



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 19th, 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 3 Commissioner Paul Perry*

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 September 5th and September 12th, 2023. – *County Clerk Krystal Valdez*
- A.3 Acceptance of the Justice of the Peace, Precinct 1 monthly report for August 2023 in accordance with Texas Local Government Code §114.044. – *The Honorable Chris Macon, Justice of the Peace, Precinct 1*
- A.4 Acceptance of the 2023 continuing education transcript hours required by Local Government Code §81.0025 for Commissioner Stinson. – *Precinct 1 Commissioner Randy Stinson*

- A.5 Acceptance of the Justice of the Peace, Precinct 2 monthly report for August 2023 in accordance with Texas Local Government Code §114.044. – *The Honorable Jackie Miller, Justice of the Peace, Precinct 2*
- A.6 Acceptance of continuing education hours required by Local Government Code §262.011. Certificate for: NIGP: Institute for Public Procurement 2023 Forum – Proposal Revisions in RFPs, Change Cycle; Procurement Collaboration in the Digital Age; Procurement Change Management Theory. – *Purchasing Agent E.J. Harbin*
- A.7 Pursuant to Texas Health and Safety Code §775.082, acceptance of the annual audit report of the fiscal accounts and records for Emergency Service District #9 (Palmer) received August 31st, 2023. – *Fire Marshal Tim Birdwell*
- A.8 Approval to accept the application of Dale L. Walling to replace Asst. Secretary/Asst Treasurer, Randy Johnston, whose term ends in December 2024 for Emergency Service District #6 (Waxahachie). – *Fire Marshal Tim Birdwell*
- A.9 Approval of the Department of Development’s monthly financial report for August 2023, as required by Texas Local Government Code §114.044. – *Department of Development Director Alberto Mares*
- A.10 Acceptance of a tabulated report of the county’s receipts and disbursements of funds from August 26th – September 8th, 2023, pursuant to Texas Local Government Code §114.024. – *County Auditor Janet Martin*

Financial:

- F.1 Acceptance of Notice of Local Provider Participation Fund payment for \$2,395,698.94. – *County Treasurer Cheryl Chambers*
- F.2 Acceptance of Notice of Local Provider Participation Fund payment for \$456,512.87. – *County Treasurer Cheryl Chambers*
- F.3 Approval for the County Judge to prepay Texas Air Systems, LLC in the amount of \$419,499.00, including a \$10,000.00 discount for early payment, based on Minute Order #238.23 and in accordance with Texas Government Code §2251.030. – *County Judge Todd Little*
- F.4 Approval for the Tax Collector to disburse property tax refunds in the amount of \$4,232.10. – *County Auditor Janet Martin*
- F.5 Acceptance of \$13,439.11 in insurance reimbursements from Sedgwick by the Ellis County Jail as unanticipated revenue. Request special budget of unanticipated revenue:
- Increase 001-0015-507020 (Repairs) by \$13,439.11
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *County Auditor Janet Martin*

