



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 4th, 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 2 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.

RESOLUTION – Consideration and approval of a resolution in support of legislation protecting Texas children from sexual and psychological abuse and recognizing April as Child Abuse Prevention Month. – *County Judge Todd Little*

CONSENT AGENDA – Consideration and action:

Administrative:

- A.1 Approval of Regular Bills, Payroll, and Officers' Reports. – *County Treasurer Cheryl Chambers*
- A.2 Accept the 2022 Certificate of Completion for Continuing Education Hours from the County Investment Academy for the Honorable Cheryl Chambers, Ellis County Treasurer. – *County Treasurer Cheryl Chambers*

- A.3 Accept the 2022 Certificate of Completion for Continuing Education Hours from the County Treasurer's Association of Texas for the Honorable Cheryl Chambers, Ellis County Treasurer. – *County Treasurer Cheryl Chambers*
- A.4 Accept the 2022 Certificate of Compliance of Public Funds Investment Act Continuing Education from the County Treasurer's Association of Texas for the Honorable Cheryl Chambers, Ellis County Treasurer. – *County Treasurer Cheryl Chambers*
- A.5 Acceptance of 2023 Continuing Education Hours required by Local Government Code §81.0025 for Commissioner Randy Stinson. – *Precinct 1 Commissioner Randy Stinson*
- A.6 Approval of Commissioners' Court Regular Meeting Minutes from March 21st, 2023. – *County Clerk Krystal Valdez*
- A.7 Pursuant to Texas Health and Safety Code §775.082, acceptance of the annual Audit Report of the fiscal accounts and records of Emergency Services District #1 (Maypearl). – *Fire Marshal Tim Birdwell*
- A.8 Approval to accept the application of Jeremy Lampier to replace ESD #4 (Red Oak) President Robert McMillan, whose term ends in December 2024. – *Fire Marshal Tim Birdwell*
- A.9 Approval for the Fire Marshal's Office to increase the Assistant Fire Marshal position salary up to \$85,000.00, effective April 4th, 2023. There will be funds in the current salary line item to cover the additional cost needed for the increase. – *Fire Marshal Tim Birdwell*

Financial:

- F.1 Approval for the Tax Assessor to disburse Property Tax Refunds in the amount of \$50,818.38. – *County Auditor Janet Martin*
- F.2 FY2023 Line-Item Transfer. – *County Judge Todd Little*
 Decrease 033-0933-508070 (Operating Expenses) by \$90,853.24
 Increase 033-0933-508020 (Equipment) by \$90,853.24
- F.3 Accept funds from the Department of Development (\$171.06) and Constable, Precinct 3 (\$30.83) totaling \$201.89 for vehicle maintenance performed by the Ellis County Sheriff's Office as Unanticipated Revenue. Request Special Budget for Unanticipated Revenue:
 Increase 001-0010-508090 (Auto Repairs) by \$201.89
 Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.4 FY2023 Line-Item Transfer. – *Human Resources Director Theresa Taylor*
 Decrease 001-425-508050 (Conference) by \$300.00
 Increase 001-0425-506010 (Travel) by \$300.00

- F.5 FY2023 Line-Item Transfer. – *Precinct 2 Commissioner Lane Grayson*
Decrease 010-0653-508680 (FM Contract Labor) by \$30,000.00
Increase 010-0653-509090 (FM2 Repairs Parts) by \$25,000.00
Increase 010-0653-509620 (FM2 Lubricants) by \$5,000.00

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 Discussion, consideration, and action on a plat of Estates of Palmer. The property contains ± 57.8563 acres of land in the J.M. Riggs Survey, Abstract No. 902, located at the east side of Farrar Road ± 485 feet east of the intersection of FM 813 and Farrar Road, Palmer, Road and Bridge Precinct No. 1.
- 1.2 Discussion, consideration, and action to release a maintenance bond and accept infrastructure for Horseshoe Meadows. The property contains ± 74.86 acres of land located on the south side of Bob White Road ± 850 feet west of FM 664 in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 4.

