



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, July 11th, 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 – *County Judge Todd Little*

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 Commissioners' Court Regular Meeting Minutes from June 27th, 2023. – *County Clerk Krystal Valdez*
- A.3 Approval of Commissioners' Court meeting dates for Fiscal Year 2024, which correspond to payroll dates. – *County Judge Todd Little*
- A.4 Approval for the County Judge to sign the Major Events Reimbursement Program agreement with the Texas Motorplex for the 2023 Texas NHRA Fall Nationals Stampede of Speed. – *County Judge Todd Little*

- A.5 Acknowledgement of Local Provider Participation Fund payment of \$4,921,740.20. These funds are paid on behalf of the local participating Hospitals and are not Ellis County funds. – *Treasurer Cheryl Chambers*
- A.6 Acceptance of the Justice of the Peace, Precinct 4 monthly report for April 2023, pursuant to Local Government Code §114.044. – *The Honorable Louis Ponder, Justice of the Peace, Precinct 4*
- A.7 Acceptance of the Justice of the Peace, Precinct 1 monthly report for June 2023, pursuant to Local Government Code §114.044. – *The Honorable Chris Macon, Justice of the Peace, Precinct 1*
- A.8 Acceptance of the Justice of the Peace, Precinct 2 monthly report for June 2023, pursuant to Local Government Code §114.044. – *The Honorable Jackie Miller, Jr., Justice of the Peace, Precinct 2*
- A.9 Approval for Sheriff Brad Norman to sign the agreement between the Pflugerville Police Department and Partners in relation to the Pflugerville Police Department Spillman Insight System. The MOU is for access to the Insight System, which is part of the Motorola RMS System. – *Sheriff Brad Norman*
- A.10 Approval and execution of interlocal agreements with the following Ellis taxing units:
 - Cities: Milford, Ferris, and Bardwell
 - ISD's: Maypearl, Avalon, Ennis, and Waxahachie
 - ESD: Maypearl
 - PID's: Westside Preserve MIA, Westside Preserve IA#1
- A.11 Presentation of a tabulated report of the county's receipts and disbursements of funds from June 17th, 2023 – June 30th, 2023, pursuant to Local Government Code §114.024. – *County Auditor Janet Martin*
- A.12 Approve the Department of Development's (DoD) monthly financial report for June 2023, as required by Chapter 114.044 of the Texas Local Government Code. – *Department of Development Director Alberto Mares*

Financial:

- F.1 FY 2023 Line-Item Transfer. – *County Judge Todd Little*
 - Decrease 001-0130-508680 (Behavioral Health Operating Expenditures) by \$208,556.33
 - Increase 001-0140-508660 (Community Support) by \$208,556.33
- F.2 FY 2023 Line-Item Transfer. – *The Honorable Jackie Miller, Jr., Justice of the Peace, Precinct 2*
 - Decrease 001-0520-506020 (Staff Travel) by \$300.00
 - Decrease 001-0520-508120 (Radio) by \$250.00
 - Increase 001-0520-508740 (Docket Books – Printing) by \$550.00
- F.3 FY 2023 Line-Item Transfer. – *Emergency Management Coordinator Michaela Sandefer*
 - Decrease 001-0430-506980 (Law Books/Dues) by \$902.00
 - Increase 001-0430-508080 (Fuel) by \$902.00

- F.4 Acceptance of nine (9) square bales of hay donated to the Ellis County Sheriff's Office by the Midlothian Community Development Corporation from the July 4th parade with an estimated value of \$90.00. – Sheriff Brad Norman
- F.5 Approval for the Tax Assessor/Collector to disburse Property Tax Refunds in the amount of \$41,187.36. – Auditor Janet Martin
- F.6 Accept funds from Sedgwick Claims Management for the Total Loss of Vehicle in the amount of \$55,757.00 as Unanticipated Revenue. Request for Special Budget of Unanticipated Revenue:
 - Increase 068-0145-509271 (ECSO Vehicle Principal) by \$55,757.00
Pursuant to Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – Auditor Janet Martin
- F.7 Acceptance of \$21.00 from Mobile Express Capital Corp for ATM Commissions as Unanticipated Revenue. Request for Special Budget of Unanticipated Revenue:
 - Increase 001-0140-506940 (Employee Recognition) by \$21.00
Pursuant to Local Government Code §111.0108, Unanticipated Revenue certified by County Auditor. – Auditor Janet Martin

