



2022 OCT 14 PM 4:46

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

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## 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 **Friday, October 18<sup>th</sup>, 2022, at 2:00 P.M. in the Commissioners' Courtroom (2<sup>nd</sup> 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:

### OPENING COURT

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

Motion to open meeting

Invocation and Pledge of Allegiance – *Precinct 1 Commissioner Randy Stinson*

**PROCLAMATION** – A proclamation declaring October as Fire Prevention & Awareness Month in Ellis County. – *County Judge Todd Little and Fire Marshal Tim Birdwell*

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

**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 Special Meeting Minutes from September 30<sup>th</sup>, 2022. – *County Clerk Krystal Valdez*
- A.3 Approval of the Department of Development's monthly financial report for September 2022, as required by Texas Local Government Code §114.044. – *Development Director Alberto Mares*

- A.4 Acceptance of the Ellis County Ag Extension Monthly Report for September 2022, pursuant to Texas Local Government Code §114.044. – *AgriLife Extension Service Director Mark Arnold*
- A.5 Acceptance of the Justice of the Peace, Precinct #1 monthly report to satisfy Texas Local Government Code §114.044. – *Precinct 1 Justice of the Peace Chris Macon*

**Financial:**

- F.1 FY23 Line-Item Transfer. – *Precinct 1 Commissioner Randy Stinson*  
Decrease 009-0602-570000 (Contingency-Surplus) by \$249,750.00  
Increase 009-0602-508020 (Equipment) by \$249,750.00
- F.2 FY23 Budget Amendment. – *Precinct 1 Commissioner Randy Stinson*  
Accept insurance reimbursement from Harco National Insurance in the amount of \$4,021.25 and Century City Steel in the amount of \$4,948.86 as unanticipated revenue.  
Request for special budget of unanticipated revenue:  
Increase 009-0602-570000 (Contingency-Surplus) by \$4,021.25.  
Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor.
- F.3 Approval of the 1<sup>st</sup> quarterly payment of \$52,139.08 to the North Texas Behavioral Health Authority (NTBHA) for FY2023; county match funds to be paid quarterly. The total amount to be paid out for FY23 would be \$208,556.33. Funding will come from the FY23 Community Support line. – *County Auditor Janet Martin*
- F.4 Approval for an invoice in the amount of \$306.53 dated 09/02/2021 for Hobart Service for the Jail to be paid out of FY22. – *County Auditor Janet Martin*
- F.5 FY23 Budget Amendment. – *Veterans Services Director Ellsworth Huling IV*  
Accept juror donations to the Ellis County Veterans Services Office in the amount of \$72.00 as unanticipated revenue.  
Request for special budget of unanticipated revenue:  
Increase 001-0070-506330 (Veterans Services – Jury Donations) by \$72.00  
Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor.
- F.6 FY23 Line-Item Transfer. – *Emergency Management Coordinator Samantha Pickett*  
Decrease 001-0430-507030 (Telephone) by \$310.00  
Decrease 001-0430-508020 (Equipment) by \$4.01  
Decrease 001-0430-508080 (Fuel) by \$800.00  
Decrease 001-0430-508150 (Uniforms) by \$11.50  
Decrease 001-0430-509960 (Contract Services – Radio Agreement) by \$769.00  
Increase 001-0430-508050 (Conference) by \$1,894.51
- F.7 FY23 Line-Item Transfer. – *Precinct 2 Constable Casey Borders*  
Decrease 001-0612-508190 (Computer Equipment) by \$1,400.00  
Decrease 001-0612-508010 (Supplies) by \$820.12  
Increase 001-0612-508020 (Equipment) by \$2,220.12

- F.8 FY23 Line-Item Transfer. – *Precinct 4 Commissioner Kyle Butler*  
Decrease 012-0755-508070 (Operating Expenditures) by \$28,764.91  
Increase 012-0755-509150 (Asphalt) by \$28,764.91