- F.6 Acceptance of \$10,000.00 in insurance reimbursements from Sedgwick by the Ellis County Sheriff's Office as unanticipated revenue. Request special budget of unanticipated revenue:
- Increase 001-0010-508030 (Furniture/Fixtures) by \$10,000.00
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.7 Acceptance funds from the Inmate Commissary Account by the Ellis County Jail in the amount of \$599.90 as unanticipated revenue. Request special budget of unanticipated revenue:
- Increase 001-0015-507070 (Repairs) by \$599.90
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.8 Acceptance funds from the City of Oak Leaf by FM4 in the amount of \$1,050.00 as unanticipated revenue. Request special budget of unanticipated revenue:
- Increase 012-0755-508020 (Equipment) by \$1,050.00
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *County Auditor Janet Martin*
- F.9 FY 2023 Line-Item Transfer. – *Emergency Management Coordinator Michaela Sandefer*
- Decrease 001-0430-508190 (Computer) by \$200.00
 - Increase 001-0430-508680 (Contract Services – Copier) by \$200.00
- F.10 FY 2023 Line-Item Transfer. – *Precinct 2 Commissioner Lane Grayson*
- Decrease 010-0653-508070 (FM2 General Expenses) by \$6,000.00
 - Increase 010-0653-509090 (FM2 Repairs – Parts) by \$6,000.00
- F.11 FY 2023 Line-Item Transfer. – *Texas AgriLife Extension Service Director Mark Arnold*
- Decrease 001-0050-508030 (Furniture/Fixtures) by \$290.00
 - Decrease 001-0050-507030 (Telephone) by \$900.00
 - Decrease 001-0050-508190 (Computer Equipment) by \$500.00
 - Decrease 001-0050-508840 (Auto Insurance) by \$100.00
 - Increase 001-0050-508090 (Auto Repairs) by \$390.00
 - Increase 001-0050-508430 (4H Travel) by \$1,400.00
- F.12 FY 2023 Line-Item Transfer. – *County & District Attorney Ann Montgomery*
- Decrease 001-0360-505020 (Salaries – Full Time) by \$1,500.00
 - Increase 001-0360-508730 (Maintenance-Repairs) by \$1,500.00
- F.13 FY 2023 Line-Item Transfer. – *Human Resources Director Theresa Taylor*
- Decrease 001-0425-508650 (Employment Screening) by \$800.00
 - Increase 001-0425-506010 (Travel) by \$50.00
 - Increase 001-0425-508010 (Supplies) by \$270.00
 - Increase 001-0425-508350 (Safety/Training) by \$480.00

- F.14 FY 2023 Line-Item Transfer. – *Indigent Healthcare Coordinator Terri Klein*
 - Decrease 001-0110-508010 (Supplies) by \$100.00
 - Increase 001-0110-508350 (Safety/Training) by \$100.00
- F.15 FY 2023 Line-Item Transfer. – *Fire Marshal Tim Birdwell*
 - Decrease 001-0450-508020 (Equipment) by \$500.00
 - Increase 001-0450-508060 (Official Bonds/Dues) by \$500.00
- F.16 FY 2023 Line-Item Transfer. – *The Honorable Louis Ponder, Justice of the Peace, Precinct 4*
 - Decrease 001-0540-507030 (Telephone) by \$419.15
 - Increase 001-0540-508350 (Training) by \$75.00
 - Increase 001-0540-508010 (Supplies) by \$344.15
- F.17 FY 2023 Line-Item Transfer. – *Precinct 1 Commissioner Randy Stinson*
 - Decrease 009-0602-400080 (FM1 – Interlocals) by \$10,000.00
 - Increase 009-0602-509060 (FM1 – Culverts) by \$10,000.00

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 Discussion, consideration, and action on a final plat of Phan Addition. The property contains ± 1.721 acres of land in the S.A. & M.G.R.R. Survey, Abstract No. 1038, and the G. Wheelock Survey, Abstract No. 1117, located at the southeast corner of Farrar Road and Norman Road, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 1.
- 1.2 Discussion, consideration, and action to grant a one-time variance for Parcel ID 208949 from Section IV (A) (2) of the Subdivisions & Development Standards to allow this property to develop without meeting the minimum road frontage requirement. The property contains ± 1.97 acres of land located on the north side of Youngblood Road ± 4,275 feet west of the intersection of Youngblood Road and FM 878, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 1.
- 1.3 Discussion, consideration, and action to grant a one-time variance for Parcel ID 181517 & 181424 (931 E. Ovilla Road) from Section IV (A) (2) of the Subdivisions & Development Standards to allow this property to develop without meeting the minimum road frontage requirement. The property contains ± 1.40 acres of land located on the south side of E. Ovilla Road (FM 664) ± 1,200 feet east of the intersection of FM 664 and Pratt Road, in the extraterritorial jurisdiction (ETJ) of the City of Red Oak, Road and Bridge Precinct No. 1.
- 1.4 Discussion, consideration, and action to grant a one-time variance for Parcel ID 202666 & 179312 – 970 FM 983 from Section IV (A) (2) of the Subdivisions & Development Standards to allow this property to develop without meeting the minimum road frontage requirement. The property contains ± 36.74 acres of land located on the south side of FM 983 ± 6,600 feet northeast of the intersection of FM 983 and Bluff Springs Road, in the extraterritorial jurisdiction (ETJ) of the City of Ferris, Road and Bridge Precinct No. 1.

