

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – NOVEMBER 12, 2024

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, NOVEMBER 12, 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 BUTLER, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE: *PRECINCT 2 COMMISSIONER LANE GRAYSON*

CONSENT AGENDA: MINUTE ORDER 519.24 (WITHOUT F.7)

ADMINISTRATIVE:

- A.1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.2 APPROVING OF THE AUGUST 2024 MONTHLY TREASURER'S REPORT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.3 APPROVING OF THE SEPTEMBER 2024 MONTHLY TREASURER'S REPORT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.4 APPROVING OF THE ELLIS COUNTY THIRD QUARTER 2024 INVESTMENT REPORT, PURSUANT TO TEXAS GOVERNMENT CODE §2256.023. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.5 APPROVING OF THE COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM OCTOBER 29, 2024. – *COUNTY CLERK KRYSTAL VALDEZ*
- A.6 ACCEPTING OF A TABULATED REPORT OF THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM OCTOBER 20TH – NOVEMBER 1ST, 2024, PURSUANT TO LGC §114.024. – *COUNTY AUDITOR STACI PARR*
- A.7 APPROVING OF THE JUSTICE OF THE PEACE, PRECINCT 2 MONTHLY REPORT FOR OCTOBER 2024, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE JACKIE MILLER, JR., JP, PCT. 2*
- A.8 APPROVING OF THE JUSTICE OF THE PEACE, PRECINCT 3 MONTHLY REPORT FOR OCTOBER 2024, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE DAN COX, JP, PCT. 3*

- A.9 APPROVING OF THE JUSTICE OF THE PEACE, PRECINCT 4 MONTHLY REPORT FOR OCTOBER 2024, PURSUANT TO LOCAL GOVERNMENT CODE §114.044. – *THE HONORABLE MIKE MCKENNA, JP, PCT. 4*
- A.10 APPROVING OF AN INTERLOCAL AGREEMENT BETWEEN THE ELIS COUNTY TAX OFFICE AND THE HOLLOW PUBLIC IMPROVEMENT DISTRICT FOR TAX COLLECTION SERVICES. – *TAX COLLECTOR RICHARD ROZIER*
- A.11 APPROVING OF AN INTERLOCAL AGREEMENT BETWEEN THE ELIS COUNTY TAX OFFICE AND PRAIRIEVIEW PUBLIC IMPROVEMENT DISTRICT FOR TAX COLLECTION SERVICES. – *TAX COLLECTOR RICHARD ROZIER*
- A.12 ACCEPTING OF THE \$10,000.00 SURETY BOND FOR FIRE MARSHAL TIM BIRDWELL FOR DECEMBER 15, 2024 – DECEMBER 15, 2025. – *FIRE MARSHAL TIM BIRDWELL*
- A.13 APPROVING OF THE ENGINEERING DEPARTMENT MONTHLY FINANCIAL REPORT FOR SEPTEMBER 2024, AS REQUIRED BY §114.044 OF THE TEXAS LOCAL GOVERNMENT CODE. – *DOD DIRECTOR ALBERTO MARES*

FINANCIAL CONSENT:

