



2022 AUG -5 PM 3: 19

FILED FOR RECORD
KRYSTAL VALDEZ
ELLIS COUNTY CLERK

RANDY STINSON
Commissioner Pct. #1

TODD LITTLE
County Judge

PAUL PERRY
Commissioner Pct. #3

LANE GRAYSON
Commissioner Pct. #2

Krystal Valdez
Ellis County Clerk

KYLE BUTLER
Commissioner Pct. #4

NOTICE OF REGULAR MEETING ELLIS COUNTY COMMISSIONERS COURT

Notice is hereby given that a meeting of the Ellis County Commissioners' Court will be held on **Tuesday, August 9th, 2022 at 2:00 P.M. in the Commissioners' Courtroom (2nd floor) of the Historic Ellis County Courthouse, located at 101 W. Main Street, Waxahachie, Texas**, at which time the following will be discussed and considered, to-wit:

OPENING COURT

County Judge will call meeting to order, declare quorum if present, and declare notices legally posted pursuant to Open Meetings Act Texas Government Code Chapter 551.

Motion to open meeting

Invocation and Pledge of Allegiance – *Precinct 4 Commissioner Kyle Butler*

PUBLIC COMMENT – Members of the public will have the opportunity to make their comments at the time the agenda item is being addressed.

RECOGNITIONS & PROCLAMATIONS

Presentation of award to the Ellis County Historical Commission by the Texas Historical Commission. – *County Judge Todd Little*

Presentation of proclamation for Sheriff's Deputies in recognition for NCT9-1-1 awards. – *County Judge Todd Little and Precinct 1 Commissioner Randy Stinson*

CONSENT AGENDA – Consideration and action:

Administrative:

- A.1 Approval of Regular Bills, Payroll and Officers' Reports. – *County Treasurer Cheryl Chambers*
- A.2 Approval of Commissioners' Court Regular Meeting Minutes from July 26th, 2022. – *County Clerk Krystal Valdez*

- A.3 Approval of a resolution assigning private activity bond authority to the Texas Department of Housing and Community Affairs; resolution also contains other provisions relating to the subject. – *County Judge Todd Little*
- A.4 Pursuant to Texas Health and Safety Code §775.082, acceptance of the annual Compilation Report of the fiscal accounts and records of the following Emergency Service District in Ellis County: ESD #7 (Bristol). – *Fire Marshal Tim Birdwell*
- A.5 Presentation of monthly report by Justice of the Peace, Precinct 1 to satisfy Local Government Code §114.044. – *Precinct 1 Justice of the Peace Chris Macon*
- A.6 Approval of Agapito “Pete” Borjas as Reserve Deputy Constable pursuant to Local Government Code §86.012 with a surety bond as provided under §86.12(c-2). – *Precinct 2 Constable Casey Borders*
- A.7 Acceptance of the County Auditor’s monthly report for June 2022, pursuant to Local Government Code §114.025. – *County Auditor Janet Martin*
- A.8 Presentation of a tabulated report of the county’s receipts and disbursements of funds from July 19th, 2022 – August 1st, 2022, pursuant to Local Government Code §114.024. – *County Auditor Janet Martin*
- A.9 Approval of a letter response regarding a hostile work environment claim. – *Human Resources Director Theresa Taylor*
- A.10 Acceptance of the Justice of the Peace, Precinct 4 monthly report for May 2022, pursuant to Local Government Code §114.044. – *Precinct 4 Justice of the Peace Steve Egan*
- A.11 Acceptance of Cash Audit Report for October 2021, pursuant to Local Government Code Chapter 115. – *DeVonda Spurlock, Assistant County Auditor*

Financial:

- F.1 Fiscal Year 2022 Line-Item Transfer. – *Human Resources Director Theresa Taylor*
 Decrease 001-0425-508050 Conference by \$300.00
 Increase 001-0425-506010 Travel by \$300.00
- F.2 Fiscal Year 2022 Line-Item Transfer. – *Emergency Management Coordinator Samantha Pickett*
 Decrease 001-0430-508100 Auto Tires by \$900.00
 Decrease 001-0430-508350 Training by \$300.00
 Decrease 001-0430-509760 Preparedness Fair by \$1,000.00
 Increase 001-0430-508150 Uniforms by \$900.00
 Increase 001-0430-508680 Copier-Contract Services by \$300.00
 Increase 001-0430-508090 Auto Repairs by \$300.00
 Increase 001-0430-508020 Equipment by \$700.00

