



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, April 19, 2022, 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 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 under Texas Government Code Chapter §551.

Motion to open meeting

Invocation and Pledge of Allegiance – *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.

RECOGNITION

AA Sheriff Norman to recognize Sergeant Tim Bulot and Deputy Brian Griffin the Human Life Saving Award. – *County Sheriff, Brad Norman*

CONSENT AGENDA – Consideration and action:

Administrative:

- A.1 Approval of Regular Bills, Payroll and Officers’ Reports. – *County Treasurer, Cheryl Chambers*
- A.2 Approval of Regular Meeting Minutes from April 5, 2022. – *County Clerk, Krystal Valdez*
- A.3 Approval of an Interlocal agreement between City of Ennis and Ellis County in accordance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code. – *Purchasing, E.J. Harbin*
- A.4 Acceptance of the monthly report for March 2022 from Justice of the Peace, Precinct #1, pursuant to Local Government Code §114.044. – *Justice of the Peace, Pct. #1, Judge Chris Macon*

- A.5 Acceptance of the monthly report for February and March 2022 from Justice of the Peace, Precinct #4 pursuant to Local Government Code §114.044. – *Justice of the Peace, Pct. #4, Judge Steve Egan*
- A.6 Acceptance of the County Auditor’s monthly report for March 2022, pursuant to Local Government Code §114.025 - *County Auditor, Janet Martin*
- A.7 Acceptance of the District Clerk’s monthly report for March 2022, pursuant to Local Government Code §114.044. - *County Auditor, Janet Martin*
- A.8 Acceptance of a tabulated report of the county’s receipts and disbursements of funds from March 26, 2022 – April 11, 2022, pursuant to Local Government Code §114.024.
County Auditor, Janet Martin
- A.9 Acceptance of the monthly financial report for March 2022 from the Department of Development, pursuant to Local Government Code §114.044 – *Department of Development, Alberto Mares*
- A.10 Approval of Interlocal work between County of Ellis Precinct 1 and the City of Garrett. Reference interlocal minute order 543.21 Interlocal work includes reclaim and resurface with 2 coats of chipseal on W. Conner Street: 7,650 sq ft road, clean ditches, stabilize with earthlok 8” depth, open culverts, also to include 8 hours of coldmix pothole repairs on various roads.
Commissioner, Pct.1, Randy Stinson
- A.11 Acceptance of 2022 Continuing Education hours pursuant to Local Government Code §81.00025.
Commissioner, Pct.1, Randy Stinson
- A.12 Approval of a Work Order under Interlocal Agreement with the City of Milford for street repair to 8 intersections totaling \$8,000. – *Commissioner, Pct. 3, Paul Perry*
- A.13 Acceptance of 2022 Continuing Education hours pursuant to Local Government Code §81.00025.
Commissioner, Pct. #3, Paul Perry
- A.14 Ratification of a partial assignment from Compass Data Centers DFW III to Compass Data Centers DFW IIIA, an Affiliate of DFW III. Ellis County and DFW III entered into a tax abatement agreement on January 28, 2020; such partial assignment is allowed pursuant to Section 9.10(ii) of the Agreement. – *County Judge, Todd Little*
- A.15 Ratification of a partial assignment from Compass Data Centers DFW III to *tenant Vallies, LLC*. Ellis County and DFW III entered into a tax abatement agreement on January 28, 2020; such partial assignment is allowed pursuant to Section 9.10(iii) of the Agreement. – *County Judge, Todd Little*

Financial:

- F.1 **FY2022 LINE ITEM TRANSFER** – *County Treasurer, Cheryl Chambers*
a. **DECREASE** 001-0602-508070 Supplies by \$210.00
b. **INCREASE** 001-0400-507030 Telephone by \$210.00
- F.2 **FY2022 LINE ITEM TRANSFER** – *Commissioner, Pct. #2, Lane Grayson*
a. **DECREASE** 010-0653-508070 FM2 General Expenses by \$245.96
b. **INCREASE** 001-0430-404100 Emergency Preparedness Training by \$245.96
- F.3 Request for approval by Tax Collector Assessor's Office to issue Property Tax Refunds in the amount of \$87,266.28. - *County Auditor, Janet Martin*
- F.4 Approval of salary supplement for the County Attorney Office Employee Elaine Nigo, to be paid with funds received and transferred from County & District Attorney State Apportionment Funds to the County Attorney line items (including FICA, Social Security and Retirement line items) in the following manner:
- | | | |
|---------|-------------|----------|
| i. (a) | 2020 – 2021 | \$0.00 |
| ii. (b) | 2021 – 2022 | \$712.00 |
- F.5 Approval of salary supplement for the County Attorney Office Employee, Cecily Jimenez, to be paid with funds received and transferred from County & District Attorney State Apportionment Funds to the County Attorney line items (including FICA, Social Security and Retirement line items) in the following manner:
- | | | |
|---------|-------------|----------|
| i. (a) | 2020 – 2021 | \$0.00 |
| ii. (b) | 2021 – 2022 | \$488.00 |

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 **Discussion, consideration & action for a one-time variance for Parcel ID No. 198985 – 3348 Nokomis Rd. 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 ± 5.489 acres of land located on the westside of Nokomis Road, ± 480 feet south of the intersection of Nokomis Road and Raintree Drive, in the extraterritorial jurisdiction (ETJ) of Red Oak, Lancaster, Road & Bridge Precinct No. 1.
- 1.2 **Consideration and action for a request to accept a performance bond for the proposed Carrera Ranch (Parcel ID No. 277733).** This property contains ± 16.00 acres of land in the T. Jackson Survey, Abstract No. 574, located at the east side of FM 878, ± 2,440 feet south of the intersection of FM 878 and Ike Road, in the extraterritorial jurisdiction of Waxahachie, Road & Bridge Precinct No. 1.
- 1.3 **Discussion, consideration & action on a plat of Jordan Run, Phase IV.** The property contains ± 98.218 acres of land in the E. Ballard Survey, Abstract No. 119, the E.A. Moore Survey, Abstract No. 773, and the J. Johnson Survey, Abstract No. 558, located south of Makala Drive, ± 330 feet east of the intersection of Katrina Run and Norrell Road, in the extraterritorial jurisdiction (ETJ) of Midlothian, Road & Bridge Precinct No. 3.

