

2023 AUG -4 PH 4: 32

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 8th, 2023, 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:

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 4 Commissioner Kyle Butler*

RECOGNITIONS

R.1 Proclamation recognizing August 21st as National Fentanyl Prevention & Awareness Day in Ellis County.

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 the May 2023 Monthly Treasurer's Report in accordance with Local Government Code §114.026. – *County Treasurer Cheryl Chambers*

A.3 Approval of the June 2023 Monthly Treasurer's Report in accordance with Local Government Code §114.026. – *County Treasurer Cheryl Chambers*

- A.4 Approval of the Ellis County Treasurer's 2nd Quarter Investment Report in accordance with Government Code §2256.023. – *County Treasurer Cheryl Chambers*
- A.5 Approval of the Commissioners' Court Regular Meeting Minutes from July 25th, 2023. – *County Clerk Krystal Valdez*
- A.6 Approval of a resolution assigning private activity bond authority to the Texas Department of Housing and Community Affairs on behalf of the North Central Housing Finance Corporation. – *County Judge Todd Little*
- A.7 Acceptance of the Justice of the Peace, Precinct 4 monthly report for July 2023, pursuant to Local Government Code §114.044. – *The Honorable Louis Ponder, Justice of the Peace, Precinct 4*
- A.8 Acceptance of the Justice of the Peace, Precinct 1 monthly report for July 2023, pursuant to Local Government Code §114.044. – *The Honorable Chris Macon, Justice of the Peace, Precinct 1*
- A.9 Presentation of a tabulated report of the county's receipts and disbursements of funds from July 1st, 2023 – July 31st, 2023, pursuant to Local Government Code §114.024. – *County Auditor Janet Martin*
- A.10 Acceptance of the Justice of the Peace, Precinct 2 monthly report for July 2023, pursuant to Local Government Code §114.044. – *The Honorable Jackie Miller, Justice of the Peace, Precinct 2*
- A.11 In accordance with Local Government Code §118.131, adoption of Sheriff's and Constables' Fees for 2024. – *Sheriff Brad Norman*
- A.12 Approval for the County Judge to execute the interlocal agreement between Ellis County and the Texas Division of Emergency Management (TDEM) to facilitate the provision of emergency services in providing office space to TDEM personnel. – *Emergency Management Coordinator Michaela Sandefer*

Financial:

- F.1 FY 2023 Line-Item Transfer. – *Elections Administrator Jana Onyon*
- Decrease 001-0210-508480 (Part Time Election Salary) by \$20,000.00
 - Decrease 001-0210-506950 (FICA) by \$9,500.00
 - Increase 001-0210-508020 (Equipment) by \$24,700.00
 - Increase 001-0210-508550 (Voting Equipment) by \$3,500.00
 - Increase 001-0210-508050 (Conference) by \$1,200.00
 - Increase 001-0210-506010 (Travel Reimbursement) by \$100.00
- F.2 FY 2023 Line-Item Transfer. – *Precinct 2 Commissioner Lane Grayson*
- Decrease 010-0653-508030 (FM2 Equipment) by \$5,000.00
 - Decrease 010-0653-509150 (FM2 Asphalt) by \$10,000.00
 - Increase 010-0653-509090 (FM2 Repairs/Parts) by \$15,000.00
- F.3 FY 2023 Line-Item Transfer. – *Precinct 4 Commissioner Kyle Butler*
- Decrease 012-0755-570000 (Contingency-Surplus) by \$36,000.00
 - Increase 012-0755-508680 (Contract Labor) by \$36,000.00

