

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JANUARY 21, 2025

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JANUARY 21, 2025, AT 2:00 P.M., IN THE HISTORIC ELLIS COUNTY COURTHOUSE, COMMISSIONERS COURTROOM (2ND FLOOR) 101 W. MAIN STREET, WAXAHACHIE, TEXAS AT WHICH 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 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: *COUNTY JUDGE TODD LITTLE*

CONSENT AGENDA: MINUTE ORDER 114.25

ADMINISTRATIVE:

- A.1 APPROVING OF REGULAR BILLS, PAYROLL, AND OFFICERS' REPORTS. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.2 APPROVING OF THE NOVEMBER 2024 MONTHLY TREASURER'S REPORT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.026. – *COUNTY TREASURER CHERYL CHAMBERS*
- A.3 APPROVING OF THE COMMISSIONERS' COURT REGULAR MEETING MINUTES FROM JANUARY 7, 2025. – *COUNTY CLERK KRYSTAL VALDEZ*
- A.4 ACCEPTING OF THE COUNTY AUDITOR'S NOVEMBER 2024 MONTHLY REPORT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.025 – *COUNTY AUDITOR STACI PARR*
- A.5 ACCEPTING OF THE COUNTY AUDITOR'S DECEMBER 2024 MONTHLY REPORT, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.025 – *COUNTY AUDITOR STACI PARR*
- A.6 ACCEPTING OF THE DECEMBER 2024 CASH AUDIT REPORTS, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §115.002. – *COUNTY AUDITOR STACI PARR*
- A.7 APPROVING OF THE DECEMBER 2024 MONTHLY REPORT FOR THE JUSTICE OF THE PEACE, PRECINCT 1, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *CHRIS MACON, JP, PRECINCT 1*
- A.8 APPROVING OF THE DECEMBER 2024 MONTHLY REPORT FOR THE JUSTICE OF THE PEACE, PRECINCT 2, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *JACKIE MILLER, JR., JP, PRECINCT 2*

- A.9 APPROVING OF THE DECEMBER 2024 MONTHLY REPORT FOR THE JUSTICE OF THE PEACE, PRECINCT 4, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *BUTCH BRYANT, JP, PRECINCT 4*
- A.10 APPROVING OF THE DEPARTMENT OF DEVELOPMENT’S MONTHLY FINANCIAL REPORT FOR DECEMBER 2024, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *DOD DIRECTOR ALBERTO MARES*
- A.11 APPROVING OF THE ENGINEERING DEPARTMENT’S MONTHLY FINANCIAL REPORT FOR DECEMBER 2024, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §114.044. – *INTERIM ENGINEERING DIRECTOR ALBERTO MARES*
- A.12 ACCEPTING OF THE 2024 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.13 APPROVING OF A SETTLEMENT AGREEMENT AND GENERAL RELEASE BETWEEN ELLIS COUNTY AND MS. KELLYE HUGHES. – *COUNTY JUDGE TODD LITTLE*
- A.14 ACCEPTING OF POSITION BONDS FOR EMERGENCY SERVICES DISTRICT #9 (PALMER). – *FIRE MARSHAL TIM BIRDWELL*
- A.15 ACCEPTING OF THE APPLICATION TO APPOINT ROBERT LOUIS RUSS, JR. TO EMERGENCY SERVICES DISTRICT #3 (ITALY) FOR A TWO-YEAR TERM BEGINNING ON JANUARY 21ST, 2025 AND ENDING DECEMBER 31ST, 2026. – *FIRE MARSHAL TIM BIRDWELL*
- A.16 ACCEPTING OF THE APPLICATIONS TO APPOINT RICHARD CHAMBERLAIN, JAMES PATRICK MACH, TROY JONES, CODY TROJACEK, AND ABBY BRADBURY TO EMERGENCY SERVICES DISTRICT #11 (ALMA) FOR A ONE-YEAR TERM BEGINNING JANUARY 21ST, 2025 – DECEMBER 31ST, 2025. – *FIRE MARSHAL TIM BIRDWELL*

FINANCIAL CONSENT:

- F.1 ACCEPTING MISCELLANEOUS REIMBURSEMENT AS UNANTICIPATED REVENUE. REQUEST SPECIAL BUDGET OF UNANTICIPATED REVENUE:
 - 1. INCREASE 001-0010-508090 (AUTO REPAIRS) BY \$179.12
 PURSUANT TO TEXAS LOCAL GOVERNMENT CODE §111.0108, UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR. – *COUNTY AUDITOR STACI PARR*
- F.2 FY2025 LINE-ITEM TRANSFER – *COUNTY JUDGE TODD LITTLE*
 DECREASE 001-0140-508310 (ADMINISTRATIVE JUDICIAL) BY \$1,779.83
 DECREASE 001-0140-507080 (COMPREHENSIVE INSURANCE) BY \$24,220.17
 INCREASE 001-0140-508060 (ORGANIZATIONAL DUES) BY \$6,000.00
 INCREASE 001-0140-508040 (POSTAGE) BY \$20,000.00
- F.3 FY2025 LINE-ITEM TRANSFER – *COUNTY JUDGE TODD LITTLE*
 DECREASE 001-0390-508110 (AUTO PURCHASE/INSURANCE) BY \$74.00
 DECREASE 001-0390-508730 (MAINT/RSP OFC EQUIP) BY \$1,500.00
 DECREASE 001-0390-508350 (TRAINING) BY \$1,700.00
 INCREASE 001-0390-508050 (CONFERENCE) BY \$3,274.00
- F.4 FY2025 LINE-ITEM TRANSFER – *SHERIFF BRAD NORMAN*
 DECREASE 001-0015-505020 (SALARIES – FULL TIME) BY \$400,000.00
 INCREASE 001-0010-505022 (OVERTIME PAY) BY \$400,000.00

