



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, May 30th, 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 1 Commissioner Randy Stinson*

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 April 2023 Monthly Treasurer's Report. – *County Treasurer Cheryl Chambers*
- A.3 Approval of Commissioners' Court Regular Meeting Minutes from May 16th, 2023. – *County Clerk Krystal Valdez*
- A.4 Presentation of a tabulated report of the county's receipts and disbursements of funds from May 5th, 2023 – May 19th, 2023, pursuant to Local Government Code §114.024. – *County Auditor Janet Martin*

- A.5 Acceptance of the Justice of the Peace, Precinct 4 monthly report for April 2023, pursuant to Texas Local Government Code §114.044. – *The Honorable Louis Ponder*
- A.6 Approval of Greg Penny for Emergency Services District #9 Fire Board with a term lasting May 30th, 2023 through December 31st, 2024 to fill the position of Mr. John Griffin Hancock, who resigned on May 23rd, 2023. – *Fire Marshal Tim Birdwell*
- A.7 Approval for the settlement payment for damage to mailbox owned by Deryck Bogart in the amount of \$1,450.00 – *Precinct 3, Commissioner Paul Perry*

Financial:

- F.1 FY 2023 Line-Item Transfer. – *County Judge Todd Little*
- Decrease 001-0140-570000 (Contingency – Surplus) by \$100,000.00
 - Increase 001-0110-508130 (Inmate Medical) by \$100,000.00
- F.2 FY 2023 Line-Item Transfer. – *Precinct 3 Constable Curtis Polk, Jr.*
- Decrease 001-0613-508020 (Equipment) by \$1,960.00
 - Increase 001-0613-508050 (Conference) by \$1,960.00
- F.3 FY 2023 Line-Item Transfer. – *Maintenance Director Keith Roberts*
- Decrease 001-0020-507020 (Repairs) by \$6,645.00
 - Increase 001-0020-508670 (Courthouse Lawn Care) by \$2,759.00
 - Increase 001-0020-505580 (Custodial) by \$3,586.00
 - Increase 001-0020-508150 (Uniforms) by \$300.00
- F.4 FY 2023 Special Budget. – *County Auditor Janet Martin*
- Accept auction proceeds from Lone Star Auctioneers, Inc. from the Sale of Equipment in the amount of \$1,000.00 as Unanticipated Revenue.
 - Special Budget Request: Increase 003-0601-508020 (Purchase of Equipment) by \$1,000.00 Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor.
- F.5 Approval for the Tax Assessor to disburse Property Tax Refunds in the amount of \$12,481.81. – *County Auditor Janet Martin*
- F.6 FY 2023 Line-Item Transfer. – *Emergency Management Coordinator Michaela Sandefer*
- Decrease 001-0430-508100 (Auto Tires) by \$500.00
 - Decrease 001-0430-508110 (Auto Purchase/Insurance) by \$175.00
 - Increase 001-0430-508150 (Uniforms) by \$675.00
- F.7 FY 2023 Line-Item Transfer. – *Precinct 1 Commissioner Randy Stinson*
- Decrease 009-0602-508680 (Contract Services) by \$5,000.00
 - Increase 009-0602-509070 (Tires) by \$5,000.00

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 Discussion, consideration & action on a plat of Mitchell Meadows. The property contains ± 12.718 acres in the TF McCrary Survey, Abstract No. 1287, located near the northwest corner of Brindley Road and Blain Road, Maypearl, Road and Bridge Precinct No. 3.
- 1.2 Discussion, consideration, and action of a request for a one-time variance for Parcel No. 179760 to the County's minimum pavement width requirements found in Volume III, Section II (A) & (O) – Standard Construction Details – of the County's development regulations. The property contains ± 300.808 acres of land located on the north side of E. Highland Road, at the northeast corner of S. Hampton Road and E. Highland Road, in the extraterritorial jurisdictions of the cities of Red Oak and Oak Leaf, Road & Bridge Precinct No. 4.
- 1.3 Discussion, consideration & action of a plat exemption determination of Lot 6R of Shiloh Branch Estates, Phase 2, as stated in Texas Local Government Code, Section 232.010. The property contains ± 3.00 acres, located on the east side of Bryson Road, 675 feet north of the intersection of Brooke Blvd & Bryson Lane, in the extraterritorial jurisdiction (ETJ) of the City of Midlothian, Road and Bridge Precinct No. 4.

Purchasing

- 2.1 Discussion, consideration, and approval to purchase one Faro Focus Premium Laser Scanner from ZNET TECH, LLC in the amount of \$83,775.66 for the Sheriff's Department using GSA Cooperative Contract number 47QTCA18D003S.
- 2.2 Discussion, consideration, and approval of Task Order No. 4 for support of the County's efforts in the design, preconstruction, bidding, negotiations, support, and initial construction management of the County's upcoming projects with Kitchell in an amount of \$116,500.00.
- 2.3 Discussion, consideration, and approval of HOK Task Order #005 using the Master Services Agreement (MSA) between Ellis County and HOK, Inc. (Minute Order #147.22) for architectural services for Design Services for Renovation and Expansion of the Ellis County Courts and Administration Building.
- 2.4 Discussion, consideration, and action to declare the listed items as surplus to be disposed in accordance with Local Government Code Chapter 263 (see supporting documents).
- 2.5 Discussion, consideration, and action to declare the listed vehicles as surplus to be disposed in accordance with Local Government Code Chapter 263 (see supporting documents).
- 2.6 Granting an exemption under Local Government Code §262.024(a)(2) & (3) from the bidding requirements of §262.023 for the purchase of a 2022 Freightliner Dump Truck from Estes Enterprise Group in an amount of \$85,000.00 for Ellis County Commissioner, Precinct 3, that is necessary because of unforeseen damage to public property and to preserve or protect the public health or safety of the residents of the county.