- F.4 FY 2023 Line-Item Transfer. – *Indigent Health Coordinator Terri Klein*
- Decrease 001-0110-508050 (Conference) by \$30.00
 - Increase 001-0110-508060 (Dues) by \$30.00
- F.5 FY 2023 Line-Item Transfer. – *Precinct 3 Commissioner Paul Perry*
- Decrease 005-0703-508070 (RB3 Operating Expenses) by \$1,000.00
 - Increase 005-0703-508680 (RB3 Contract Labor) by \$1,000.00
- F.6 FY 2023 Line-Item Transfer. – *Precinct 3 Commissioner Paul Perry*
- Decrease 005-0703-509090 (RB3 Repair/Parts) by \$2,000.00
 - Increase 005-0703-509180 (RB3 Tools/Hardware) by \$2,000.00
- F.7 FY 2023 Line-Item Transfer. – *Precinct 3 Commissioner Paul Perry*
- Decrease 005-0703-505025 (RB3 Part-Time) by \$10,000.00
 - Increase 005-0703-505027 (RB3 Seasonal) by \$10,000.00
- F.8 FY 2023 Line-Item Transfer. – *Human Resources Director Theresa Taylor*
- Decrease 001-0425-508350 (Safety/Training) by \$500.00
 - Increase 001-0425-508190 (Computer) by \$500.00
- F.9 FY 2023 Line-Item Transfer. – *Human Resources Director Theresa Taylor*
- Decrease 001-0425-508350 (Safety/Training) by \$600.00
 - Decrease 001-0425-508650 (Employment Screening) by \$1,000.00
 - Increase 001-0425-508060 (Dues) by \$600.00
 - Increase 001-0425-508010 (Supplies) by \$1,000.00
- F.10 FY 2023 Line-Item Transfer. – *County & District Attorney Ann Montgomery*
- Decrease 001-0360-505020 (Full-Time Salaries) by \$2,000.00
 - Increase 001-0360-508330 (Court Reporting) by \$2,000.00
- F.11 FY 2023 Line-Item Transfer. – *County & District Attorney Ann Montgomery*
- Decrease 001-0360-505020 (Full-Time Salaries) by \$23,000.00
 - Increase 001-0360-508030 (Furniture) by \$6,000.00
 - Increase 001-0360-508530 (Legal Research) by \$4,000.00
 - Increase 001-0360-508070 (Operating Expenditures) by \$4,000.00
 - Increase 001-0360-508010 (Supplies) by \$4,000.00
 - Increase 001-0360-508020 (Equipment) by \$4,000.00
 - Increase 001-0360-508880 (Computer Software) by \$1,000.00
- F.12 FY 2023 Line-Item Transfer. – *I.T. Director Jocelyn King*
- Decrease 001-0035-505020 (Full-Time Salaries) by \$10,000.00
 - Increase 001-0035-508680 (Contract Services) by \$2,100.00
 - Increase 001-0035-508020 (Equipment) by \$7,900.00

- F.13 FY 2023 Line-Item Transfer. – *Precinct 1 Commissioner Randy Stinson*
- Decrease 003-0601-570000 (RB1 Contingency-Surplus) by \$85,000.00
 - Increase 003-0601-508020 (RB1 – Purchase of Equipment) by \$85,000.00
- F.14 FY 2023 Line-Item Transfer. – *County Treasurer Cheryl Chambers*
- Decrease 001-0400-508350 (Training) by \$2,500.00
 - Decrease 001-0400-506010 (Mileage) by \$500.00
 - Decrease 001-0400-507030 (Telephone) by \$220.00
 - Increase 001-0400-508050 (Conference) by \$2,500.00
 - Increase 001-0400-508680 (Contract Services) by \$720.00
- F.15 FY 2023 Line-Item Transfer. – *The Honorable Jackie Miller, Justice of the Peace, Precinct 2*
- Decrease 001-0540-508730 (Maint/RPS Ofc Equip) by \$1,500.00
 - Increase 001-0520-508680 (Contract Services) by \$100.00
 - Increase 001-0520-508030 (Furniture) by \$300.00
 - Increase 001-0520-508050 (Conference) by \$400.00
 - Increase 001-0520-508740 (Docket Books – Printing) by \$300.00
 - Increase 001-0520-508010 (Supplies) by \$400.00
- F.16 FY 2023 Line-Item Transfer. – *The Honorable Louis Ponder, Justice of the Peace, Precinct 4*
- Decrease 001-0540-507030 (Telephone) by \$167.63
 - Increase 001-0540-508010 (Supplies) by \$20.71
 - Increase 001-0540-508730 (Maint/RPS Ofc Equip) by \$146.92
- F.17 FY 2023 Line-Item Transfer. – *County Clerk Krystal Valdez*
- Decrease 001-0320-507030 (Telephone) by \$1,500.00
 - Decrease 001-0320-508020 (Equipment) by \$2,850.00
 - Decrease 001-0320-508050 (Conference) by \$1,800.00
 - Decrease 001-0320-508230 (Legal Notice) by \$200.00
 - Decrease 001-0320-508350 (Training) by \$2,000.00
 - Decrease 001-0320-506010 (Mileage Reimbursement) by \$1,600.00
 - Increase 001-0320-508680 (Contract Services) by \$2,200.00
 - Increase 001-0320-508010 (Supplies) by \$7,750.00
- F.18 Approval of JP1 courtroom security funds to pay for repairs needed for the security camera system to BAT Security in the amount of \$350.00. – *The Honorable Chris Macon, Justice of the Peace, Precinct 1*