- 1.4 **The County of Ellis will conduct a public hearing to consider and act upon proposed amendments to Order 182.11, the Order Adopting Rules of Ellis County, Texas for On-Site Sewage Facilities, adopted on April 25, 2011, primarily amending Section 10 (Amendments).** These amendments primarily reorganize the text, requires registration for maintenance providers, electronic submittal of inspection reports, addresses non-single-family systems, updates surface application system requirements & updates complaint actions for immediate threats to public health, adoption of minimum sizing requirements and design criteria, and any other related additions, deletions, and changes; providing a Conflicts Clause; providing a Severability Clause, and providing for an effective date.

Purchasing:

- 2.1 Consideration and approval of material price increase from Cleveland Asphalts for Emulsified Asphalts RFB -2022-012. This proposed pricing will reflect current market rack pricing.
- 2.2 Authorization to advertise and solicit a request for proposal for Inmate Medical Services.
- 2.3 Discussion, consideration and approval to declare the listed items as surplus to be disposed in accordance with the Local Government Code 263:

| Precinct # | Make, Model | Year | VIN |
|------------|--------------------------|------|-------------------|
| 2 | Volvo L10-300 Dump Truck | 1990 | 4VZACMBE8LN629717 |
| 2 | Volvo L10-300 Dump Truck | 1988 | 2VZACBME8KN614553 |
| 2 | Volvo L10-300 Dump Truck | 1990 | 4VZAGBME1LN629719 |
| 4 | Cat M316 Excavator | 2006 | CATM316CHH2C00498 |
| 3 | Freightliner – Day Cab | 1998 | 1FUY3MDBOWL917596 |

Administrative:

- 3.1 Discussion, consideration and approval to lift the current burn ban that is in effect for Ellis County.
Fire Marshal, Tim Birdwell
- 3.2 Discussion and consideration of the possible need to extend and/or amend the Covid-19 Paid Time-off Policy which expired on 03/31/22. – *Director of Human Resources, Theresa Taylor*
- 3.3 Discussion, consideration and approval to fund the proposed project from East Garrett Water Supply Corporation. The proposed project intends to assist the public utility to meet new regulatory requirements related to preparing, preventing, and responding to emergencies and power outages as required by Texas Senate Bill 3; utilizing ARPA funds as matching funds.
East Garrett Water Supply GM, John Wade

- 3.4 Discussion, consideration and acceptance of Certificate of Completion of the County Investment Academy for 2022 and continuing membership in the Academy. – *Commissioner, Pct. #3, Paul Perry*
- 3.5 Discussion, consideration and adoption of a Resolution seeking a backlog improvement grant from the Texas Indigent Defense Commission to establish a Managed Assigned Counsel Program.
County Judge, Todd Little
- 3.7 Presentation by Chaparral Steel Midlothian, LP (Gerdau) regarding potential tax abatement agreement with Ellis County for development within the Midlothian Commercial-Industrial Tax Abatement Reinvestment Zone Number 17, containing approximately 393 acres located at Chaparral Steel Midlothian, LP's existing facility and surrounding areas. The City of Midlothian, through its City Council, passed the abatement agreement as to the City on February 22, 2022.
Daniel Rodrigues do Rego for Chaparral Steel Midlothian, LP
- 3.8 Discussion, consideration and approval to contest Selinger Shankle Road MUD by retaining current MUD counsel Bickerstaff Health Delgado Acosta, LLP along with approval to execute any necessary litigation documentation, and/or engage P3 Works, LLC to explore other options.
County and District Assistant Attorney, Cherie Batsel
- 3.9 Discussion, consideration and approval on addressing requests for fuel surcharges and/or material charge increases from vendors due to current economic conditions. *Purchasing Director, E.J. Harbin*

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 Local 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 Local Government Code Chapter §551 or as otherwise may be permitted under Chapter §551.

- 4.1 Pursuant to §551.071 of the Local Government Code, consultation with legal counsel regarding pending or contemplated litigation matter(s) concerning Texas Pollutant Discharge Elimination Systems permits (TPDES) already being contested at TCEQ and a new petition for the creation of a municipal utility district (MUD) by Stephen Richard Selinger known as the Shankle Road MUD.
- 4.2 Pursuant to §551.071 of the Local Government Code, consultation with legal counsel regarding pending or contemplated litigation matters concerning fuel surcharges and/or material charge increases in county contracts including, but not limited to Alvarado Sand and Gravel, Cleveland Asphalt, and J&K Excavation.
- 4.3 Pursuant to §551.087 of the Local Government Code, consultation with legal counsel to review commercial or financial information received from a business prospect and/or deliberate the offer of a financial or other incentive to a business prospect regarding current and/or potential tax abatement agreements.
- 4.4 Pursuant to §551.071 of the Local Government Code, consultation with legal counsel regarding pending or contemplated litigation matter(s) including cancellation, amendment or other modification of Personnel Policies.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed this the 14th day of April, 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 14th day of April, 2022 at 4:59 a.m./p.m.


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.