- F.1 APPROVING FOR THE TAX COLLECTOR TO DISBURSE PROPERTY TAX REFUNDS IN THE AMOUNT OF \$12,505.73. – *COUNTY AUDITOR STACI PARR & TAX COLLECTOR RICHARD ROZIER*
- F.2 FY2024 LINE-ITEM TRANSFER – *PRECINCT 2 COMMISSIONER LANE GRAYSON*
 DECREASE 010-0653-509150 (FM2 ASPHALT) BY \$136,000.00
 DECREASE 010-0653-508020 (FM2 EQUIPMENT) BY \$7,000.00
 INCREASE 010-0653-509060 (FM2 CULVERTS) BY \$7,000.00
 INCREASE 010-0653-509120 (FM2 BRIDGE REPAIRS) BY \$136,000.00
- F.3 FY2024 LINE-ITEM TRANSFER – *THE HONORABLE JUDGE JIM CHAPMAN, COUNTY COURT AT LAW 1*
 DECREASE 001-0380-508010 (SUPPLIES) BY \$1,496.96
 DECREASE 001-0380-508350 (STAFF TRAINING) BY \$303.04
 INCREASE 001-0380-508880 (COMPUTER SOFTWARE) BY \$500.00
 INCREASE 001-0380-505035 (TEMPORARY SALARIES) BY \$1,200.00
 INCREASE 001-0380-507030 (TELEPHONE) BY \$100.00
- F.4 FY2024 LINE-ITEM TRANSFER – *THE HONORABLE JUDGE WILLIAM WALLACE, 378TH DISTRICT COURT*
 DECREASE 008-0420-505025 (SALARIES – PART TIME) BY \$21,913.09
 DECREASE 008-0420-508780 (JUVENILE RESIDENTIAL) BY \$44,000.00
 INCREASE 008-0420-508940 (SECURE RESIDENTIAL) BY \$45,974.05
 INCREASE 008-0420-505500 (EMPLOYEE INSURANCE) BY \$7,856.56
 INCREASE 008-0420-505020 (SALARIES – FULL TIME) BY \$5,251.86
 INCREASE 008-0420-508350 (TRAINING) BY \$3,058.99
 INCREASE 008-0420-508770 (JUVENILE MEDICAL) BY \$2,778.82
 INCREASE 008-0420-505010 (SALARIES – JUVENILE BOARD) BY \$992.91
- F.5 FY2024 LINE-ITEM TRANSFER – *THE HONORABLE JUDGE WILLIAM WALLACE, 378TH DISTRICT COURT*
 DECREASE 008-0420-505025 (SALARIES – PART TIME) BY \$9,203.91
 DECREASE 008-0420-508750 (JUVENILE PSYCHOLOGICAL) BY \$2,713.07
 INCREASE 008-0420-508080 (AUTO GAS/OIL/MAINTENANCE) BY \$1,048.84
 INCREASE 008-0420-508890 (TRANSPORT EXPENSE) BY \$511.18
 INCREASE 008-0420-506010 (MILEAGE REIMBURSEMENT) BY \$184.92
 INCREASE 008-0420-508450 (JUVENILE DETENTION SERVICES) BY \$10,172.04
- F.6 FY2024 LINE-ITEM TRANSFER – *THE HONORABLE JUDGE WILLIAM WALLACE, 378TH DISTRICT COURT*
 DECREASE 008-0421-505035 (SALARIES – TEMPORARY) BY \$162,421.15

INCREASE 008-0421-505025 (SALARIES – PART TIME) BY \$142,203.11
INCREASE 008-0421-505022 (OVERTIME PAY) BY \$13,540.59
INCREASE 008-0421-508080 (AUTO GAS/OIL/MAINTENANCE) BY \$2,570.12
INCREASE 008-0421-508930 (DETENTION PROVISIONS) BY \$1,814.47
INCREASE 008-0421-505050 (LONGEVITY) BY \$1,179.90
INCREASE 001-0421-508770 (JUVENILE MEDICALS) BY \$391.60
INCREASE 001-0421-508680 (CONTRACT SERVICES) BY \$686.53
INCREASE 001-0421-508890 (TRANSPORT EXPENSE) BY \$34.83

F.7 REMOVED FROM AGENDA (DUPLICATE TO F.2)

F.8 FY2025 LINE-ITEM TRANSFER – *PRECINCT 1 COMMISSIONER RANDY STINSON*
DECREASE 009-0602-570000 (FM1 – CONTINGENCY) BY \$20,000.00
INCREASE 009-0602-509070 (FM1 – TIRES) BY \$20,000.00

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

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

DEPARTMENT OF DEVELOPMENT

PUBLIC HEARING

(2:08 P.M.) MOTION TO OPEN P.1 BY COMMISSIONER PONDER, SECONDED BY COMMISSIONER GRAYSON, MOTION CARRIED

(P.1) PUBLIC HEARING ON THE UPDATE TO THE 2019 MASTER THOROUGHFARE PLAN (LAST AMENDED VIA MINUTE ORDER 384.20) REGARDING EXISTING AND FUTURE ROAD CLASSIFICATIONS, CONNECTIVITY BETWEEN CITIES & THEIR ADOPTED THOROUGHFARE PLANS, REGIONALLY SIGNIFICANT CORRIDORS & OTHER RELATED AMENDMENTS; ADDED CONFLICTS & SEVERABILITY CLAUSES, AND AN EFFECTIVE DATE.

