



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, March 8, 2022, 2:00 P.M., in the Historic Ellis County Courthouse, Commissioners' Courtroom (2<sup>nd</sup> floor), 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 §551

Motion to open meeting

Invocation and Pledge of Allegiance – *Commissioner Lane Grayson*

**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 February 17, 2022 and Regular Meeting Minutes from February 22, 2022. – *County Clerk, Krystal Valdez*
- A.3 Approval of Amendment Number 01 to Texas Volkswagen Environmental Mitigation Program Contract Number: 582-21-11529-VW. – *Commissioner, Pct. 1, Randy Stinson*
- A.4 Acceptance of the Ellis County Sheriff's Office 2021 Racial Profiling Report to the Ellis County Commissioner's Court as required by Texas Code of Criminal Procedure 2.133 and 2.134. – *County Sheriff, Brad Norman*
- A.5 Approval for County Judge to sign the ARTS Renewal Agreement with Texas Association of Counties (TAC) for purposes of 1094C and 1095C reporting. – *Human Resources, Theresa Taylor*

- A.6 Approval of unanticipated revenue from the Texas Association of Counties Risk Management Pool in the amount of \$17,120.00 receipt number R2022-00402. The money is a refund of unemployment paid to TAC. The money was receipted to 001-0140-505570 Workers Comp as a reduction to the expense. No special budget will be presented. – *County Auditor, Janet Martin*
- A.7 Approval of Property Tax Refunds in the amount of \$56,758.67 by the Ellis County Tax Assessor Collector. – *County Auditor, Janet Martin*
- A.8 Approval of Property Tax Refunds in the amount of \$13,734.32 by the Ellis County Tax Assessor Collector. – *County Auditor, Janet Martin*
- A.9 Approval and acceptance of unanticipated revenue from Segwick Claims Management receipt number R2022-00392 in the amount of \$229,176.12 for water damages claim at the Sheriff’s Office. A special budget is presented for account 001-0010-507020 Repairs of \$169, 142.08 and 001-0010-508030 Furniture of \$60, 034.04 – *County Auditor, Janet Martin*
- A.10 Approval and acceptance of unanticipated revenue in the amount of \$370,978.38 from the Texas Volkswagen Environmental Mitigation Program on receipt R2022-00398. The special budget for these funds is Precinct #1 Road and Bridge Equipment 003-0601-570000 for \$370,978.38. – *County Auditor, Janet Martin*
- A.11 Approval of the purchase of DebtBook software for the County Auditor’s Office. The purchase was included in the Audit FY2022 Budget in the amount of \$9,750.00 / year for the duration of 3 years. – *County Auditor, Janet Martin*
- A.12 Presentation of a tabulated report of the county's receipts and disbursements of funds from February 15, 2022 - February 28, 2022 pursuant to Local Government Code §114.024. - *County Auditor, Janet Martin*

**Financial:**

- F.1 **FY2022 LINE ITEM TRANSFER** – *County Auditor, Janet Martin*  
**DECREASE** 063-0963-508070 ARPA – Operating Expenses by \$250.00  
**INCREASE** 001-0200-508010 District Court 443<sup>rd</sup> Supplies by \$250.00
- F.2 Approval of a joint project between Road & Bridge Pct #4 and Road Improvement Fund and Road District #5. The project will be on Shiloh Road from N. Walnut Grove to Bryson encompassing 2 miles. No line item transfers or budget amendments will be made. Money will be spent as follows:  
 012-0755-570000; FM #4 Contingency; \$234, 456.50  
 002-0902-509300; Project Expense; \$234,456.50  
 028-0928-509154; Road District 5 Allocation Pct #4; \$57,960.00

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

**Department of Development:**

- 1.1 Discussion, consideration, and action for a one-time variance for Parcel ID No. 177619 & 265583 from Volume I, Section IV (A) (2) (Residential Lots) of the Subdivision & Development Standards to allow one (1) additional permitted structure without meeting the minimum road frontage requirement. The property contains ± 64.81 acres of land located on the north side of FM 1181, ± 1,474 feet east of the intersection of FM 1181 and Allard Road, Ennis, Road and Bridge Precinct #2.

- 1.2 Discussion, consideration, and action for a one-time variance for Parcel ID No. 174011 from Volume I, Section IV (A) (2) (Residential Lots) of the Subdivision & Development Standards to allow one (1) lot without meeting the minimum road frontage requirement. The property contains ± 1.474 acres out of the ± 6.275 acres of land located on the north side of Panorama Loop, ± 650 feet west of the intersection of Hwy. 77 and Panorama Loop, in the extra-territorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct #4.

#### **Purchasing:**

- 2.1 Discussion, consideration, and approval to sign a contract with HOK, Inc. using the Master Services Agreement (MSA) between Ellis County and HOK, Inc. (Minute Order # 147.22) for architectural services on the Ellis County Annex Project in an amount of \$703,699.
- 2.2 Discussion, consideration, and approval to purchase equipment, supplies, and services on an as-needed basis, within authorized budget, using the below cooperative contracts. One-time purchases over \$50,000 shall be sent to court for approval of any permissible purchasing exemptions.

