



2023 MAR -3 PM 4: 14

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

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**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 7th, 2023, at 2:00 p.m. in the Commissioners' Courtroom (2<sup>nd</sup> 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*

**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 January 2023 Monthly Treasurer's Report. – *County Treasurer Cheryl Chambers*
- A.3 Approval of Commissioners' Court Special Meeting Minutes from February 21<sup>st</sup>, 2023. – *County Clerk Krystal Valdez*
- A.4 Presentation of a tabulated report of the county's receipts and disbursements of funds from February 14<sup>th</sup>, 2023 – February 23<sup>rd</sup>, 2023, pursuant to Texas Local Government Code §114.024. – *County Auditor Janet Martin*

Financial:

- F.1 Accept Juror Donations to the Veterans Services Office in the amount of \$326.00 as Unanticipated Revenue. Request Special Budget of Unanticipated Revenue:  
Increase 001-0070-506330 (Veterans Services – Juror Donations) by \$326.00  
Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.2 Accept a Mixed Beverage Allocation from the Texas State Comptroller in the amount of \$34,502.66 as Unanticipated Revenue. Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.3 Accept a Utilities Refund from Atmos Energy Corp in the amount of \$68.09 as Unanticipated Revenue. Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.4 Accept the January 2023 Cities Readiness Initiative Reimbursement in the amount of \$6,192.89 as Unanticipated Revenue. Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.5 Accept the December 2022 Cities Readiness Initiative Reimbursement in the amount of \$8,502.14 as Unanticipated Revenue. Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.6 Accept funds collected for RG2 Claim Settlement from Allicks, et al. vs. Omni Specialty Packaging, LLC in the amount of \$65.34 as Unanticipated Revenue. Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.7 Accept an Insurance Reimbursement from Sedgwick Claims Management/Argonaut Insurance in the amount of \$6,449.84 as Unanticipated Revenue. Request for Special Budget of Unanticipated Revenue:  
Increase 009-0602-508070 (FM1 Operating Expenses) by \$6,449.84.  
Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.8 Accept funds collected for vehicle maintenance from the Ellis County Department of Development and Constable, Pct. 3 in the amount of \$412.88 as Unanticipated Revenue. Request for Special Budget of Unanticipated Revenue:  
Increase 001-0010-508090 (Auto Repairs) by \$412.88  
Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.9 Accept funds collected for stray bull in the amount of \$145.09 as Unanticipated Revenue. Request for Special Budget of Unanticipated Revenue:  
Increase 001-0010-508700 (Stray) by \$145.09  
Pursuant to Texas Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – *County Auditor Janet Martin*

- F.10 Request for approval of the Tax Assessor's Office to distribute Property Tax Refunds in the amount of \$28,464.83. – *County Auditor Janet Martin*
- F.11 FY23 Line-Item Transfer. – *Precinct 1 Commissioner Randy Stinson*  
 Decrease 003-0601-570000 (RB1 – Contingency) by \$5,000.00  
 Increase 003-0601-509160 (RB1 – Auto/Bldg/Ins) by \$5,000.00
- F.12 FY23 Line-Item Transfer. – *Precinct 3 Commissioner Paul Perry*  
 Decrease 011-070-570000 (FM3 – Contingency) by \$10,000.00  
 Increase 011-0704-509060 (FM3 Culverts) by \$10,000.00
- F.13 FY23 Line-Item Transfer. – *Precinct 4 Commissioner Kyle Butler*  
 Decrease 012-0755-57000 (Contingency-Surplus) by \$35,000.00  
 Increase 012-0755-509060 (Culverts) by \$35,000.00
- F.14 FY23 Line-Item Transfer. – *Precinct 4 Justice of the Peace Louis Ponder*  
 Decrease 001-0540-508010 (Supplies) by \$1,500.00  
 Increase 001-0540-508020 (Equipment) by \$1,500.00
- F.15 FY23 Line-Item Transfer. – *County Clerk Krystal Valdez*  
 Decrease 001-0320-507030 (Telephone) by \$265.00  
 Increase 001-0320-508060 (Official Bond/Dues) by \$265.00
- F.16 FY23 Line-Item Transfer. – *Sheriff Brad Norman*  
 Decrease 001-0140-505580 (Contingencies/Reserve) by \$182,117.62  
 Decrease 018-0908-507246 (Jail Repairs) by \$85,880.00  
 Increase 001-0015-507020 (Repairs) by \$85,880.00  
 Increase 001-015-508880 (Computer Software) by \$14,993.00  
 Increase 001-0010-506030 (Ammunition) by \$6,120.62  
 Increase 001-0010-508020 (Equipment) by \$107,513.00  
 Increase 001-0010-508680 (Contract Services) \$53,551.00

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

Department of Development:

- 1.1 Discussion, consideration, and action for a one-time variance for Parcel ID No. 189772 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, the minimum lot size for the Development & Septic Order and the minimum lot width requirement. The property contains ± 0.9178 acres of land located on the west side of Valek Road, ± 1,780 feet north of the intersection of Valek Road and FM 85 in the extraterritorial jurisdiction (ETJ) of the City of Ennis, Road & Bridge Precinct No. 2.
- 1.2 Discussion, consideration, and action on a plat of Fort Joe. The property contains ± 5.00 acres in the C. Cobb Survey, Abstract No. 220, located at the southeast corner of the intersection of FM 55 and U.S. Highway 77 in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road & Bridge Precinct No. 3.