- F.3 Fiscal Year 2022 Line-Item Transfer. – *AgriLife Extension Service Director Mark Arnold*
 Decrease 001-0050-508190 Computer Equipment by \$18.00
 Decrease 001-0050-508010 Supplies by \$18.92
 Increase 001-0050-508090 Auto Repairs by \$18.00
 Increase 001-0430-509770 Emergency Management by \$18.92
- F.4 Fiscal Year 2022 Budget Amendment. – *Precinct 1 Commissioner Randy Stinson*
 -Accept insurance reimbursement from Sedgwick Claims Management/Argonaut Insurance in the amount of \$10,019.26.
 -Request for special budget of unanticipated revenue: Increase 009-0602-509090 FM1 Parts and Repairs by \$10,019.26
 (Pursuant to Local Government Code §111.0108, unanticipated revenue certified by County Auditor.)
- F.5 Fiscal Year 2022 Line-Item Transfer. – *Development Director Alberto Mares*
 Decrease 001-0060-507030 Telephone by \$300.00
 Decrease 001-0060-508090 Auto Repairs by \$300.00
 Decrease 001-0060-508680 Auto Tires by \$100.00
 Decrease 001-0060-508680 Contract Services by \$300.00
 Increase 001-0060-508190 Auto Gas by \$1,000.00
- F.6 Request for approval for the Tax Assessor/Collector to disburse property tax refunds in the amount of \$7,272.84. – *County Auditor Janet Martin*
- F.7 Fiscal Year 2022 Line-Item Transfer. – *Tax Assessor/Collector Richard Rozier*
 Decrease 001-0370-508730 Maint/Repairs/Ofc Equipment by \$24,000.00
 Decrease 001-0370-508020 Equipment by \$30,000.00
 Increase 001-0370-508680 Contract Services by \$54,000.00
- F.8 Fiscal Year 2022 Line-Item Transfer. – *Fire Marshal Tim Birdwell*
 Decrease 001-0450-506030 Ammunition by \$170.00
 Decrease 001-0450-506890 GSA Contract by \$1,000.00
 Decrease 001-0450-507030 Telephone by \$1,000.00
 Decrease 001-0450-508020 Equipment by \$1,000.00
 Decrease 001-0450-508050 Conference by \$800.00
 Decrease 001-0450-508060 Official Bonds/Dues by \$500.00
 Increase 001-0450-508080 Auto Gas by \$4,470.00
- F.9 Fiscal Year 2022 Line-Item Transfer. – *Veterans Services Officer Ellsworth Huling IV*
 Decrease 001-0070-508190 Computer Equipment by \$150.00
 Increase 001-0070-508010 Supplies by \$150.00
- F.10 Request for approval to pay Staples FY2021 invoices using FY2022 budget funds: #3510420074 in the amount of \$4.01; #3510993433 in the amount of \$69.00; #3510420072 in the amount of \$79.11. – *County Auditor Janet Martin*

- F.11 Fiscal Year 2022 Line-Item Transfer. – *Precinct 2 Commissioner Lane Grayson*
Decrease 010-0653-508680 FM Contract Labor by \$10,000.00
Increase 010-0653-509090 FM Repairs Parts by \$10,000.00
- F.12 Fiscal Year 2022 Line-Item Transfer. – *Precinct 2 Commissioner Lane Grayson*
Decrease 010-0653-508680 FM Contract Labor by \$10,000.00
Increase 010-0653-509620 FM Lubricants by \$1,000.00

