

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – JUNE 1, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, JUNE 1, 2021 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:

RANDY STINSON, COMMISSIONER, PCT. 1

LANE GRAYSON, COMMISSIONER, PCT. 2

PAUL PERRY, COMMISSIONER, PCT. 3

KYLE BUTLER, COMMISSIONER, PCT. 4

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 PERRY, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *PAUL PERRY, COMMISSIONER, PCT. 3*

PROCLAMATION:

PROCLAMATION PRESENTATION THANKING THE VOLUNTEERS AND MEDICAL STAFF VACCINE HUB WORKFORCE. –
TODD LITTLE, COUNTY JUDGE

CONSENT AGENDA:

MINUTE ORDER 273.21 **APPROVING CONSENT AGENDA**

ADMINISTRATIVE:

- A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER’S REPORTS. – *CHERYL CHAMBERS, COUNTY TREASURER*
- A2 APPROVING COMMISSIONERS’ COURT REGULAR MEETING MINUTES FROM MAY 18, 2021, AND SPECIAL MEETING MINUTES FROM MAY 24, 2021– *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 ACCEPTING THE MONTHLY TREASURER’S REPORT FOR APRIL 2021. – *CHERYL CHAMBERS, TREASURER*

- A4 ACCEPTING A REVISED INVESTMENT STRATEGY, EXHIBIT B OF THE ELLIS COUNTY INVESTMENT POLICY, ADDING THE AMERICAN RESCUE PLAN FUNDS TO THE LIST OF APPROVED INVESTMENT FUNDS. – *CHERYL CHAMBERS, TREASURER*
- A5 ACCEPTING THE HUMAN RESOURCES DEPARTMENT QUARTERLY COMP TIME REPORT FOR 3RD QUARTER. – *THERESA TAYLOR, HUMAN RESOURCES*
- A6 ACCEPTING THE DEPARTMENT OF DEVELOPMENTS (DOD) MONTHLY FINANCIAL REPORT FOR APRIL 2021, PURSUANT TO CHAPTER §114.044 OF THE TEXAS LOCAL GOVERNMENT CODE. – *ALBERTO MARES, DIRECTOR OF DEPARTMENT OF DEVELOPMENT*
- A7 ACCEPTING THE ANNUAL ROAD REPORT FOR ROAD & BRIDGE PCT. #1. – *RANDY STINSON, COMMISSIONER, PCT. #1*
- A8 ACCEPTING THE ANNUAL ROAD REPORT FOR ROAD & BRIDGE PCT. #3. – *PAUL PERRY, COMMISSIONER, PCT. #3*
- A9 ACCEPTING THE COUNTY AUDITOR’S MONTHLY REPORT FOR APRIL 2021, PURSUANT TO LOCAL GOVERNMENT CODE, §114.025. – *JANET MARTIN, AUDITOR*
- A10 PRESENTATION OF A TABULATED REPORT OF THE COUNTY’S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM MAY 11, 2021 – MAY 25, 2021, PURSUANT TO LOCAL GOVERNMENT CODE, §114.024 . – *JANET MARTIN, AUDITOR*
- A11 ACCEPTING THE MARCH 2021 AND APRIL 2021 CASH AUDIT REPORTS. – *JANET MARTIN, AUDITOR*
- A12 ACCEPTING THE ESD #1 APPLICATION OF CHARLES PEYTON TO REPLACE WADE NORQUIST, COMMISSION ENDING ON 12/31/2021. – *TIM BIRDWELL, FIRE MARSHAL*
- A13 ACCEPTING THE ESD #4 APPLICATION OF SHAUN MALONE TO REPLACE RAY BRINDLE, COMMISSION ENDING ON 12/31/2021. – *TIM BIRDWELL, FIRE MARSHAL*

FINANCIAL:

- F1 CERTIFYING RECEIPT OF MAY 2021 TJJD GRANT FUNDS IN THE AMOUNT OF \$61,230.00 BY THE COUNTY AUDITOR IN ACCORDANCE WITH LOCAL GOVERNMENT CODE 111.0106. – *JANET MARTIN, COUNTY AUDITOR*
- F2 AUTHORIZING THE COUNTY AUDITOR TO PAY AXON INVOICE SI-1678626 FROM 08.25.20 WITH ELLIS COUNTY FY2021 FUNDS. – *JANET MARTIN, AUDITOR*
- F3 AUTHORIZING THE COUNTY AUDITOR TO PAY COMMISSIONS TO LINEBARGER, GOGGAN BLAIR & SAMPSON, LLP FOR JULY, AUGUST, SEPTEMBER 2020 FEES FROM ELLIS COUNTY FY2021 FUNDS. – *JANET MARTIN, AUDITOR*
- F4 APPROVING THE TAX COLLECTOR ASSESSORS’ OFFICE TO ISSUE PROPERTY TAX REFUNDS. – *JANET MARTIN, AUDITOR*
- F5 **FY2020-21 LINE ITEM TRANSFER** – *JANET MARTIN, AUDITOR*
 DECREASE 001-0180508330 EXTRA COURT REPORTERS BY \$1,000.00; DECREASE 001-0190-508330 EXTRA COURT REPORTERS BY \$1,000.00; DECREASE 001-0200-508330 EXTRA COURT REPORTERS BY \$1,000.00; DECREASE 001-0380-508330 EXTRA COURT

REPORTERS BY \$1,000.00; DECREASE 001-0385-508330 EXTRA COURT REPORTERS BY \$1,000.00; DECREASE 001-0387-508330 EXTRA COURT REPORTERS BY \$1,000.00; INCREASE 001-0190-508335 AG COURT REPORTERS BY \$6,000.00.

- F6** **FY2020-21 LINE ITEM TRANSFER – TODD LITTLE, COUNTY JUDGE**
DECREASE 001-0140-57000 CONTINGENCY-SURPLUS BY \$61,075.00; INCREASE 001-0210-509420 ELECTION EXPENSES BY \$15,643.00; INCREASE 001-0210-506950 FICA BY \$6,000.00; INCREASE 001-0210-508230 LEGAL NOTICES BY \$1,610.00; INCREASE 001-0210-507030 TELEPHONE BY \$797.00; INCREASE 001-0210-506010 MILEAGE REIMBURSEMENT BY \$200.00; INCREASE 001-0210-508480 PART-TIME ELECTION SALARIES BY \$36,825.00.
- F7** **FY2020-21 LINE ITEM TRANSFER – TODD LITTLE, COUNTY JUDGE**
DECREASE 001-0140-570000 CONTINGENCY BY \$307,725.00; INCREASE 001-0015-508020 JAIL EQUIPMENT BY \$307,725.00.
- F8** **FY2020-21 LINE ITEM TRANSFER – PAUL PERRY, COMMISSIONER, PCT. 3**
DECREASE 011-0704-57000 FM3 CONTINGENCY BY \$160,000.00;
INCREASE 011-0704-508020 FM3 EQUIPMENT BY \$160,000.00.
- F9** **FY2020-21 LINE ITEM TRANSFER – LANE GRAYSON, COMMISSIONER, PCT. 2**
DECREASE 010-0653-508070 FM2 GENERAL EXP. BY \$7,000.00;
INCREASE 010-0653-509090 FM2 REPAIR PARTS BY \$7,000.00.
- F10** **FY2020-21 LINE ITEM TRANSFER – BRAD NORMAN, SHERIFF**
DECREASE 001-0015-508140 INMATE FEEDING BY \$5,239.41;
INCREASE 001-0015-508020 EQUIPMENT BY \$5,239.41.
- F11** **FY2020-21 LINE ITEM TRANSFER – BRAD NORMAN, SHERIFF**
DECREASE 001-0015-508070 OPERATING EXPENSE BY \$600.00; DECREASE 001-0015-508190 COMPUTER EQUIPMENT BY \$876.46; DECREASE 001-0015-508880 COMPUTER SOFTWARE BY \$1,124.08; INCREASE 001-0015-508020 EQUIPMENT BY \$1,120.01; INCREASE 001-0015-508030 FURNITURE/FIXTURES BY \$636.38; INCREASE 001-0015-508120 RADIO BY \$844.15.
- F12** **FY2020-21 BUDGET AMENDMENT – EJ HARBIN, PURCHASING DIRECTOR**
PURSUANT TO LOCAL GOVERNMENT CODE §111.0108, ACCEPTANCE OF BUYBOARD REBATE OF \$2,993.00 AND LONE STAR AUCTIONEERS OF \$5,000.00 AS UNANTICIPATED REVENUE CERTIFIED BY COUNTY AUDITOR.