PUBLIC PARTICIPATION: NONE

(2:29 P.M.) MOTION TO CLOSE BY COMMISSIONER STINSON, SECONDED BY COMMISSIONER BUTLER, MOTION CARRIED

MINUTE ORDER 520.24 (1.1) APPROVING THE UPDATE TO THE 2019 MASTER THOROUGHFARE PLAN (LAST AMENDED VIA MINUTE ORDER 384.20) REGARDING EXISTING AND FUTURE ROAD CLASSIFICATIONS, CONNECTIVITY BETWEEN CITIES & THEIR ADOPTED THOROUGHFARE PLANS, REGIONALLY SIGNIFICANT CORRIDORS & OTHER RELATED AMENDMENTS; ADDED CONFLICTS & SEVERABILITY CLAUSES, AND AN EFFECTIVE DATE.

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

MINUTE ORDER 521.24 (1.2) AUTHORIZING THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH FREESE & NICHOLS, INC. TO HELP ADMINISTER THE COUNTY'S THOROUGHFARE PLAN IN AN AMOUNT NOT TO EXCEED \$10,000.00.

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

PURCHASING

MINUTE ORDER 522.24 (2.1) APPROVING THE PURCHASE OF A MOWERMAX PRIME MOWER, 30 FT., FLA CAPABLE, GEN 4 FROM ATMAX EQUIPMENT CO., USING BUYBOARD CONTRACT # 706-23 IN THE AMOUNT OF \$298,995.90 FOR COMMISSIONER PRECINCT 3.

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

MINUTE ORDER 523.24 (2.2) AUTHORIZING TO AWARD PROPOSAL NUMBER RFP-2024-007 JANITORIAL SERVICES TO SOUTHERN CLEANING SERVICE, INC.

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

MINUTE ORDER 524.24 (2.3) AUTHORIZING TO DECLARE THE LISTED ITEMS FROM ROAD & BRIDGE PRECINCT 2 AS SURPLUS TO BE DISPOSED OF IN ACCORDANCE WITH LGC §263:

LOT NUMBER	DESCRIPTION
1	2006 FORD F350 (203) VIN: 1FDWF36Y46EC83484
2	2015 CHEVROLET SILVERADO (204) VIN: 1GCNPEC8FZ189946
3	1987 CATERPILLAR TRACTOR/BACKHOE-LOADER (238) SN: 2555
4	1977 ETNYRE EMULSION TRAILER (E0017) VIN: K-2574-K9158
5	2009 CHEVROLET 2500 (209) VIN: 1GCHC44K09E162000
6	2006 DODGE 1500 (202A) VIN: 1D7HA16N66J105790
7	1998 FORD F800 (233) VIN: 1FDXF80C0WVA35120

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

MINUTE ORDER 525.24 (2.4) GRANTING AN EXEMPTION UNDER THE LOCAL GOVERNMENT CODE §262.024 (A) (3), AN ITEM NECESSARY BECAUSE OF UNFORESEEN DAMAGE TO PUBLIC PROPERTY, FROM THE BIDDING REQUIREMENTS OF SECTION 262.023, LOCAL GOVERNMENT CODE, FOR THE PURCHASE OF 90 FEET OF PIPE TO REPLACE A DAMAGED CULVERT FROM INDEPENDENT INDUSTRIES, LLC, FOR ELLIS COUNTY COMMISSIONER, PRECINCT NO. 2.

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

MINUTE ORDER 526.24 (2.5) AUTHORIZING TO PURCHASE 90 FEET OF PIPE TO REPLACE DAMAGED CULVERT IN THE AMOUNT OF \$61,200.00 FROM INDEPENDENT INDUSTRIES, LLC, FOR ELLIS COUNTY COMMISSIONER PCT. 2, USING THE APPROVED EXEMPTION UNDER LGC §262.024 (A) (3).

