



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, September 5th, 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**, where a quorum of the Court will be physically present, or a member of the court may appear remotely via video conference under Tex. Gov. Code §551.127. During this meeting 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

RECOGNITIONS

- R.1 Proclamation Recognizing September 7th, 2023 as "National Cotton Industry in Ellis County" Day
- R.2 Resolution Advocating for Safer Major Highways in Ellis County

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 Commissioners' Court Regular Meeting Minutes from August 22nd, 2023. – *County Clerk Krystal Valdez*

- A.3 Pursuant to Texas Health and Safety Code §775.082, acceptance of the annual Compilation Report of the fiscal accounts and records of Emergency Service District #3 (Italy). – *Fire Marshal Tim Birdwell*
- A.4 Pursuant to Texas Health and Safety Code §775.082, acceptance of the annual Audit Report of the fiscal accounts and records of Emergency Service District #4 (Red Oak). – *Fire Marshal Tim Birdwell*
- A.5 Pursuant to Texas Health and Safety Code §775.082, acceptance of the annual Audit Report of the fiscal accounts and records of Emergency Service District #6 (Waxahachie). – *Fire Marshal Tim Birdwell*
- A.6 Pursuant to Texas Health and Safety Code §775.082, acceptance of the annual Compilation Report of the fiscal accounts and records of Emergency Service District #7 (Bristol). – *Fire Marshal Tim Birdwell*
- A.7 Pursuant to Texas Health and Safety Code §775.082, acceptance of the annual Compilation Report of the fiscal accounts and records of Emergency Service District #8 (Avalon). – *Fire Marshal Tim Birdwell*
- A.8 Presentation of a tabulated report of the county’s receipts and disbursements of funds from August 12th, 2023 – August 23rd, 2023, pursuant to Local Government Code §114.024. – *County Auditor Janet Martin*
- A.9 Approval of juror pay, as defined in Texas Government Code §61.001, amended by the 88th Legislature by HB 3474. Effective September 1st, 2023, the minimum will be not less than \$20.00 for the first day and not less than \$58.00 for each day following. The state reimbursement will be \$14.00 for the first day and \$52.00 for each day following. – *County Treasurer Cheryl Chambers*
- A.10 Approval of interlocal work between the County of Ellis, Road & Bridge Precinct 4, and the City of Oak Leaf for ditch and culvert cleaning. – *Precinct 4 Commissioner Kyle Butler*
- A.11 Approval of interlocal work between the County of Ellis, Road & Bridge Precinct 4, and the City of Red Oak for asphalt repair. – *Precinct 4 Commissioner Kyle Butler*

Financial:

- F.1 FY 2023 Line-Item Transfer. – *Tax Assessor Richard Rozier*
- Decrease 001-0370-508350 (Training) by \$1,500.00
 - Decrease 001-0370-505020 (Salaries – Full Time) by \$40,000.00
 - Decrease 001-0370-508040 (Postage) by \$1,500.00
 - Increase 001-0370-508050 (Conference) by \$1,500.00
 - Increase 001-0370-508020 (Equipment) by \$40,000.00
 - Increase 001-0370-508730 (Maint/RPS Ofc Equip) by \$1,500.00
- F.2 FY 2023 Line-Item Transfer. – *Ellis County Judge Todd Little*
- Decrease 001-0390-508350 (Training) by \$1,000.00
 - Decrease 001-0390-508730 (Maint/RPS Ofc Equip) by \$900.00
 - Increase 001-0390-508680 (Contract Services) by \$1,900.00