DECREASE 001-0230-400030 MISC. REIMBURSEMENTS BY \$7,993.00; INCREASE 001-0230-508070 OPERATING EXPENDITURE BY \$4,500.00; INCREASE 001-0230-508900 CO SUPPLY ROOM BY \$2,000.00; INCREASE 001-0230-508010 SUPPLIES BY \$743.00; INCREASE 001-0230-506980 LAW BOOKS/DUES BY \$400.00; INCREASE 001-0230-508080 AUTO GAS BY \$350.00

- F13 **FY2020-21 LINE ITEM TRANSFER – KRystal VALDEZ, COUNTY CLERK**
DECREASE 001-0320-507030 TELEPHONE BY \$1,000.00; INCREASE 001-0320-508020 EQUIPMENT BY \$1,000.00
- F14 **FY2020-21 LINE ITEM TRANSFER – SAMANTHA PICKETT, EMERGENCY MANAGEMENT**
DECREASE 001-0430-506980 LAW BOOKS/DUES BY \$550.00; DECREASE 001-0430-508010 SUPPLIES BY \$1,000.00; DECREASE 001-0430-508680 EMC CONTRACT SERVICE BY \$1,000.00; DECREASE 001-0430-509770 PREPAREDNESS TRAINING BY \$1,000.00; INCREASE 001-0430-508020 EQUIPMENT BY \$3,555.00
- F15 **FY2020-21 LINE ITEM TRANSFER – SAMANTHA PICKETT, EMERGENCY MANAGEMENT**
DECREASE 001-0430-508100 AUTO TIRES BY \$500.00; DECREASE 001-0430-509760 PREPAREDNESS FAIR BY \$1,000.00; DECREASE 001-0430-508050 CONFERENCE BY \$1,725.00; INCREASE 001-0430-508090 AUTO REPAIR BY \$3,225.00
- F16 **FY2020-21 LINE ITEM TRANSFER – SAMANTHA PICKETT, EMERGENCY MANAGEMENT**
DECREASE 001-0430-508080 AUTO GAS BY \$195.00; DECREASE 001-0430-508350 TRAINING BY \$100.00; INCREASE 001-0430-507030 TELEPHONE BY \$295.00
- F17 **FY2020-21 LINE ITEM TRANSFER – ALBERTO MARES, DEPARTMENT OF DEVELOPMENT**
DECREASE 001-0060-508880 COMPUTER SOFTWARE BY \$6,000.00; INCREASE 001-0060-508190 COMPUTER BY \$6,000.00

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 274.21 (1.1) APPROVING A PLAT OF BARTON ACRES. THE PROPERTY CONTAINS ± 13.964 ACRES OF LAND IN THE F. LAYTON SURVEY, ABSTRACT NO. 624, LOCATED AT THE NORTHEAST CORNER OF BARTON ROAD AND W. 1ST STREET, IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF MAYPEARL, ROAD AND BRIDGE PRECINCT #3.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 275.21 (1.2) APPROVING A PLAT OF MIJARES & MARTINEZ RANCH. THE PROPERTY CONTAINS ± 4.196 ACRES OF LAND IN THE R. DE LA PENNA SURVEY, ABSTRACT NO. 3, LOCATED ON THE WEST SIDE OF NECK ROAD ± 3,274 FEET SOUTH OF THE INTERSECTION OF NECK ROAD AND NEWTON ROAD, FERRIS, ROAD AND BRIDGE PRECINCT NO. 1.