**REGULAR AGENDA – Discussion, Consideration and Action:**

**Department of Development:**

- 1.1 Discussion, consideration, and action on a plat of Butler and Pruski Addition No. 2. The property contains ±20.19 acres in the R. de la Pena Survey, Abstract No. 3, located ±665 feet east of the intersection of Eason Road and Chemlar Road, in the extraterritorial jurisdiction (ETJ) of the City of Ennis, Road and Bridge Precinct No. 1.
- 1.2 Discussion, consideration, and action for a request to accept performance bonds for the proposed Ellis Ranch Estates (Parcel ID No. 188955, 215690, and 234508). The property contains ±246.358 acres of land in the J. Plunkett Survey – Abstract No. 826, the A. Smith Survey – Abstract No. 1037, and the H. Smith Survey – Abstract No. 1004, located at the north side of FM 878 ±5,050 feet west of the intersection of FM 878 and Rutherford Road, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 1.
- 1.3 Discussion, consideration, and action on a plat of Anderson Acres. The property contains ±10.1106 acres in the ET Branch Survey, Abstract No. 34, located north of the intersection of Anderson Ranch Road and Bill Lewis Drive, Forrester, Road and Bridge Precinct No. 3.
- 1.4 Discussion, consideration, and action on a replat of Barton Acres, Lots 1A-1C. The property contains ±6.179 acres located northeast at the intersection of Barton Road and W. 1<sup>st</sup> Street, in the extraterritorial jurisdiction (ETJ) of the City of Maypearl, Road and Bridge Precinct No. 3.
- 1.5 Discussion, consideration, and action on a plat of Celestial Farm. The property contains ±6.910 acres in the H. Harris Survey, Abstract No. 480, located on the west side of Bud Run Road, ±1,650 feet north of the intersection of Bud Run Road and Holder Road, Waxahachie, Road and Bridge Precinct No. 3.
- 1.6 Discussion, consideration, and action on a plat of Compton Estates. The property contains ±10.300 acres in the J. Fifer Survey, Abstract No. 351, located on the west side of Compton Lane, ±1,900 feet north of the intersection of Compton Lane and Compton Road, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 3.
- 1.7 Discussion, consideration, and action on a replat of Grade Casa Ranchitos Tract 17A-17C. The property contains ±7.698 acres, located at the intersection of Old Maypearl Road and Grande Casa Road, Waxahachie, Road and Bridge Precinct No. 3.
- 1.8 Discussion, consideration, and action on a plat of McVickers Acres. The property contains ±7.976 acres in the M. Cheek Survey, Abstract No. 219, located on the west side of Smith Road, ±500 feet north of the intersection of Smith Road and Jackson Road, Maypearl, Road and Bridge Precinct No. 3.

- 1.9 Discussion, consideration, and action on a replat of Starks Acres, Lot 1 AR, Block A. The property contains ±2.814 acres of land located at the intersection of FM 66 and Richard Road, Waxahachie, Road and Bridge Precinct No. 3.
- 1.10 Discussion, consideration, and action on a plat of The Ranch at Stone Hill. This property contains ±125.000 acres of land in the J. Wells Survey, Abstract No. 1183; the J. Woods Survey, Abstract No. 1144; the W.M. Turner Survey, Abstract No. 1093; the B. Barton Survey, Abstract No. 138; located at the south of the intersection of Greathouse Road and Greathouse Circle, Waxahachie, Road and Bridge Precinct No. 3.
- 1.11 Discussion, consideration, and action to accept a maintenance letter of credit for Sagebrush Addition. The property contains ±92.217 acres of land 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.

### **Motion to Enter into a Public Hearing**

- 1.12 Conduct a public hearing to discuss amending Minute Order 215.06, the Order Regulating Screening of Certain Outdoor Businesses and Licensing & Regulation of Automotive Salvage & Junkyards, collectively known as the Outdoor Business Order, last adopted on June 26<sup>th</sup>, 2006. The primary purpose of these amendments is to provide updated visual aesthetic standards, development review process, licensing & revocation process, and any other related additions, deletions, and changes, provide a conflicts clause, severability clause, and set an effective date.

### **Motion to Exit the Public Hearing**

- 1.13 Consider and act upon proposed amendments to Minute Order 215.06, the Order Regulating Screening of Certain Outdoor Businesses and Licensing & Regulation of Automotive Salvage & Junkyards, collectively known as the Outdoor Business Order, last adopted on June 26<sup>th</sup>, 2006. The primary purpose of these amendments is to provide updated visual aesthetic standards, development review process, licensing & revocation process, and any other related additions, deletions, and changes, providing a conflicts clause, severability clause, and set an effective date.

### **Motion to Enter into a Public Hearing**

- 1.14 Conduct a public hearing to discuss amending the Ellis County Quality Growth Initiatives, Volume I, Section IX (Mobile/Manufactured Home & RV Parks) and Section XXI (Definitions). These amendments are primarily designated to update the requirements for Infrastructure Development plans for manufactured/mobile home & RV parks, multi-tenant developments, and any other related additions, deletions, and changes, provide a conflicts clause, severability clause, and an effective date.