- F.3 FY 2023 Line-Item Transfer. – *Ellis County Judge Todd Little*
- Decrease 001-0140-508310 (Administrative Judicial) by \$3,000.00
 - Decrease 001-0140-508350 (Training) by \$2,000.00
 - Decrease 001-0140-508660 (Community Support) by \$80,000.00
 - Decrease 001-0140-508880 (Computer Software) by \$24,500.00
 - Increase 001-0140-507030 (Telephone) by \$5,000.00
 - Increase 001-0140-508020 (Equipment) by \$6,000.00
 - Increase 001-0140-508040 (Postage) by \$28,240.00
 - Increase 001-0140-507080 (Comprehensive Ins) by \$70,260.00
- F.4 FY 2023 Line-Item Transfer. – *County Judge Todd Little*
- Decrease 001-0140-570000 (Contingency – Surplus) by \$77,000.00
 - Decrease 001-0140-590205 (Grant Writer) by \$75,000.00
 - Increase 001-0140-508050 (Conference) by \$760.00
 - Increase 001-0140-508250 (Annual Audit/CPA) by \$26,500.00
 - Increase 001-0140-507080 (Comprehensive Ins) by \$124,740.00
- F.5 FY 2023 Line-Item Transfer. – *Department of Development Director Alberto Mares*
- Decrease 001-0060-508080 (Auto Gas) by \$200.00
 - Decrease 001-0060-508210 (Uniform) by \$50.00
 - Increase 001-0060-506010 (Reimbursement) by \$50.00
 - Increase 001-0060-508010 (Supplies) by \$100.00
 - Increase 001-0060-508190 (Computer Equipment) by \$100.00
- F.6 FY 2023 Line-Item Transfer. – *Emergency Management Coordinator Michaela Sandefer*
- Decrease 001-0430-508100 (Auto Tires) by \$600.00
 - Increase 001-0430-508080 (Auto Gas) by \$600.00
- F.7 FY 2023 Line-Item Transfer. – *Emergency Management Coordinator Michaela Sandefer*
- Decrease 001-0430-508100 (Auto Tires) by \$50.00
 - Increase 001-0430-508090 (Auto Repair) by \$50.00
- F.8 FY 2023 Line-Item Transfer. – *County Engineer Ted Kantor*
- Decrease 001-0375-506010 (Mileage Reimbursement) by \$900.00
 - Decrease 001-0375-508350 (Training) by \$1,200.00
 - Decrease 001-0375-508190 (Computer Equipment) by \$500.00
 - Increase 001-0375-508080 (Auto Oil Gas) by \$900.00
 - Increase 001-0375-508010 (Supplies) by \$1,200.00
 - Increase 001-0375-508680 (Contract Services) by \$500.00
- F.9 FY 2023 Line-Item Transfer. – *Precinct 3 Commissioner Paul Perry*
- Decrease 011-0704-508070 (FM3 Operating Expenditures) by \$2,000.00
 - Increase 011-0704-508020 (FM3 Equipment) by \$2,000.00

- F.10 FY 2023 Line-Item Transfer. – *Precinct 4 Commissioner Kyle Butler*
- Decrease 012-0755-508070 (Operating Expenditures) by \$25,000.00
 - Increase 012-0755-509090 (Parts & Repairs) by \$25,000.00
- F.11 FY 2023 Line-Item Transfer. – *Texas Highway Patrol Sgt. C. Fox*
- Decrease 001-0340-505020 (Salaries – Full Time) by \$7,300.00
 - Increase 001-0340-505500 (Employee Insurance) by \$3,500.00
 - Increase 001-0340-508010 (Supplies) by \$3,800.00
- F.12 FY 2023 Line-Item Transfer. – *Juvenile Detention Director Chelsea Smith*
- Decrease 008-0421-505020 (Salaries – Full Time) by \$15,000.00
 - Increase 008-0421-508010 (Supplies) by \$1,000.00
 - Increase 008-0421-508070 (Operating Expenditures) by \$5,000.00
 - Increase 008-0421-508080 (Auto Gas/Oil/Maintenance) by \$5,000.00
 - Increase 008-0421-508890 (Transport Expense) by \$1,500.00
 - Increase 008-0421-508930 (Detention Provisions) by \$2,500.00
- F.13 FY 2023 Line-Item Transfer. – *Sheriff Brad Norman*
- Decrease 001-0015-508190 (Jail Computer Equipment) by \$700.00
 - Increase 001-0010-508190 (SO Computer Equipment) by \$700.00
- F.14 Accept funds from the sale of stray animals in the amount of \$4,722.04 for the Ellis County Sheriff's Office as unanticipated revenue. Request special budget of unanticipated revenue:
- Increase 001-0010-508700 (Stray) by \$1,025.00
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.15 Accept a donation of 78 books by an anonymous donor for the Ellis County Library Cart with an estimated value of \$776.00. – *County Auditor Janet Martin*
- F.16 Accept a donation of 100 books by an anonymous donor for the Ellis County Library Cart with an estimated value of \$995.00. – *County Auditor Janet Martin*
- F.17 Accept a donation of 90 books by an anonymous donor for the Ellis County Library Cart with an estimated value of \$895.00. – *County Auditor Janet Martin*
- F.18 FY 2023 Line-Item Transfer. – *Juvenile Detention Director Chelsea Smith*
- Decrease 066-0422-508020 (Equipment) by \$5,000.00
 - Decrease 066-0422-570000 (Contingency – Surplus) by \$32,000.00
 - Increase 066-0422-507030 (Telephone) by \$700.00
 - Increase 066-0422-508680 (Contract Services) by \$2,200.00
 - Increase 066-0422-509997 (Curriculum) by \$32,000.00
 - Increase 066-0422-509998 (Student Meals) by \$2,100.00