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

MINUTE ORDER 276.21 (1.3) APPROVING A PLAT OF W.O.J. ESTATES. THE PROPERTY CONTAINS ± 10.316 ACRES OF LAND IN THE JAMES BLAIR SURVEY, ABSTRACT NO. 115, LOCATED ON THE EAST SIDE OF BRIGMAN ROAD ± 1,780 FEET SOUTHEAST OF THE INTERSECTION OF BRIGMAN ROAD AND EP DAWSON ROAD, MAYPEARL, ROAD AND BRIDGE PRECINCT #3.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 277.21 (1.4) APPROVING TO VACATE/RESCIND MINUTE ORDER 514.19 (APPROVED ON DECEMBER 3, 2019), AN APPROVED ROAD FRONTAGE VARIANCE FOR 5204 E. FM 875, ALSO KNOWN AS RIDGWAY ADDITION.

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

To 2.1

PURCHASING

MINUTE ORDER 278.21 (2.1) APPROVING THE LISTED EQUIPMENT AND VARIOUS ITEMS AS SURPLUS FOR VARIOUS COUNTY DEPARTMENTS AND ROAD & BRIDGE PCT. #3 TO BE DISPOSED OF IN ACCORDANCE WITH LOCAL GOVERNMENT CODE CHAPTER 263.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 279.21 (2.2) APPROVING A COOPERATIVE PURCHASING INTERLOCAL AGREEMENT WITH NATIONAL COOPERATIVE PURCHASING ALLIANCE (NCPA) IN ACCORDANCE WITH LOCAL GOVERNMENT CODE CHAPTER 271.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

MINUTE ORDER 280.21 (2.3) APPROVING THE PURCHASE OF A BROCE RJT350 BROOM IN THE AMOUNT OF \$51,537.92 FOR ROAD & BRIDGE PRECINCT #2, USING THE BUYBOARD COOPERATIVE CONTRACT #597-19 FROM R.B. EVERETT & COMPANY.

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

MINUTE ORDER 281.21 (2.4) APPROVING TO RENEW THE FOLLOWING BID RFP-2019-009 DISASTER DEBRIS MONITORING AND CONSULTING SERVICES WITH DEBRIS TECH FOR A ONE-YEAR PERIOD JUNE 25, 2021, TO JUNE 24, 2022.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 282.21 (2.5) APPROVING TO PURCHASE A TIGER RT50D BOOM MOWER IN THE AMOUNT OF \$166,644.00 FOR ROAD & BRIDGE PRECINCT #3, USING THE BUYBOARD COOPERATIVE CONTRACT #611-20 FROM TIGER CORPORATION.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 283.21 (2.6) APPROVING OF SERVICE AND LICENSE RENEWAL AGREEMENT WITH CIVICPLUS, LLC IN THE ANNUAL AMOUNT OF \$15,429.30, USING TIPS CONTRACT # 190701.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

ADMINISTRATIVE

MINUTE ORDER 284.21 (3.1) APPROVING THE CITY OF ENNIS TO AUTHORIZE A STRUCTURAL ANALYSIS BE PERFORMED ON THE COMMUNICATIONS TOWER AT THE COUNTY FARM. – *TED KANTOR, ENGINEER*