Purchasing

- 2.1 Discussion, consideration, and approval of HOK Task Order #3 using the Master Services Agreement (MSA) between Ellis County and HOK, Inc. (Minute Order #147.22) for architectural services on the Shooting Practice Range Project in an amount of \$374,500.00 plus estimated reimbursable expenses of \$3,620.00.
- 2.2 Discussion, consideration, and approval of the Contract Extension for Depository Services with First Financial Bank, effective October 1st, 2023 through September 30th, 2025.
- 2.3 Discussion, consideration, and approval to purchase a 120 LVR Motor Grader from Holt Cat in the amount of \$269,494.80 using the Sourcewell Contract No. 032119 for Road and Bridge Precinct 3.
- 2.4 Authorization to advertise and solicit for Competitive Sealed Proposals (CSP) for Construction Services for Justice of the Peace, Precinct 2 Facility.
- 2.5 Discussion, consideration, and approval for the County Judge to execute three (3) lease agreements with American National Leasing for two (2) 2022 F-150 Responder Trucks for the Ellis County Sheriff's Office and one (1) 2023 Chevrolet Traverse for the Ellis County Attorney's Office.

Administrative:

Motion to Enter Public Hearing

- P1. Conduct a public hearing to discuss setting the mandatory payment rate for Fiscal Year 2023 applicable to Ellis County's Local Provider Participation Program. The Ellis County Commissioners' Court will hold the public hearing pursuant to Chapter 296A.101 of the Texas Health and Safety Code, which authorized the creation of the Ellis County Local Provider Participation Program. The public hearing will discuss the amounts of any mandatory payments that the Commissioners' Court intends to require during the year...

...and how the revenue derived from those payments is to be spent. – *County Treasurer Cheryl Chambers and Representatives of Local Non-Public Hospitals*

Motion to Exit Public Hearing

- 3.1 Discussion, consideration, and approval to set a mandatory payment rate for Fiscal Year 2023, pursuant to Chapter 296A.101 of the Texas Health and Safety Code. – *County Treasurer Cheryl Chambers and Representatives of Local Non-Public Hospitals*
- 3.2 Discussion and approval for County Judge to sign Advanced Funding Agreements with the Texas Department of Transportation (TxDOT) for the following bridges:
 - NBI #18-071-0-AA03-06-002 (Whiterock Road over Mill Creek Tributary)
 - NBI #18-071-0-AA03-06-003 (Whiterock Road over Mill Creek)
 - NBI #18-071-0-AA02-96-001 (Harris Road over Hog Creek)
 - NBI #18-071-0-AA02-38-001 (Bethel Road over Baker Branch)
- 3.3 Discussion, consideration, and action on a request to grant a 15-foot sanitary sewer easement through the county-owned property known as the County Farm (Parcel ID 193411). – *Department of Development Director Alberto Mares*
- 3.4 Discussion, consideration, and action on a request to grant an easement request from Oncor through county-owned property in Ennis, Texas (Parcel ID 186129). – *Engineering Director Ted Kantor*
- 3.5 Approval for the Ellis County Sheriff's Office to provide two deputies to patrol during the Bluebonnet Trail Festival. Including the approval for the County Judge to authorize an interlocal agreement with the City of Ennis will pay the deputies overtime and for the use of a squad car. – *Sheriff Brad Norman*
- 3.6 Discussion, consideration, and action for Ellis County to cover the cost of ELDT and/or CLD License education for commissioners' employees to meet state requirements for some road employees. Including discussion of funding, consideration of requirements for repayment, and the length of employment the County may require. – *Commissioner Kyle Butler*
- 3.7 Discussion, consideration, and action to join Glenn Heights and Oakleaf in purchasing additional right of way for utilities for the improvements to Little Creek Bridge on Hampton road. County would cover an equal 3rd with the other two parties. – *Commissioner Kyle Butler*
- 3.8 Discussion, consideration, and action regarding the current plans for the new Justice of the Peace Precinct 2 building and the development of parcel ID #290705, including parking, floodplain use, and potential future land purchase needs. – *EJ Harbin Purchasing Agent*
- 3.9 Discussion, consideration, and action regarding ambulance coverage for Emergency Service District 5. – *Fire Marshal Tim Birdwell*
- 3.10 Discussion, consideration, and approval to contest TPDES Permit for Oakwood Manufactured Home Community a.k.a Risinger Ridge 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. – *Assistant County and District Attorney Cherie Batsel*

- 3.11 Discussion, consideration, and approval to contest TPDES Permit for OurCalling 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.
– Assistant County and District Attorney Cherie Batsel

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 §551.072, 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 regarding parcel ID #290705, the County Farm, and the Ennis Tax Office.
- 4.2 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 if such rule clearly conflicts with the chapter, regarding ambulance coverage for Emergency Service District 5.
- 4.3 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 (MUDs), including but not limited to the Oakwood Manufactured Home Community a.k.a Risinger Ridge and OurCalling MUDs.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed this the 31st day of March, 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 31st day of March, 2023 at 4:25 p.m.





Krystal Valdez, County Clerk *Deputy*