDER 438.24 (2.6) APPROVING THE RENEWAL AGREEMENT WITH HIBBS-HALLMARK FOR THE COMPREHENSIVE INSURANCE FOR ELLIS COUNTY. RENEWAL TERM IS FROM OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025.

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

(TO AGENDA ITEM 2.10)

MINUTE ORDER 439.24 (2.10) APPROVING OF THE RENEWAL OF THE CIVIC PLUS CONTRACT FOR THE COUNTY WEBSITE IN THE AMOUNT OF \$29,179.41 FOR FISCAL YEAR 2025.

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

ADMINISTRATIVE

MINUTE ORDER 440.24 (3.1) APPROVING TO CLARIFY AND RATIFY THE ADOPTED FISCAL YEAR 2025 TAX RATE:
TOTAL TAX RATE = 0.273992 PER HUNDRED DOLLARS OF TAXABLE VALUE.
M&O = 0.245488 PER HUNDRED DOLLARS OF TAXABLE VALUE.
I&S = 0.009869 PER HUNDRED DOLLARS OF TAXABLE VALUE.
FM = 0.018635 PER HUNDRED DOLLARS OF TAXABLE VALUE.

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

MINUTE ORDER 441.24 (3.2) APPROVING TO RENEW THE TEXAS ASSOCIATION OF COUNTIES (TAC) WORKERS' COMPENSATION PROGRAM FOR THE 2025 PLAN YEAR AND SUBMIT POLL DOCUMENTATION NECESSARY FOR THE POOL TO PROPERLY UNDERWRITE THE RENEWAL, INCLUDING APPROVAL FOR THE COUNTY JUDGE TO SIGN ALL RENEWAL DOCUMENTATION. – *HR DIRECTOR SHARON MANCILLA*

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

MINUTE ORDER 442.24 (3.3) APPROVING TO RENEW THE CURRENT COUNTY SILVER RETIREE HEALTH INSURANCE COVERAGE AND PREMIUMS THROUGH THE TEXAS ASSOCIATION OF COUNTIES HEALTH AND EMPLOYEE BENEFITS POOL (TAC HEBP) FOR CALENDAR YEAR 2025, AND APPROVING FOR THE COUNTY JUDGE TO SIGN THE RENEWAL. –*HR DIRECTOR SHARON MANCILLA*

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

TABLED (3.4) DISCUSSION, CONSIDERATION, AND APPROVAL OF LOGIC INVESTMENT POOL AS AN AUTHORIZED INVESTMENT. – *COUNTY TREASURER CHERYL CHAMBERS*

TABLED (3.5) DISCUSSION, CONSIDERATION, AND APPROVAL OF APPLICATION OF PARTICIPATION IN LOCAL GOVERNMENT INVESTMENT COOPERATIVE (LOGIC). – *COUNTY TREASURER CHERYL CHAMBERS*

NO ACTION (3.6) DISCUSSION, CONSIDERATION, AND ACTION REGARDING THE ONGOING BURN BAN. – *FIRE MARSHAL TIM BIRDWELL*

RECESS TO EXECUTIVE SESSION 3:00 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 §551.074, DELIBERATION ON THE DUTIES OF A PUBLIC EMPLOYEE, SPECIFICALLY THE PURCHASING DEPARTMENT AND THEIR DUTIES IN REGARD TO CONTRACTS.

RECONVENED TO REGULAR SESSION 4:28 P.M.

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

(TO AGENDA ITEM 2.7)

MINUTE ORDER 443.24 (2.7) APPROVING TO AWARD RFB-2024-011 HOURLY RATES FOR BRIDGE AND HEADWALL REPAIR, TO J&K EXCAVATION, LLC AND SANDERS CREEK CONSTRUCTION, LLC.

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

MINUTE ORDER 444.24 (2.8) APPROVING TO AWARD RFB-2024-010 PAVEMENT REHABILITATION AND RESURFACING SERVICES TO ADVANCE PAVING ACQUISITION LTD. D/B/A ADVANCING PAVING COMPANY AND TEXAS MATERIALS GROUP.

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

MINUTE ORDER 445.24 (2.9) APPROVING TO AWARD RFB-2024-008 BEHAVIORAL HEALTH ASSESSMENTS FOR THE VETERAN'S TREATMENT COURT AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE A CONTRACT WITH CARE STAR BEHAVIORAL HEALTH SERVICES LLC, SUBJECT TO LEGAL REVIEW.

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

ADJOURNMENT 4:30 P.M.

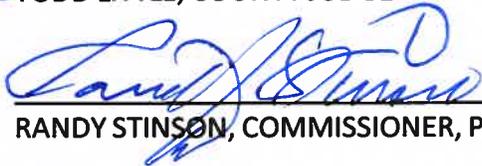
MOTION TO ADJOURN BY COMMISSIONER STINSON, SECONDED BY COMMISSIONER PONDER, MOTION CARRIED

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON SEPTEMBER 17, 2024
ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



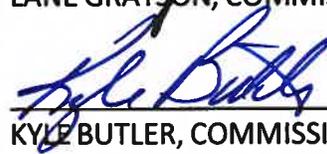
RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2

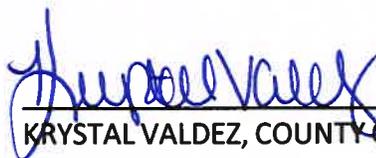


LOUIS PONDER, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 1st DAY OF OCTOBER 2024.



KRYSTAL VALDEZ, COUNTY CLERK