### **Motion to Exit the Public Hearing**

- 1.15 Consider and act upon proposed amendments to the Ellis County Quality Growth Initiatives, Volume I, Section IX (Mobile/Manufactured Home & RV Parks) and Section XXI (Definitions). These amendments are primarily designated to update the requirements for Infrastructure Development plans for manufactured/mobile home & RV parks, multi-tenant developments, and any other related additions, deletions, and changes, providing a conflicts clause, severability clause, and an effective date.

## Purchasing

- 2.1 Discussion, consideration, and approval to sign an interlocal agreement between the City of Waxahachie and Ellis County in accordance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code.
- 2.2 Discussion, consideration, and action to declare the listed items as surplus to be disposed in accordance with Local Government Code, Chapter 263, for Road and Bridge Precinct No. 3: 1996 Peterbilt Truck Model 379, VIN IXP5DB8X9TD418074; 2014 Dodge 1500 Pick Up, VIN 3C6JRDT3EG190761; 2018 New Holland Tractor TS6.120, NT00450M; 2011 Case IH 85C Cab Tractor, 2BJB22137; 60" Alamo Trimmer Head; Alamo Machete; Air Compressor; Culverts (3 each); flatbed trailer w/ Bobcat Welder Mounted; Timber VST Sickle Bar; Lincoln Welder.
- 2.3 Discussion, consideration, and approval to purchase body cameras from Axon Enterprise, Inc. using the Texas Association of School Boards BuyBoard Cooperative Contract No. 648-21 in the amount of \$249,561.50 for the Jail with a payment plan over 5 years at \$49,912.30 per year.
- 2.4 Discussion, consideration, and approval to award RFP-2022-005 Design and Implementation of High-Speed Gigabit Fiber Internet for a 5-year contract with AT&T Corporation.
- 2.5 Discussion, consideration, and approval for the County Judge to execute a lease agreement with American National Leasing for a 2022 Nissan Rouge for the County Attorney's Office.
- 2.6 Discussion, consideration, and approval to purchase equipment, supplies, and services on an as-needed basis using the following cooperative contracts for purchases up to the department/elected official's approved budget amount by the Ellis County Commissioners' Court: Texas Association of School Boards BuyBoard Cooperative Contracts; TIPS Cooperative Contracts; Texas Department of Information Resources (DIR); Choice Partners Cooperative Contract; Omnia Partners Contracts; 1Government Procurement Alliance; General Services Administration (GSA); Houston-Galveston Area Council (H-GAC); Sourcewell; Texas SmartBuy; Texas Multiple Award Schedule Program (TXMAS)
- 2.7 Discussion, consideration, and approval to advertise and solicit for a Request for Statement of Qualifications (RFSQ) for a Grant Writer.
- 2.8 Discussion, consideration, and approval to award RFP-2022-024 Mobile Command Vehicle to Siddons Martin Emergency Group, LLC in the amount of \$2,069,315.00 for Emergency Management.
- 2.9 Discussion, consideration, and approval for the purchase of proprietary equipment; use of intellectual property and integration services from CML Security for upgrades to the Jail control systems using the approved Sole Source Exemption (Minute Order 261.21) in an amount of \$127,750.00.
- 2.10 Discussion, consideration, and approval of the Schindler Modernization Proposal to modernize Elevators 1 and 2 at the Ellis County Jail in the amount of \$383,582.00 with authorization to pay \$191,791.00 at the time of proposal acceptance using Omnia Cooperative Contract #R200501 with Schindler.

Administrative:

- 3.1 Discussion, consideration, and recommendation to TxDOT regarding the alignment of the 1387 Thoroughfare Route – *Precinct 4 Commissioner Kyle Butler*
- 3.2 Annual interpretation and update of Ag Extension Programs. – *AgriLife Extension Service Director Mark Arnold*
- 3.3 Discussion, consideration, and approval of the engagement letter from GRS Consulting, who provide actuarial services necessary for GASB 75 compliance; approval includes Judge Little signing the engagement letter. – *County Auditor Janet Martin*
- 3.4 Discussion, consideration and approval of FY2022-2023 payroll changes necessary for approved employee reclassifications that were inadvertently omitted from the page containing the employee classification lists but were included in the approved budget. These changes are to be effective October 1, 2022. – *County Auditor Janet Martin*
- 3.5 Discussion, consideration, and approval to add four (4) total cash drawers: two (2) property tax and two (2) motor vehicle drawers for the budget approved addition of Clerk II positions at the Waxahachie Tax Office. – *Tax Assessor/Collector Richard Rozier*
- 3.6 Discussion, consideration, and approval of a Memorandum of Agreement (MOA) with the Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management Office and Ellis County for the use of Ellis County Office of Emergency Management Interoperable System and IPAWS Open Platform for Emergency Networks (IPAWS-OPEN). The MOA will provide a framework to enable information interoperability across emergency organizations and systems as intended by the FEMA IPAWS Program. – *Emergency Management Coordinator Samantha Pickett*
- 3.7 Informational briefing regarding the Small Business Loan Declaration (Texas #17622) for the August 22-25, 2022, localized flooding. Ellis County homeowners, renters, businesses, and non-profit organizations are eligible for low interest loans for physical and economic damage from the August 22-25 flooding event. – *Emergency Management Coordinator Samantha Pickett*
- 3.8 Discussion, consideration, and approval for the County Judge to sign a bond approval for Baylor Scott & White in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended. – *County Judge Todd Little*
- 3.9 Discussion, consideration, and approval of an interlocal agreement between Ellis County and the Avalon Independent School District, pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code. – *Precinct 2 Commissioner Lane Grayson*
- 3.10 Discussion, consideration, and approval of an interlocal agreement between Ellis County and the City of Alma, pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code. – *Precinct 2 Commissioner Lane Grayson*

- 3.11 Discussion, consideration, and approval of an interlocal agreement between Ellis County and the Ennis Independent School District, pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code. – *Precinct 2 Commissioner Lane Grayson*
- 3.12 Discussion, consideration, and approval of an interlocal agreement between Ellis County and the City of Ennis, pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code. – *Precinct 2 Commissioner Lane Grayson*
- 3.13 Discussion, consideration, and action regarding a renewed burn ban, contingent on any updated data during dry season. – *Fire Marshal Tim Birdwell*
- 3.14 Discussion, consideration, and approval of action in response to breach of contract and related issues with AMR. – *Fire Marshal Tim Birdwell*
- 3.15 Discussion, consideration and approval of response to the Notice of Application and Preliminary Decision for TPDES (Texas Pollutant Discharge Elimination System) Permit for Municipal Wastewater from TCEQ and related to the Highland Lakes MUD and FM 875 MUD, by hiring outside counsel and/or retention of P3 Works. – *County Judge Todd Little*
- 3.16 Discussion, consideration and approval of proceeding with litigation related to the Eyrie Meadows subdivision and specifically, a claim on the maintenance bond of the developer, as well as others involved in the construction and development of the subdivision due to numerous drainage issues as well as concrete roads that are failing and do not meet the standards for County acceptance. – *County Judge Todd Little*

#### **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.

- E.1 Pursuant to Texas Government Code §551.071(1), consultation with legal counsel regarding pending or contemplated litigation matter concerning AMR contract.
- E.2 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.
- E.3 Pursuant to Texas Government Code §551.071(1), consultation with legal counsel regarding pending or contemplated litigation matter(s) concerning Notice of Application and Preliminary Decision for TPDES (Texas Pollutant Discharge Elimination System) Permit for Municipal Wastewater from TCEQ and related to the Highland Lakes MUD and FM 875 MUD, and possible retention of counsel to file a contest and/or retention of P3 Works.

E.4 Pursuant to Texas Government Code §551.071(1), consultation with legal counsel regarding contemplated litigation related to the Eyrie Meadows subdivision and specifically, a claim on the maintenance bond of the developer, as well as others involved in the construction and development of the subdivision, due to numerous drainage issues as well as concrete roads that are failing and do not meet the standards for County acceptance

**ADJOURNMENT OF EXECUTIVE SESSION**

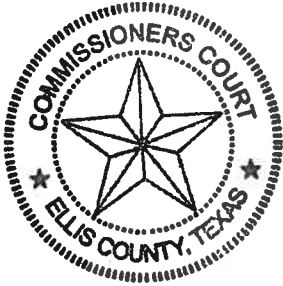
**ADJOURNMENT OF REGULAR MEETING**

Signed this the 14<sup>th</sup> day of October 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 14<sup>th</sup> day of October 2022 at 4:46p.m.



Krystal Valdez, County Clerk