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

MINUTE ORDER 527.24 (2.6) APPROVING TO PURCHASE SECURITY MONITORING SERVICES AND HARDWARE FROM FREIT DATA SOLUTIONS, INC. USING TEXAS DIR COOPERATIVE CONTRACT NO. DIR-CPO-4863 IN AN AMOUNT OF \$109,607.21 FOR THE I.T. DEPARTMENT.

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

MINUTE ORDER 528.24 (2.7) APPROVING TO TRANSFER A SURPLUS VEHICLE FROM INDIGENT HEALTH TO ELECTIONS (2014 FORD FOCUS, VIN: 1FADP3E24EL238776).

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

ADMINISTRATIVE

PUBLIC HEARING

(2:41 P.M.) MOTION TO OPEN P.2 BY COMMISSIONER PONDER, SECONDED BY COMMISSIONER BUTLER, MOTION CARRIED

(P.2) PUBLIC HEARING ON A REQUEST FOR TAX ABATEMENT FROM AREP, LOCATED IN REINVESTMENT ZONE NO. 13 IN THE CITY OF RED OAK.

PUBLIC PARTICIPATION: NONE

(2:55 P.M.) MOTION TO CLOSE P.2 BY COMMISSIONER PONDER, SECONDED BY COMMISSIONER BUTLER, MOTION CARRIED

NO ACTION (3.1) PRESENTATION BY THE TEXAS A&M AGRILIFE EXTENSION SERVICE AND THE ELLIS COUNTY OFFICE OF EMERGENCY MANAGEMENT ON THE RECENT FALL/WINTER EMERGENCY PREPAREDNESS WORKSHOP AND FUTURE COMMUNITY OUTREACH. – *AGRILIFE EXTENSION SERVICE DIRECTOR MARK ARNOLD AND EMERGENCY MANAGEMENT COORDINATOR MICHAELA SANDEFER*

NO ACTION (3.2) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION TO ENACT A BURN BAN ORDER IN ELLIS COUNTY, EFFECTIVE IMMEDIATELY. – *FIRE MARSHAL TIM BIRDWELL*

MINUTE ORDER 529.24 (3.3) APPROVING THE ANNUAL UPDATE TO THE ELLIS COUNTY INVESTMENT POLICY, AS UPDATED ON NOVEMBER 12, 2024. – COUNTY TREASURER CHERYL CHAMBERS

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

MINUTE ORDER 530.24 (3.4) APPROVING TO AMEND THE CURRENT CONTRACT WITH LOCAL GOVERNMENT SOLUTIONS (LGS) TO REDUCE THE ACTIVE NUMBER OF LICENSES TO TWO (2) FULL LICENSES. – COUNTY ATTORNEY ANN MONTGOMERY

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

RECESS TO EXECUTIVE SESSION **3:05 P.M.**

MOTION TO RECESS BY COMMISSIONER STINSON, 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(2), CONSULTATION WITH LEGAL COUNSEL ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS RULES OF DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER, AND REGARDING THE CURRENT INTERLOCAL AGREEMENT WITH THE CITY OF MIDLOTHIAN REGARDING DEVELOPMENT PROCEDURES.
- 4.3 PURSUANT TO TEXAS GOVERNMENT CODE §551.089, DELIBERATION REGARDING THE DEPLOYMENT, OR SPECIFIC OCCASIONS FOR IMPLEMENTATION, OF SECURITY PERSONNEL, CRITICAL INFRASTRUCTURE, OR SECURITY DEVICES.

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

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

NO ACTION (3.5) UPDATE, DISCUSSION, AND POSSIBLE ACTION ON THE SEARCH FOR THE VACANT COUNTY ENGINEER POSITION AND DIRECT STAFF ACCORDINGLY ON THE NEXT STEPS. – COUNTY JUDGE TODD LITTLE

ADJOURNMENT **5:20 P.M.**

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON NOVEMBER 12, 2024, ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



LANE GRAYSON, COMMISSIONER, PCT 2

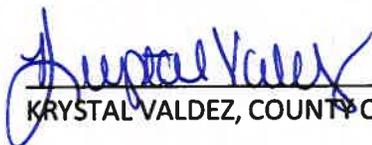


LOUIS PONDER, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 26TH DAY OF NOVEMBER 2024.



KRYSTAL VALDEZ, COUNTY CLERK