- F.19 FY 2023 Line-Item Transfer. – *Juvenile Detention Director Chelsea Smith*
- Decrease 008-0420-508450 (Juvenile Detention Services) by \$67,000.00
 - Increase 008-0420-507030 (Telephone) by \$2,000.00
 - Increase 008-0420-508070 (Operating Expenditures) by \$6,500.00
 - Increase 008-0420-508080 (Auto Gas/Oil) by \$4,500.00
 - Increase 008-0420-508090 (Auto Repairs) by \$6,000.00
 - Increase 008-0420-508350 (Training) by \$2,000.00
 - Increase 008-0420-508750 (Juvenile Psychological) by \$25,000.00
 - Increase 008-0420-508770 (Juvenile Medical) by \$5,000.00
 - Increase 008-0420-508890 (Transport Expense) by \$2,000.00
 - Increase 008-0420-508960 (Sex Offender Services) by \$14,000.00

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 Discussion, consideration, and action on a plat of Diamondcrest. The property contains ± 52.914 acres of land in the Simeon Odom Survey, Abstract No. 815, located west of FM 157, ± 800 feet south of the intersection of Campbell Road and FM 157, in the extraterritorial jurisdiction (ETJ) of the City of Maypearl, Road and Bridge Precinct No. 3.
- 1.2 Discussion, consideration, and action on a final plat of Thunder Ridge Phase Two-B. The property contains ± 38.342 acres of land in the M.D. Bullion Survey, Abstract No. 164, located south of Old Maypearl Road, ± 660 feet west of the intersection of Old Maypearl Road and South Oak Branch Road, in the extraterritorial jurisdiction (ETJ) of the City of Maypearl, Road and Bridge Precinct No. 3.
- 1.3 Discussion, consideration, and action to accept performance bonds for the proposed Waterfall Ranch Estates, Phase One & Two (Parcel ID No. 289937 & 190467). The property contains ± 222.103 acres of land located in the W. Stewart Survey, Abstract No. 956, located on the west side of FM 876, ±602 feet north of the intersection of Rocky Falls Drive and FM 876, in the extraterritorial jurisdiction (ETJ) of the city of Waxahachie, Road & Bridge Precinct No. 3.

Purchasing

- 2.1 Authorization for the County Judge to sign a notice exercising Ellis County’s option to renew its lease with Leasing Impressions Commercials, LLC, for property located at 301 N. 8th St., Midlothian, TX, 76065 for a one-year term, in an amount of \$10,000 per month.
- 2.2 Discussion, consideration, and approval to purchase a 2025 Pinnacle Mack Truck from Bruckner’s Truck Sales, Inc. in the amount of \$149,047 using the Houston-Galveston Area Council Cooperative Contract Number HT06-20 for Road & Bridge PCT 2.
- 2.3 Discussion, consideration, and approval to award RFP-2023-006-Employee Classification and Compensation Study with Public Sector Personnel Consultants, Inc. for a (1) year term.

- 2.4 Consideration and action to declare the listed items (see supporting documents) as surplus or damaged/unsafe to be disposed in accordance with the Local Government Code 263 for the Sheriff's Office and Jail.
- 2.5 Discussion, consideration, and action to cancel the RFP for "Debt Collection Services" for offices currently not using Linebarger per Minute Order #363.23.

Administrative:

- 3.1 Discussion over HB 3474, which goes into effect on September 1st and increases juror pay and state reimbursements to the county. – *District Clerk Melanie Reed*
- 3.2 Discussion, consideration, and action on service proposals to update and/or replace the security system at the Justice of the Peace, Precinct 1 facility. – *The Honorable Chris Macon, Justice of the Peace, Precinct 1*
- 3.3 Discussion, consideration, and action to approve the settlement of *Etta Goss et al. v. Ellis County*, Civil Action No. 3:19-cv-01760-S. – *Attorney, Randy Montgomery*
- 3.4 Discussion of the Fiscal Year 2024 Budget related to revenues and expenses. – *County Judge Todd Little*
- 3.5 Discussion, consideration, and action to appoint outside counsel to negotiate a lease with Leasing Impressions Commercials, LLC for property located at 301 N. 8th St., Midlothian, TX. – *County Judge Todd Little*
- 3.6 Discussion, consideration, and action related to leasing negotiations for the Midlothian Tax Office. – *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(1), consultation with legal counsel regarding pending or contemplated litigation matter concerning a settlement agreement in *Etta Goss et al. v. Ellis County*, Civil Action No. 3:19-cv-01760-S. – *Attorney, Randy Montgomery*
- 4.2 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). – *Department of Development Director Alberto Mares*

- 4.3 Pursuant to Texas Government Code §551.071(1), consultation with legal counsel regarding pending or contemplated litigation matter concerning potential AMR contract litigation. – *Attorney, Kevin Kosoris*
- 4.4 Pursuant to Texas Government Code §551.072, consultation with legal counsel 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 concerning Ellis County’s option to negotiate its lease with Leasing Impressions Commercials, LLC.
- 4.5 Pursuant to Texas Government Code §551.072, consultation with legal counsel 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 concerning Ellis County’s option to negotiate its lease for the Midlothian Tax Office.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed this the 1st day of September, 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 1st day of Septembers, 2023 at 5:05 p.m.



Krystal Valdez, County Clerk *Deputy*