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 Discussion, consideration & action on a plat of Acosta Acres. The property contains ± 4.097 acres of land in the J. Baker Survey, Abstract No. 35, and the R. Morgan Survey, Abstract No. 694, located on the south side of FM 664, ± 1,670 feet east of the intersection of FM 664 & Hill Road, in the extraterritorial jurisdiction (ETJ) of the City of Ferris, Road and Bridge Precinct No. 1.
- 1.2 Discussion, consideration & action on a plat of Bison Meadows. The property contains ± 111.936 acres of land in the N. Newsome Survey, Abstract No. 801, located on the south side of FM 813 ± 1,175 southwest of the intersection of FM 813 and Falcon Ridge Drive, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 1.
- 1.3 Discussion, consideration & action for a one-time variance for Parcel ID No. 147570 (142 Batchler Circle), from Volume I, Section IV (A) (2) (Residential Lots) of the Subdivision & Development Standards to allow one (1) lot without meeting the minimum public road frontage requirement. The property contains ± 1.95 acres of land located on the east side of Batchler Circle, ± 1,500 feet east of the intersection of Batchler Circle and Batchler Road, in the extraterritorial jurisdiction (ETJ) of the City of Red Oak, Road and Bridge Precinct No. 1.
- 1.4 Discussion, consideration & action for a one-time variance for Parcel ID No. 184605 from Volume I, Section IV (A) (2) (Residential Lots) of the Subdivision & Development Standards to allow one (1) lot without meeting the minimum public road frontage requirement. The property contains ± 41.76 acres of land located north of Sawmill Road ± 5,635 feet west of the intersection of Sawmill Road and James Road, Ferris, Road and Bridge Precinct No. 1.

- 1.5 Discussion, consideration & action on a plat of Andrew's Road Addition Lot 1, Block A. The property contains ± 2.05 acres of land in the R. De La Pena Survey, Abstract No. 3, located on the east side of Andrew's Road, ± 1,670 feet south of the intersection of Andrews Road and Old Jones Road, Ennis, Road and Bridge Precinct No. 1.
- 1.6 Discussion, consideration & action on a plat of Green Light Ranch. The property contains ± 9.972 acres of land in the R. De La Pena Survey, Abstract No. 3, located on the north side of East India Road, ± 1,100 feet east of the intersection of East India Road and FM 660, Ferris, Road and Bridge Precinct No. 1.
- 1.7 Discussion, consideration & action on a plat of Neck Road Ranch. The property contains ± 2.586 acres of land in the R. De La Pena Survey, Abstract No. 3, located on the south side of Neck Road, ± 440 feet south of the intersection of Neck Road and Newton Road, Ferris, Road and Bridge Precinct No. 1.
- 1.8 Discussion, consideration & action on a plat of William Griffin Addition. The property contains ± 16.630 acres of land in the John G. Love Survey, Abstract No. 612, located at the northeast corner of State Highway 34 & Bozek Lane, Ennis, Road and Bridge Precinct No. 2.
- 1.9 Discussion, consideration & action on a plat of Taylor-Duran Estates. The property contains ± 5.919 acres of land in the Jose A. Gaona Survey, Abstract No. 386, located on the north side of FM 66, ± 770 feet east of the intersection of FM 66 and Greathouse Road, in the extraterritorial jurisdiction (ETJ) of the City of Maypearl, Road and Bridge Precinct No. 3.
- 1.10 Consideration, discussion, and action to accept performance bonds for the proposed Matthews Farms, Phases One & Two (Parcel ID No. 188046). The property contains ± 174.457 acres of land in the A.T. Miller Survey, Abstract No. 716, and the A. Stockton Survey, Abstract No. 1010, located on the south side of Marion Road, ± 750 feet west of the intersection of Marion Road and Norrell Road, in the extraterritorial jurisdiction (ETJ) of the City of Maypearl, Road & Bridge Precinct No. 4.
- 1.11 Consideration, discussion, and action to accept a performance bond for the proposed Byrum Ranch, Phase 1-4 (Parcel ID No. 289990). The property contains ± 397.03 acres of land located on the west side of FM 157, on the northwest corner of the intersection of FM 157 and Ozro Road, in the extraterritorial jurisdiction (ETJ) of the cities of Maypearl and Venus, Road & Bridge Precinct No. 4.

Motion to Enter Public Hearing

Public Hearing No. 1

Conduct a public hearing to consider and act upon a request to amend the Development Master Fee Schedule, last updated under Minute Order 379.19. These amendments are primarily designed to update the fees for development-related activities and any other related additions, deletions, and changes, providing a conflicts clause, severability clause, and an effective date.