- 1.3 Discussion, consideration, and action to release a performance bond and accept a maintenance bond for the Estates of Hidden Creek, as stated in Exhibit A. The property contains ± 99.170 acres of land located near the intersection of FM 387 and Ring Road in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road & Bridge Precinct No. 4.

#### Purchasing

- 2.1 Discussion, consideration, and approval to purchase furniture, moving, and installation services for the Information Technology Department from Oak Cliff Office Products using the TIPS Cooperative Contract Number 200301 for \$4,639.64 and estimated moving services of \$2,250.00 (a total of \$6,889.64).
- 2.2 Discussion, consideration, and approval to procure temporary staffing, direct-hire, and other employee services using HGAC Contract No. TSO6-21 with Robert Half International, Inc for a contract grant writer.
- 2.3 Discussion, consideration, and approval to purchase ElecTask software for the elections office team to track and manage task for each election. Funds would come from 001-0210-508880.

#### Administrative:

- 3.1 Approval of interlocal work between Road & Bridge Precinct 1 and the City of Palmer (ref. Interlocal Minute Order 5.56.22-A7). Interlocal work includes reclaim and resurface with 2-course chip seal, including stabilization with Earthlok on the following roads: Poinsetta, Cherry Point, and Beck, with a total cost of \$102,797.44. – *Precinct 1 Commissioner Randy Stinson*
- 3.2 Approval of interlocal work between Road & Bridge Precinct 4 and the City of Red Oak (ref. Interlocal Minute Order 556.22). Work is to include a rehabilitate, stabilize with Earthlok soil stabilization, make ready for asphalt laydown on roads Pebble Creek Ln, Ranch Rd, Deer Creek, Fawn Ridge Dr., Beaver Creek Dr., Fox Grove Dr., and Shawnee Road. – *Precinct 4 Commissioner Kyle Butler*
- 3.3 Approval of interlocal work between Road & Bridge Precinct 4 and the City of Oak Leaf (ref. Interlocal Minute Order 556.22). Work is to include 4.1 miles of 1 coarse chip seal, CRS2 grade 4 lightweight aggregate for top surface of the following roads: Hackberry, Cedar Dr., Elm Dr., Locust Ct., Walnut Ct., Walnut Dr., Red Bud Ct., Pecan Ln., Winding Creek Trl., Shallow Creek Ct., Roaring Creek Dr., Roaring Creek Ct., and Little Creek Ct. – *Precinct 4 Commissioner Kyle Butler*
- 3.4 Discussion and action regarding the Brinks contract pursuant to RFB-2002-022 and approved by this court on August 9<sup>th</sup>, 2022, Minute Order 380.22. – *County Treasurer Cheryl Chambers*
- 3.5 Discussion, consideration, and action to proceed with a countywide compensation & reclassification study as it relates to a request for proposal, or to use an interlocal agreement with the City of Waxahachie regarding the hiring of a consultant. – *Human Resources Director Theresa Taylor*
- 3.6 Discussion, consideration, and approval of an order to renew the designation of the Waxahachie Civic Center as a temporary auxiliary courthouse, pursuant to Texas Local Government Code §292.001. – *County Court at Law #1 Judge Jim Chapman*

- 3.7 Discussion, consideration, and approval to enter into a new lease agreement between the Cities of Waxahachie, Texas (“Civic Center”) and Ellis County, Texas for continued use of the Civic Center as an auxiliary courthouse for a period commencing January 26<sup>th</sup>, 2024 and terminating on December 12<sup>th</sup>, 2024; the auxiliary courthouse will be used three (3) days per month at a cost of \$1,352.00/day, all inclusive. – *County Court at Law #1 Judge Jim Chapman*
- 3.8 Discussion, consideration and approval of Contract Addendum 1 with Bass Reeves Film Production for use of the Historic Courthouse and certain spaces therein for the purpose of filming. – *County Judge Todd Little*
- 3.9 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*
- 3.10 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*
- 3.11 Discussion, consideration, and action regarding proposed Addendum 1 to Animal Shelter & Maintenance Services Contract with the SPCA of Texas (Minute Order 449.20 - November 3, 2020). – *Precinct 2 Commissioner Lane Grayson*
- 3.12 Discussion, consideration, and action regarding pending and/or contemplated litigation matters concerning TCEQ matters, specifically pending Texas Pollutant Discharge Elimination Systems permits (TPDES) and pending petitions for the creation of Municipal Utilities Districts (MUDs) including but not limited to Wax 380, Ellis Ranch, and Highland Lakes.

#### **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, deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- 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 clearly conflicts with this chapter, and regarding the SPCA contract.
- 4.3 Pursuant to Texas Government Code §551.071(1) of the Government Code, consultation with legal counsel regarding pending or contemplated litigation matter(s) concerning TCEQ matters, such as pending Texas Pollutant Discharge Elimination Systems permits (TPDES) and pending petitions for the

creation of Municipal Utilities Districts (MUD's), including but not limited to Wax 380, Ellis Ranch, and Highland Lakes.

**ADJOURNMENT OF EXECUTIVE SESSION**

**ADJOURNMENT OF REGULAR MEETING**

Signed this the 3<sup>rd</sup> 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 3<sup>rd</sup> day of March, 2023 at 4:14 p.m.



  
Krystal Valdez, County Clerk

- The Commissioners' Court reserves the right to consider and act 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.