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 Discussion, consideration, and action on a plat of Ellis Ranch Estates North. The property contains ± 137.683 acres of land in the J. Plunkett Survey, Abstract No. 826, the A. Smith Survey, Abstract No. 1037, the H. Smith Survey, Abstract No. 1004, located on the north side of FM 878, ± 5,050 feet west of the intersection of FM 878 and Rutherford Road, Waxahachie, Road and Bridge Precinct No. 1.

- 1.2 Discussion, consideration, and action on a plat of Ellis Ranch Estates South. The property contains ± 108.656 acres of land in the J. Plunkett Survey, Abstract No. 826, the A. Smith Survey, Abstract No. 1037, located on 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 Gomez Estates. The property contains ± 7.00 acres of land in the R. De La Pena Survey, Abstract No. 3, located east of Andrews Road, ± 455 feet south of the intersection of Andrews Road and Slate Rock Road, Ennis, Road and Bridge Precinct No.
- 1.4 Discussion, consideration, and action for a one-time variance for Parcel ID No. 138370 & 192749 from Volume I, Section IV (A) (2) (Residential Lots) of the Subdivision & Development Standards to allow three (3) lots without meeting the minimum public road frontage requirement. The property contains ± 6.593 acres of land located on the east side of Pritchett Road ± 420 feet north of the intersection of Pritchett Road and Rockett Lane, Red Oak, Road and Bridge Precinct No. 1.
- 1.5 Discussion, consideration, and action on a plat of The Woods. The property contains ± 3.430 acres of land in the G. Younger Survey, Abstract No. 1195, located south of Gibson Road, ± 335 feet west of the intersection of Gibson Road and Fair Meadows Drive, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 1.
- 1.6 Discussion, consideration, and action on a plat of Erijen Addition. The property contains ± 3.00 acres of land in the R. De La Pena Survey, Abstract No. 3, located south of FM 1181, on the southwest corner of FM 1181 and Pecan Grove Road, Ennis, Road and Bridge Precinct No. 2.
- 1.7 Discussion, consideration, and action on a plat of FM 1181 Zmolik Addition. The property contains ± 1.00 acre of land in the James Loven Survey, Abstract No. 637, located on the north side of FM 1181, ± 6,325 feet west of the intersection of FM 1181 and Hornik Road, Ennis, Road and Bridge Precinct No. 2.
- 1.8 Discussion, consideration, and action on a plat of Sanchez Contreras Estates. The property contains ± 3.430 acres of land in the G. Younger Survey, Abstract No. 1195, located north on Krajca Road, ± 875 feet west of the intersection of Krajca Road and FM 985, Ennis, Road and Bridge Precinct No. 2.

Purchasing

- 2.1 Discussion, consideration, and action to declare the listed items as surplus to be disposed in accordance with the Local Government Code 263 for the Elections Office (see supporting documents).
- 2.2 Discussion, consideration, and approval to purchase a Bomag BW211PDH in the amount of \$135,539.00 with the trade of an IR SD-100 S/N 142542 and an IR SD100DTF S/N 182533 for Road & Bridge Precinct 1 using the BuyBoard Cooperative Contract Number 685-022.
- 2.3 Authorization to advertise and solicit bids for a contract for armored car service.
- 2.4 Discussion, consideration, and action to purchase two (2) 2023 Ford F-250 Trucks and accessory equipment for Ellis County Commissioner, Pct. 4 in an amount of \$129,575.95 using BuyBoard Contract # 601-19 with Rush Truck Center-Dallas.

- 2.5 Approval to install bullet-proof glass at the Justice of the Peace, Precinct 1 Sub-Courthouse in an amount not to exceed \$10,200.00.