- F.5 FY2025 LINE-ITEM TRANSFER – COUNTY ATTORNEY LINDY BEATY
DECREASE 001-0360-508110 (AUTO PURCHASE) BY \$208.00
INCREASE 001-0360-508840 (AUTO INSURANCE) BY \$208.00

MOTION TO APPROVE WITH CORRECTION TO A.13 BY COMMISSIONER STINSON, SECONDED BY COMMISSIONER PONDER, MOTION CARRIED

REGULAR AGENDA – DISCUSSION, CONSIDERATION AND ACTION:

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 115.25 (1.1) APPROVING TO ABANDON AND VACATE A ± 2,500-FOOT SECTION OF AMBER LANE LOCATED EASE OF WIGGINS ROAD AND WEST OF SMITH ROAD, MAYPEARL, ROAD AND BRIDGE PRECINCT 4.

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

MINUTE ORDER 116.25 (1.2) AUTHORIZING THE COUNTY JUDGE TO EXECUTE A QUITCLAIM DEED FOR A ± 2,500 – FOOT SECTION OF AMBER LANE LOCATED EAST OF WIGGINS ROAD AND WEST OF SMITH ROAD, MAYPEARL, ROAD AND BRIDGE PRECINCT NO. 4. SUBJECT TO THE FOLLOWING CONDITIONS:

1. ALL EXISTING UTILITY EASEMENTS WITHIN THE RIGHTS-OF-WAY DESCRIBED HEREIN SHALL BE RETAINED BY THE RESPONSIBLE UTILITY HOLDERS UNTIL SUCH TIME THE PROPERTY OWNER RELOCATES SAID EASEMENTS.
2. ANY CURRENT, FUTURE, OR RELOCATED EASEMENTS SHALL BE REFLECTED AND/OR RECORDED ON A FUTURE REPLAT.

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

MINUTE ORDER 117.25 (1.3) RATIFYING STAFF ACTION ON A PRELIMINARY PLAT OF WHISPERING CREEK PRESERVE. THE ± 125.838-ACRE SITE IS LOCATED AT THE SOUTHWEST INTERSECTION OF YOUNGBLOOD ROAD AND FM 878, SITUATED IN THE S.S. WILSON SURVEY, ABSTRACT NO. 1141, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER 118.25 (1.4) RATIFYING STAFF ACTION ON A FINAL PLAT OF LOPEZ ESTATES, LOTS 1-6, BLOCK A. THE ± 43.153-ACRE SITE IS LOCATED AT THE NORTHEAST INTERSECTION OF SKRIVANEK ROAD AND CHMELAR ROAD, SITUATED IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ENNIS, ROAD AND BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER 119.25 (1.5) RATIFYING STAFF ACTION ON A FINAL PLAT OF MATHEWS MANOR, LOT 1, BLOCK 1. THE ± 5.00-ACRE SITE IS LOCATED ± 1,100 FEET EAST OF THE INTERSECTION OF DUNAWAY ROAD AND GREATHOUSE ROAD SITUATED IN THE THOMAS SHOCKLEY SURVEY, ABSTRACT NO. 1020, WAXAHACHIE, ROAD AND BRIDGE PRECINCT NO. 3.

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

MINUTE ORDER 120.25 (1.6) **NO ACTION** ON A REQUEST TO RATIFY STAFF ACTION ON AN AMENDING PLAT OF ORANGE TREE ACRES, LOT 1, BLOCK A. THE ± 3.464-ACRE SITE IS LOCATED ± 555 FEET SOUTH OF THE INTERSECTION OF JOE WILSON ROAD AND HIDDEN VALLEY LANE, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF OVILLA, ROAD AND BRIDGE PRECINCT NO. 4.

MOTION TO TAKE NO ACTION BY COMMISSIONER BUTLER, SECONDED BY COMMISSIONER PONDER, MOTION CARRIED

PURCHASING

MINUTE ORDER 121.25 (2.1) APPROVING TO ADVERTISE AND SOLICIT A REQUEST FOR APPLICATION (RFA) FOR A COUNTY DEPOSITORY IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE CHAPTERS 116 AND 117.