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

MINUTE ORDER 285.21 (3.2) APPROVING TO ORDER THE SPECIAL RUNOFF ELECTION TO BE HELD ON JULY 27, 2021 FOR THE PURPOSE OF ELECTING UNITED STATES REPRESENTATIVE DISTRICT 6 TO MEMBER OF CONGRESS TO FILL A VACANCY AS REQUIRED BY BOTH ARTICLE I, SECTION 2 OF THE U.S. CONSTITUTION AND SECTION 204.021 OF THE TEXAS CONSTITUTION; FOR APPROVAL OF THE EARLY VOTING SCHEDULE. – *JANA ONYON, ELECTIONS ADMINISTRATOR*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

TABLED (3.3) DISCUSSION AND UPDATE REQUESTED FROM THE DEPARTMENT OF DEVELOPMENT AND ENGINEERING AS IT RELATES TO THE TESTING PROCESS FOR THE SUBGRADE MATERIAL FOR CONCRETE ROADWAY STRUCTURE. – *KYLE BUTLER, COMMISSIONER, PRECINCT #4*

MINUTE ORDER 286.21 (3.4) APPROVING EMERGENCY SERVICES DISTRICT #6'S REQUEST FOR A 30-DAY EXTENSION OF AUDIT DEADLINE, PURSUANT TO HEALTH & SAFETY CODE, §775.082(D). THE NEW DEADLINE SHALL BE JULY 1, 2021. – *TIM BIRDWELL, FIRE MARSHAL*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

MINUTE ORDER 287.21 (3.5) APPROVING TO EXTEND OPTION PERIOD TO PURCHASE PROPERTY LOCATED AT 301 N. ROGERS ST., WAXAHACHIE, TEXAS 75165. – *TODD LITTLE, COUNTY JUDGE*

PUBLIC PARTICIPATION: *JAMES PARKS – WAXAHACHIE*

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

RECESS INTO EXECUTIVE SESSION **2:48 P.M.**

MOTION TO RECESS BY COMMISSIONER GRAYSON, SECOND 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 CHAPTER 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 CHAPTER 551.

- 4.1 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTER CONCERNING SPECIAL DISTRICTS AND/OR TCEQ MUD FM 984 AND TPDES APPLICATIONS.
- 4.2 PURSUANT TO §551.072 OF THE GOVERNMENT CODE, TO 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.

RECONVENE TO REGULAR SESSION **3:15 P.M.**

MOTION TO RECONVENE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

To 1.5

MINUTE ORDER 288.21 (1.5) APPROVING TO CONTEST: CREATION OF MUNICIPAL UTILITY DISTRICT (MUD) LOCATED OFF FM 984 IN THE ETJ OF ENNIS, TEXAS; TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (TPDES); AND ANY ASSOCIATED PERMITS WITH MUD FM 984. APPROVING TO ENGAGE IN LEGAL COUNSEL (BICKERSTAFF HEATH DELGADO ACOSTA LLP) TO REPRESENT ELLIS COUNTY IN TCEQ PROCEEDINGS.

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

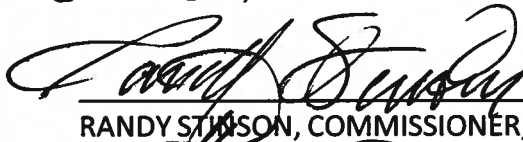
ADJOURNMENT **3:16 P.M.**

MOTION TO ADJOURN BY COMMISSIONER STINSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF JUNE 1, 2021 ARE HEREBY APPROVED.

PRESIDING OFFICER:


TODD LITTLE, COUNTY JUDGE

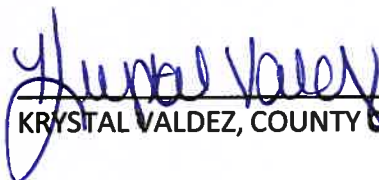

RANDY STINSON, COMMISSIONER, PCT 1


PAUL PERRY, COMMISSIONER, PCT 3


LANE GRAYSON, COMMISSIONER, PCT 2


KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 15TH DAY OF JUNE 2021.


KRISTAL VALDEZ, COUNTY CLERK