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 **Discussion, consideration, and action on a plat of J & H Estate.** The property contains ±1.81 acres of land in the R. De la Pena Survey, Abstract No. 3, located on the south side of Alsdorf Road ± 3,200 feet east of the intersection of Alsdorf Road and Union Hill Road, Ennis, Road and Bridge Precinct No. 1.
- 1.2 **Discussion, consideration, and action on a plat of Morgan Addition.** The property contains ±5.143 acres of land in the R. De la Pena Survey, Abstract No. 3, located at the intersection of FM 660 and Old Pecan Street, Ennis, Road and Bridge Precinct No. 1.
- 1.3 **Discussion, consideration, and action on a plat of Slate Rock Acres.** The property contains ±10.691 acres of land in the R. De la Pena Survey, Abstract No. 3, located on the north side of Slate Rock Road ± 2,480 feet west of the intersection of Slate Rock Road and Andrews Road, Ennis, Road and Bridge Precinct No. 1.
- 1.4 **Discussion, consideration, and action for a one-time variance for 501 Alsdorf Road (Parcel ID No. 284742) from Volume I, Section IV, (A) (2) (Residential Lots) of the Subdivision and Development Standards to allow one (1) lot without meeting the minimum public road frontage requirement.** The property contains ±91.14 acres of land located on the west side of Alsdorf Road, ±2,455 feet north of the intersection of Alsdorf Road and Highway 34 in the extraterritorial jurisdiction (ETJ) of the City of Ennis, Road and Bridge Precinct No. 2.
- 1.5 **Discussion, consideration, and action on a plat of Lake Bardwell Estates.** The property contains ±10.031 acres of land in the Joseph Boren Survey, Abstract No. 36, located on the west side of Bozek Lane ±1,000 feet north of the intersection of Bozek Lane and Highway 34, Road and Bridge Precinct No. 2.
- 1.6 **Discussion, consideration, and action on a plat of Lucy Addition.** The property contains ±6.00 acres of land in the Nathaniel Hodge Survey, Abstract No. 509, located near the southeast intersection of Highway 34 and Margarite Avenue, in the extraterritorial jurisdiction (ETJ) of the City of Bardwell, Road and Bridge Precinct No. 2.
- 1.7 **Discussion, consideration, and action for a one-time variance for 200 Southard Road (Parcel ID No. 183071) from Volume I, Section IV (A) (2) (Residential Lots) of the Subdivision and Development Standards to allow four (4) lots without meeting the minimum public road frontage requirement.** The property contains ±60.442 acres of land located north of Sissom Avenue, ±375 feet north of the intersection of Sissom Avenue and Highway 34, Avalon, Road and Bridge Precinct No. 2.

- 1.8 **Discussion, consideration, and action on a plat of Anderson Road Estates.** The property contains ±10.017 acres of land in the Edward T. Branch Survey, Abstract No. 34, located on the north side of Anderson Ranch Road ±780 feet east of the intersection of Bill Lewis Road and Anderson Ranch Road, Waxahachie, Road and Bridge Precinct No. 3.
- 1.9 **Discussion, consideration, and action on a plat of Ashlock Addition.** The property contains ±3.006 acres of land in the A.W. Kennedy Survey, Abstract No. 1223, located on the south side of Bee Creek School House Road ±370 feet east of the intersection of Bee Creek School House Road and FM 308, Grandview, Road and Bridge Precinct No. 3.
- 1.10 **Discussion, consideration, and action on a plat of Dovie Acres.** The property contains ±13.591 acres of land in the Zacheus Wilson Survey, Abstract No. 1113, located near the southeast intersection of Dovie Road and Berrys Chapel Road, Milford, Road and Bridge Precinct No. 3.
- 1.11 **Discussion, consideration, and action on a plat of Nicholson Subdivision.** The property contains ±5.992 acres of land in the John Chapman Survey, Abstract No. 209, located on the west side of Westmoreland Road ±920 feet south of the intersection of Westmoreland Road and Southridge Street, in the extraterritorial jurisdiction (ETJ) of Ovilla, Red Oak, Road and Bridge Precinct No. 4.
- 1.12 **Discussion, consideration, and action on a plat of Sagebrush Addition.** The property contains ±92.217 acres of land in the Mary Powers Survey, Abstract No. 843, located at the intersection of Longbranch Road and Hayes Road, in the extraterritorial jurisdiction (ETJ) of the City of Midlothian, Road and Bridge Precinct No. 4.
- 1.13 **Discussion, consideration, and action to release performance bonds and accept maintenance bonds for Oak Creek Ranch, Phase 1.** The property contains ±129.014 acres located near the intersection of FM 875 and Skinner Road, in the extraterritorial jurisdiction (ETJ) of the City of Midlothian, Road and Bridge Precinct No. 4.
- 1.14 **Discussion, consideration, and action to release maintenance bonds and accept infrastructure for Springside Estates, Phase 1.** The property contains ±88.651 acres of land located on the north side of Broadhead Road ±650 feet west of Gibson Road, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 4.

Purchasing:

- 2.1 Discussion, consideration, and approval to award RFP-2022-001 Software and Implementation Services for a Computer-Aided Dispatch; Records Management; and Jail Management System to Motorola Solutions, Inc. for an initial first-year amount of \$1,817,141.00 and nine-year subscription in the amount of \$2,358,741.00 for a total cost of \$4,175,882.00, subject to legal approval of the final negotiated contract.
- 2.2 Discussion, consideration, and approval to engage Berry Dunn for the next phase (implementation services for a Computer-Aided Dispatch; Records Management; and Jail Management System) of the Ellis County, Texas Justice and Public Safety software project in the amount of \$529,152.00.