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

MINUTE ORDER 122.25 (2.2) APPROVING OF AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF FLOWER MOUND AND ELLIS COUNTY IN ACCORDANCE WITH THE INTERLOCAL COOPERATION ACT, CHAPTER 791 OF THE TEXAS GOVERNMENT CODE.

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

MINUTE ORDER 123.25 (2.3) APPROVING TO PURCHASE A 2024, 299D3 XE COMPACT TRACK LOADER FROM HOLT CAT USING SOURCEWELL CONTRACT #020223-CAT IN AN AMOUNT OF \$115,980.00 FOR ROAD AND BRIDGE PRECINCT 4.

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

MINUTE ORDER 124.25 (2.4) APPROVING A MATERIAL PRICE INCREASE FROM VULCAN MATERIALS COMPANY FOR CRUSHED LIMESTONE, RFB-2022-016.

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

MINUTE ORDER 125.25 (2.5) APPROVING A MATERIAL PRICE INCREASE FROM VULCAN MATERIALS COMPANY FOR WASHED PEA GRAVEL, RFB-2022-017.

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

MINUTE ORDER 126.25 (2.6) APPROVING TO PURCHASE BV5030 COMPACT X-RAY INSPECTION SYSTEM FOR THE JUSTICE OF THE PEACE PRECINCT 2 FACILITY IN AN AMOUNT OF \$43,017.17 FROM LINEV SYSTEMS, INC. USING BUYBOARD CONTRACT #669-22 USING THE COURTHOUSE SECURITY FUND.

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

MINUTE ORDER 127.25 (2.7) APPROVING A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH BIRKHOFF, HENDRICKS & CARTER, LLP, FOR AN AMOUNT NOT TO EXCEED \$50,000.00

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

ADMINISTRATIVE

PUBLIC HEARING

(2:34 P.M.)

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

(P.1) PUBLIC HEARING REGARDING ORDERING AN ELECTION TO BE HELD ON MAY 3RD, 2025 TO CONFIRM THE CREATION OF ELLIS COUNTY EMERGENCY SERVICES DISTRICT #12 AND TO AUTHORIZE THE IMPOSITION OF A TAX NOT TO EXCEED THE RATE ALLOWED BY SECTION 48-E, ARTICLE III OF THE TEXAS CONSTITUTION. – *ELECTIONS ADMINISTRATOR JANA ONYON*

PUBLIC PARTICIPATION: ERIC HAUKE (MILFORD); JALON DAVIS (CAPTAIN, MILFORD VFD)

(2:37 P.M.)

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

MINUTE ORDER 128.25 (3.1) APPROVING TO ORDER AN ELECTION TO BE HELD ON MAY 3RD, 2025 TO CONFIRM THE CREATION OF ELLIS COUNTY EMERGENCY SERVICES DISTRICT #12 AND TO AUTHORIZE THE IMPOSITION OF A TAX NOT TO EXCEED THE RATE ALLOWED BY SECTION 48-E, ARTICLE III OF THE TEXAS CONSTITUTION. – *ELECTIONS ADMINISTRATOR JANA ONYON. – COUNTY JUDGE TODD LITTLE*

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

RECESS TO EXECUTIVE SESSION 2:48 P.M.

MOTION TO RECESS BY COMMISSIONER PONDER, SECONDED BY COMMISSIONER STINSON, 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 §551.071(2), CONSULTATION WITH LEGAL COUNSEL REGARDING THE NOTICE OF TERMINATION FROM SPCA OF TEXAS RECEIVED JANUARY 14, 2025.
- 4.3 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 A THIRD PERSON.

RECONVENED TO REGULAR SESSION 5:00 P.M.

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

(To AGENDA ITEM 3.2)

MINUTE ORDER 129.25 (3.2) APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE HEIGHTS ELLIS COUNTY FAMILY RESOURCES REGARDING A GRANT FOR THE PROVISION OF SANE CLINIC SERVICES, AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE THE MOU, PENDING LEGAL REVIEW. –
COUNTY JUDGE TODD LITTLE

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

MINUTE ORDER 130.25 (3.3) APPROVING TO RESCIND OR REVOKE THE AMENDED ELLIS COUNTY ANIMAL CONTROL ORDINANCE DATED JUNE 13, 2023. – *COUNTY JUDGE TODD LITTLE*

PARTICIPATION: MATT CRAIG, RED OAK; DARLENE MILLER, WAXAHACHIE, BRAD ELLIOTT, ECSO

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

ADJOURNMENT 5:30 P.M.

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

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT ON JANUARY 21, 2025,
ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE

Absent

RANDY STINSON, COMMISSIONER, PCT 1

Absent

LANE GRAYSON, COMMISSIONER, PCT 2

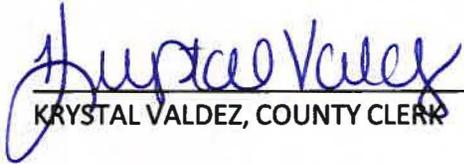


LOUIS PONDER, COMMISSIONER, PCT 3



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 4TH DAY OF FEBRUARY 2025.



KRYSTAL VALDEZ, COUNTY CLERK