- 2.7 Discussion, consideration, and approval for the purchase of a 2022 Freightliner Dump Truck from Estes Enterprise Group in an amount of \$85,000.00 for Ellis County Commissioner, Precinct 3.
- 2.8 Granting an exemption under Local Government Code §262.024(a)(1) from the bidding requirements of §262.023 for the purchase of a 2017 International Water Truck from V&T Truck Center in an amount of \$47,711.10 for Ellis County Commissioner, Precinct 1 – an item that must be purchased in a case of public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the county.
- 2.9 Discussion, consideration, and approval for the purchase of a 2017 International Water Truck from V&T Truck Center in an amount of \$48,211.69 (amount subject to change) for Ellis County Commissioner, Precinct 1
- 2.10 Granting an exemption under §262.024(a)(1) from the bidding requirements of §262.023 for the purchase of a 2,000-gallon water tank from Rhodes & Lozier, LLC, DBA East Texas Truck Systems, in an amount of \$28,150.00 for Ellis County Commissioner, Precinct 1 – an item that must be purchased in a case of public calamity if it is necessary to make the purchase promptly to relieve the necessity of the citizens or to preserve the property of the county.
- 2.11 Discussion, consideration, and approval for the purchase of a 2,000-gallon water tank from Rhodes & Lozier, LLC, DBA East Texas Truck Systems, in an amount of \$28,150.00 for Ellis County Commissioner, Precinct 1
- 2.12 Discussion, consideration, and approval to renew the Civic Plus Contract for the Ellis County website in the amount of \$18,701.52.

Administrative:

- 3.1 Discussion, consideration, and approval for the County Judge to request unclaimed property capital credits for Ellis County, pursuant to Local Government Code §381.004. – *County Judge Todd Little*
- 3.2 Discussion, consideration, and approval for the Auditor’s Office to purchase monthly reporting and annual comprehensive financial reporting software from IGM technology (Gravity) in the amount of \$18,000.00 – *County Auditor Janet Martin*
- 3.3 FY 2023 Line-Item Transfer. – *County Auditor Janet Martin*
- Decrease 001-0030-508680 (Contract Services) by \$5,500.00
 - Decrease 001-0030-508190 (Computer Equipment) by \$7,500.00
 - Decrease 001-0030-505020 (Full Time Salaries) by \$5,000.00
 - Increase 001-0030-508880 (Computer Software) by \$18,000.00
- (Contingent on approval of the purchase of the software by Commissioners’ Court).

- 3.4 Discussion, consideration, and approval for the Auditor's Office to purchase submittable as a grant management software in the amount of \$88,325 over a three-year period, to be funded by American Rescue Plan Act funds (*requested by County Auditor Janet Martin*):
- Year 1 – One-time implementation for \$10,000 and Annual Software & Support for \$30,125.00 for a total of \$40,125.00
 - Year 2 – Annual Software & Support for \$25,606.00
 - Year 3 – Annual Software & Support for \$22,594.00
- 3.5 Discussion of current appraisal appeal load and its potential effect on the Ellis County budgeting processes (to include specific data points). – *Precinct 3 Commissioner Paul Perry*
- 3.6 Discussion and consideration of an Interlocal Cooperation Contract between the Department of State Health Services (DSHS) and Ellis County for Local Government access to the Texas Electronic Vital Events Registrar (TxEVER). – *County Clerk Krystal Valdez*
- 3.7 Discussion and consideration relating to Brinks services with Ellis County. – *County Treasurer Cheryl Chambers*
- 3.8 Discussion, consideration, and possible action to refer FM-382/Ring-Road MUD to outside counsel. – *County and District Attorney Ann Montgomery*
- 3.9 Consideration of authorizing the County Judge or other authorized officials to execute the Settlement participation and release forms regarding settlement offers in the matter of Texas opioid multi-district litigation for the County in the matter of Ellis County v. Walgreens Boots Alliance, Inc. et al. – *Zach Bland with the Nachawati Law Group*

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(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 FM-382/Ring-Road MUD and update on outside counsel's work.
- 4.2 Pursuant to Texas Government Code §551.071(1), consultation with legal counsel regarding pending or contemplated litigation matter concerning *Melton vs. Ellis County* Cause No. 3:21-cv-2857-M-BN
- 4.3 Pursuant to Texas Government Code §551.071(1), consultation with legal counsel regarding pending or contemplated litigation matter and concerning Brinks services.

4.4 Pursuant to Texas Government Code §551.071(1), consultation with legal counsel regarding pending or contemplated litigation matter concerning *Ellis County v. Walgreens Boots Alliance, Inc. et al*, MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed this the 26th day of May, 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 26th day of May, 2023 at 4:31 p.m.



Krystal Valdez, County Clerk *Deputy*