Administrative:

- 3.1 Discussion, consideration, and approval of the following American Rescue Plan Act (ARPA) Community Partner awardees. Funding to an awardee will be disbursed when all pre-award requirements are met and the applicable contract is executed per the County Auditor's Office requirements. – County Judge Todd Little
- The Heights Ellis County Family Resources – \$1,000,000.00
 - The Bridges Training Foundation – \$133,500.00
- 3.2 Approval of an exemption to Texas Transportation Code §721.004, entitled "Inscription Required on Municipal and County-Owned Vehicles and Heavy Equipment," for the fleet vehicles purchased, assigned, or awarded to the Ellis County Fire Marshal's Office to be used to perform official duties. This exemption is found in Texas Transportation Code §721.005. – Fire Marshal Tim Birdwell
- 3.3 In accordance with Texas Tax Code Chapter 26, presentation of the calculated Ellis County 2024 property tax rates. – Tax Assessor Richard Rozier
- 3.4 Discussion and consideration of the proposed salaries for elected officials in Fiscal Year 2024. – County Judge Todd Little
- 3.5 Discussion and consideration on the proposed Ellis County Budget for FY 2023-2024, pursuant to Texas Local Government Code §111.007. – County Judge Todd Little

MOTION TO EXIT REGULAR MEETING AND ENTER PUBLIC HEARING.

- P.1 Public hearing on the proposed Ellis County Budget and salaries for FY 2023-2024, pursuant to Texas Local Government Code §111.007.

MOTION TO EXIT PUBLIC HEARING AND RECONVENE REGULAR SESSION.

- 3.6 Approval of the calculated Ellis County 2024 property tax rates. – Tax Assessor Richard Rozier
- 3.7 Approval of the proposed salaries for elected officials in Fiscal Year 2024. – County Judge Todd Little
- 3.8 Approval of Certification of a Petition with 4,866 valid signatures by Jana Onyon, Elections Administrator, to order a "Special Local Option Election to Legalize" to be conducted on November 7, 2023 in Ellis County Justice of the Peace Precinct Number 1 for the qualified voters to vote on (Proposition A), "The legal sale of all alcoholic beverages for off-premise consumption only". – Elections Administrator Jana Onyon

- 3.9 Approval to order the Special Election to be held on November 7th, 2023 for voting in an election to adopt or reject fourteen proposed Constitutional Amendments as submitted by the 88th Legislature of the State of Texas; for approval of the Early Voting Schedule; for approval of the Early Voting Ballot Board Judge/Alternate Judge. – *Elections Administrator Jana Onyon*
- 3.10 Authorization for the County Judge to sign a notice exercising Ellis County’s option to renew its lease with Leasing Impressions Commercials, LLC, for property located at 330 North 8th Street, Suite 106-108, Midlothian, TX, 76065 for a one-year term, in an amount of \$4,400 per month. – *County Judge Todd Little and Purchasing Agent E.J. Harbin*
- 3.11 Authorization for the County Judge to hire outside counsel regarding Midlothian Tax Office leases at the existing property and prospects. – *County Judge Todd Little*
- 3.12 Discussion, consideration, and approval to renew the lease for the Ellis County Seizure Storage Barn for \$60,000 for the next year. – *Purchasing Agent E.J. Harbin*
- 3.13 Discussion, consideration, and action to accept a short-term contract for service from Brinks Security until a bid process can be completed. – *County Treasurer Cheryl Chambers, Sheriff Brad Norman, County & District Attorney Ann Montgomery, and Tax Assessor Richard Rozier*

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(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, regarding the potential Brinks contract.
- 4.2 Pursuant to Texas Government Code §551.071(1), consultation with legal counsel regarding pending or contemplated litigation matter concerning TCEQ matters, specifically pending Texas Pollutant Discharge Elimination Systems permits (TPDES) and pending petitions for the creation of Municipal Utility Districts (MUD’s).
- 4.3 Pursuant to Texas Government Code §551.072, 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 concerning Ellis County’s option to renew its lease with Leasing Impressions Commercials, LLC.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed this the 21st day of July, 2023



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 21st day of July, 2023 at 4:32 p.m.



Krystal Valdez, County Clerk

Deputy