- 2.3 Discussion, consideration, and approval to purchase one 2022 Silverado 2500 Crew Cab truck for Road and Bridge Precinct 1 in an amount of \$43,944.00 using BuyBoard Contract #601-19 with Caldwell Country Chevrolet.
- 2.4 Discussion, consideration, and approval for the County Judge to execute a lease agreement with American National Leasing for a 2022 Ford Explorer for the IT Department.
- 2.5 Discussion, consideration, and approval to award RFB-2022-022 Services for an armored car/armed courier transportation service with Brink's U.S., Inc.

Administrative:

- 3.1 Discussion, consideration, and approval of the composition of the Salary Grievance Committee pursuant to Local Government Code §152.014(a)(1) or (a)(2). – *County Clerk Krystal Valdez*
- 3.2 Selection of the public members of the Salary Grievance Committee pursuant to Local Government Code §152.015. – *County Clerk Krystal Valdez*
- 3.3 Discussion, consideration, and approval of request to participate in the Major Events Reimbursement Program (“MERP”) pursuant to Texas Administrative Code, Title 10, Chapter 184 and Texas Government Code Chapter 478 in support of the 2022 Texas NHRA Fall Nationals. – *County Judge Todd Little*
- 3.4 Discussion, consideration, and approval to order the General Election to be held on November 8th, 2022, for the purpose of electing county and precinct officers as required by Article XVI, §65 of the Texas Constitution and approval of the Early Voting Schedule. – *Elections Administrator Jana Onyon*
- 3.5 Discussion, consideration, and approval of the presiding, alternate judges, and central counting station personnel for the upcoming two-year term (September 1st, 2022 through August 31st, 2024) as submitted by the Democratic and Republican Parties. – *Elections Administrator Jana Onyon*
- 3.6 Discussion, consideration, and approval of Local Provider Participation Fund payment of \$549,901.78. – *County Treasurer Cheryl Chambers*
- 3.7 Discussion, consideration and receipt of tax rate calculation worksheets for Fiscal Year 2023 from the Tax Assessor/Collector. – *Tax Assessor/Collector Richard Rozier*
- 3.8 Discussion, consideration and approval for an Economic Development Performance Agreement with Decra Roofing Systems, Inc., regarding property located in a Texas Enterprise Zone and therefore located in a reinvestment zone in the City of Ennis, Ellis County, Texas. The improvements to be included in the tax abatement agreement generally consist of real and qualified personal property. The estimated costs of the acquisition and improvements of approximately 204,000 sf. are at least \$31 million. Final agreement is subject to review and approval by legal. – *Ennis Director of Economic Development Jim Wehmeier*

- 3.9 Presentation by Old Fort Worth Road, LLC, regarding potential tax abatement agreement with Ellis County for development within the Midlothian Commercial-Industrial Tax Abatement Reinvestment Zone Number 18, containing approximately ±54.538 acres located on the south side of Old Fort Worth Road in Midlothian, Texas 76065 and comprised of Ellis Appraisal District Property Identification parcels 217786 and 217787. The improvements to be included in the tax abatement agreement generally consist of the construction of a +700,000 square foot facility for the applicant's headquarters and distribution center. The estimated costs of the improvements are at least \$55 million.
- 3.10 Conduct a public hearing to consider a request from Old Fort Worth Road, LLC to approve a tax abatement agreement with Old Fort Worth Road, LLC, and fully described in Agenda item 3.9.

RECESS TO CONVENE TO 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 Texas Government Code §551.071, consultation with legal counsel regarding pending litigation matter styled as *Traci R. Jones and Sharon M. Cotton v. Randy Stinson, Ellis County, Commissioner Precinct 1, Lane Grayson, Ellis County Commissioner, Precinct 2, Paul Perry, Ellis County Commissioner, Precinct 3, Kyle Butler, Ellis County Commissioner, Precinct 4, Todd Little, County Judge, Krystal Valdez, Ellis County Clerk*, Cause No. 108946, in the 40th Judicial District, Ellis County.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed this the 5th Day of August, 2022



Todd Little, Ellis County Judge

I, the undersigned, County Clerk of the Ellis County Commissioners' Court do hereby certify that the above Notice of Meeting of the Ellis County Commissioners' Court is a true and correct copy of said Notice, that I received said Notice, and it was posted at the doors of the Ellis County Courthouse, a place readily accessible to the general public at all times on the 5th day of August, 2022 at 3:19 a.m./p.m.





Krystal Valdez, County Clerk *Deputy*