Motion to Exit Public Hearing

- 1.12 Consideration and action upon a request to amend the Development Master Fee Schedule, last updated under Minute Order 379.19. These amendments are primarily designed to update the fees for development-related activities and any other related additions, deletions, and changes, providing a conflicts clause, severability clause, and an effective date.

Motion to Enter Public Hearing

Public Hearing No. 2

Consideration and action upon amendments to Ellis County Quality Growth Initiatives, Volume I, Section VIII (Relief by Commissioners Court). These proposed amendments will primarily update relief due to subdivision by gift, devise, or descent and add a new section on unrecorded subdivisions and any other changes in related articles, sections, and paragraphs, and any other related additions, deletions, and changes, providing a conflicts clause, severability clause, and an effective date.

Motion to Exit Public Hearing

- 1.13 Consideration and action upon amendments to Ellis County Quality Growth Initiatives, Volume I, Section VIII (Relief by Commissioners Court). These proposed amendments will primarily update relief due to subdivision by gift, devise, or descent and add a new section on unrecorded subdivisions and any other changes in related articles, sections, and paragraphs, and any other related additions, deletions, and changes, providing a conflicts clause, severability clause, and an effective date.

Purchasing

- 2.1 Consideration and action to surplus and donate the following items to the Texas Department of Public Safety (TxDPS): five (5) office desks, six (6) book shelves, one (1) metal locker, one (1) refrigerators, three (3) projectors, ten (10) chairs, one (1) Bunn Coffee Maker, three (3) rolling shelves/files, one (1) desk light, & one (1) metal rolling cart.

Administrative:

- 3.1 Annual presentation and approval of Ellis County Investment Policy. – *Treasurer Cheryl Chambers*
- 3.2 Pursuant to Local Government Code §26.04, appointment of Tax Assessor/Collector Richard Rozier as the designated official to calculate the Fiscal Year 2024 tax rate. – *County Judge Todd Little*
- 3.3 Discussion and possible action on excessive temperatures in the Courts & Administration building and Historical Courthouse. – *Precinct 3 Commissioner Paul Perry*
- 3.4 Discussion, consideration, and approval for the County Judge to sign the Letter of Engagement with Patillo, Brown, & Hill, LLP to perform External Audit Services for the Fiscal Year 2023 Annual Audit for Ellis County. – *Auditor Janet Martin*
- 3.5 Amend the approval of the County Retiree Health and Dental coverages to include continued cost share of premiums for under 65 and grandfathered retirees, at the current rate of 50% of premium for Fiscal Year 2023 – 2024. – *Human Resources Director Theresa Taylor*

- 3.6 Discussion, consideration, and approval for the County Judge to appoint Dr. Anna Toker, MD, as the Local Health Authority for Ellis County, pursuant to Texas Health & Safety Code §121.021. – *Emergency Management Coordinator Michaela Sandefer*
- 3.7 Discussion, consideration, and action regarding potential funding for the Ellis County Museum, including the option for the County Judge to sign a contract.
- 3.8 Discussion, consideration, and action on a request to grant an electric line easement through county owned property (County Farm – Parcel 194448). – *Engineering Director Ted Kantor*
- 3.9 Discussion, consideration, and action authorizing the County Judge 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.* – *County Judge Todd Little*

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(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 Ellis County Museum.
- 4.2 Pursuant to Texas Government Code 551.072, to deliberate, 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-party regarding property owned by the County.
- 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 (MUD's).
- 4.4 Pursuant to Texas Government Code §551.071, consultation with legal counsel regarding pending litigation regarding *Ellis County v. Walgreens Boots Alliance, Inc. et al*, MDL PRETRIAL CAUSE NO. 2018-63587, in the 152nd District Court of Harris County, Texas.

ADJOURNMENT OF EXECUTIVE SESSION

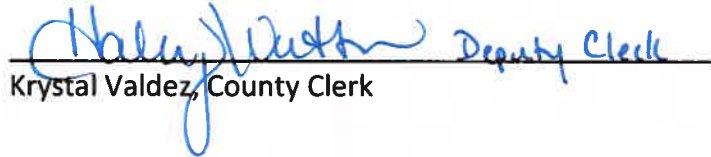
ADJOURNMENT OF REGULAR MEETING

Signed this the 7th day of July, 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 23rd day of June, 2023 at 4:24 p.m.

 Deputy Clerk
Krystal Valdez, County Clerk