#### **Texas Association of School Boards Buy Board Cooperative Contracts**

- R.B. Everette & Company – Contract 646-21 Equipment Rental
- Holt Cat – Contract - Contract 646-21 Equipment Rental
- Kirby Smith Machinery, Inc. - Contract 646-21 Equipment Rental
- Darr Equipment - Contract 646-21 Equipment Rental
- RDO Equipment Rental – Contract 646-21
- Bane Machinery – Contract 646-21 Equipment Rental
- Staples – Contract 656-21 Office Supplies and Equipment
- Staples – Contract 661-22 Technology Equipment, Products, Services and Software
- American Mechanical Services – Contract 657-21 for HVAC, Boiler Maintenance and Mechanical Services

#### **Tips Cooperative Contracts**

- Bat Fire & Security Services – Contract 200105 Technology Solutions Products and Services
  - Edgenuity – Contract 200105 Technology Solutions Products and Services
  - GoGuardian – Contract 210101 Technology Solutions, Products and Services
- 2.3 Discussion, consideration, and approval for an Annual Update for our Fixed Asset Inventory in the amount not to exceed \$17,500 utilizing Texas Association of School Boards BuyBoard Cooperative Contract number 579-19 with RCI, funded by LINE ITEM CONTINGENCY – SURPLUS 001-0140-570000 to be reimbursed out of auction proceeds.
  - 2.4 Discussion, consideration, and approval to award Bid Number RFB-2022-021 Concrete Composite Joint and Crack Seal to Supersealer USA for Road and Bridge Precincts #1 - #4.
  - 2.5 Discussion, consideration, and approval of an Interlocal Cooperative Purchasing Agreement between Parker County and Ellis County pursuant to §271.102 of the Texas Local Government Code.

#### **Administrative:**

- 3.1 Discussion, consideration, and approval of an Engagement Agreement with P3Works, LLC.  
– *County Judge, Todd Little*
- 3.2 Discussion, consideration, and approval to authorize the County Judge to execute Order regarding settlement offers in the matter of Texas opioid multi-district litigation for the County in the matter of County of Ellis v. Purdue Pharma, Inc., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas, removed to MDL 2804, N.D. OH. – *John W. Raggio, Fears Nachawati Law Firm*

- 3.3 Discussion, consideration, and approval to contest Highland Lakes MUD No. 1 and/or Highland Lakes Midlothian, I, LLC, approval to extend the County's engagement agreement with Bickerstaff Heath Delgado Acosta LLP, and approval to execute any necessary litigation documentation. – *County and District Attorney, Ann Montgomery*
- 3.4 Discussion, consideration, and approval of a FY2022-2023 Solid Waste Grant application through the North Central Texas Council of Governments for the purchase of cameras and security enclosures to be used for illegal dumping enforcement activities. The value is \$7,466.95. No matching funds from Ellis County are required. – *Fire Marshall, Tim Birdwell*
- 3.5 Discussion, consideration, and approval of two invoices to North Texas Behavioral Health Authority from FY2022 funds. Invoice #1852 in the amount of \$52,139.08 dated 06.01.2019 is for FY2019 and Invoice #2053 in the amount of \$52,139.08 is for FY2020. The invoices were not received and need to be processed. – *County Auditor, Janet Martin*
- 3.6 Discussion, consideration and approval to terminate agreement with Brinks for the provision of armored car services and approve county employee positions to provide the service. – *County Treasurer, Cheryl Chambers*
- 3.7 Discussion, consideration, and approval of change order(s) to pay for Juvenile Justice Alternative Education Program modifications in the amount of \$40,746.06 regarding JJAEP construction project and vendor Lookup Properties, Inc. – *County Engineer, Ted Kantor*
- 3.8 Discussion, consideration, and approval to transfer \$377,929.39 from 063-0963-508070 ARPA - Operating Expenses to Account Nos. 001-0360-505020; 001-0360-505530; 001-0360-505540; 001-0360-505500; and 001-0360-508070. This funding supports the addition of positions [(2) Attorneys, (2) Investigators, and (1) Clerk] necessary due to an increase in criminal cases from COVID backlog. – *County and District Attorney, Ann Montgomery*
- 3.9 Discussion, consideration, and approval to transfer \$4,100.00 from 063-0963-508070 ARPA - Operating Expenses to Account No. 001-0360-508020 CA DA Equipment. This funding supports the addition of office furniture necessary to support increased office staffing due to an increase in criminal cases from COVID backlog. – *County and District Attorney, Ann Montgomery*

**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 §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 Chapter §551.071 of the Government Code, consultation with legal counsel regarding insurance claims and risk management, including but not limited to the procedure and notification process of such claims.
- 4.2 Pursuant to Chapter §551.071 of the Government Code, consultation with legal counsel regarding pending or contemplated litigation matters concerning County of County of Ellis v. Purdue Pharma, Inc., et al., MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas, removed to MDL 2804, N.D. OH.
- 4.3 Pursuant to Chapter §551.071 of the Government Code, consultation with legal counsel regarding pending or contemplated litigation matters concerning TCEQ, specifically pending permits for Texas Pollutant Discharge Elimination Systems (TPDES permit) and petitions for the creation of municipal utility districts (MUD), including but not limited to the Selinger MUDs, Lakeview MUDs, and Highland Lakes MUDs.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed this the 4<sup>th</sup> day of March, 2022

  
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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 4<sup>th</sup> day of ~~February~~, 2022 at 2:49 ~~a.m.~~ p.m.  
March

  
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Krystal Valdez, County Clerk Deputy



- The Commissioners' Court reserves the right to consider and take action on the above agenda items in any particular order.
- If you or your representative, have a disability that requires special arrangements and you plan to attend this public meeting, please contact the County Judge's Office at (972) 825-5011 within 72 hours of the meeting. Reasonable accommodations will be made to meet your needs at the meeting.