- 1.5 Discussion, consideration, and action on a plat of L6 Estates Lot 1, Block A. The property contains ± 2.90 acres of land in the Andrew J Francis Survey, Abstract No. 364, located on the east side of FM 308, ± 990 feet south of the intersection of FM 308 and Thunder Road, Milford, Road and Bridge Precinct No. 3.
- 1.6 Discussion, consideration, and action on Micah's Plat. The property contains ± 2.510 acres of land in the J. Willshire Survey, Abstract No. 1147, near the corner of Alysa Lane and Rough Creek Road, Waxahachie, Road and Bridge Precinct No. 3.
- 1.7 Discussion, consideration, and action to release a maintenance bond and accept infrastructure for The Cross Fence at Oak Vista. The property contains ± 248.60 acres of land located north of FM 66 ± 6,200 feet west of Arrowhead Road, in the extraterritorial jurisdictions (ETJs) of the cities of Waxahachie and Maypearl, Road and Bridge Precinct No. 3.
- 1.8 Discussion, consideration, and action on a final plat of Matthews Farms Addition, Phase Two. The property contains ± 115.936 acres of land in the A.T. Miller Survey, Abstract No. 716, and the A. Stockton Survey, Abstract No. 1010, located south of Marion Road, ± 2,875 feet south of the intersection of Marion Road and Norrell, in the extraterritorial jurisdiction (ETJ) of the City of Maypearl, Road and Bridge Precinct No. 4.

Purchasing

- 2.1 Discussion, consideration, and action on Change Order #P1684-85 001 for additional services (SCCR Rating Labels) to the Schindler Modernization Proposal to modernize Elevators 1, 2, and 3 at the Ellis County Jail in an amount of \$24,600.00 Omnia Cooperative Contract #R200501 with Schindler.
- 2.2 Discussion, consideration, and action on Task Order No. 5 for support the county's efforts in the design, preconstruction, bidding, negotiations support and construction management of the County's upcoming projects with Kitchell in an amount of \$335,590.00.
- 2.3 Discussion, consideration, and action to lease a copier for the Treasurer's Office from Xerox using the Omnia Partners Cooperative Contract Number R191104 in accordance with the Cooperative Purchasing Program, Chapter 271 of the Texas Government Code.
- 2.4 Discussion, consideration, and action for the County Judge to execute a coverage acceptance agreement and necessary documents for comprehensive insurance using the Trident-TX Association of Political Subdivisions-Hibbs Hallmark & Company. Renewal term is from October 1, 2023, through September 30, 2024.
- 2.5 Discussion, consideration, and action to award RFP-2023-011 – Insurance for Property and Inland Marine and approving and authorizing the County Judge to execute a coverage acceptance agreement and necessary documents for property and inland marine insurance-Hibbs Hallmark & Company. Coverage would be for a (1) year term from October 1, 2023, to September 30, 2024.
- 2.6 Status update of the procurement and implementation of the County's justice and public safety software by Berry Dunn.

- 2.7 Discussion, consideration, and action to declare the listed items as surplus/damaged/scrap metal to be disposed in accordance with the Local Government Code §263 for the Sheriff's Office Garage on Hoyt Road (see supporting documents).
- 2.8 Discussion, consideration, and action to authorize the County Judge to execute a contract with McGough Construction Company, LLC for completion of the Justice of the Peace, Precinct 2 building project, including the authorization of a recommended owner's contingency amount.

Administrative:

- 3.1 Discussion and consideration on a request for a tax abatement from Schneider Electric, LLC, no action will be taken. – *County Judge Todd Little*
- 3.2 Discussion and consideration on a request for a tax abatement from Compass Datacenters, LLC, no action will be taken. – *County Judge Todd Little*
- 3.3 Discussion, consideration, and action to renew or modify the current County Silver Retiree Health Insurance coverage and premiums through the Texas Association of Counties and Employee Benefits Pool for Calendar Year 2024, including approval for the County Judge to sign the renewal.
– *Human Resources Director Theresa Taylor*
- 3.4 Discussion, consideration, and action on a burn ban, contingent on data from the drought and fire index. – *Fire Marshal Tim Birdwell*
- 3.5 Discussion, consideration, and action to allow the Sheriff to decrease Account #001-0015-505020 (Salaries – Full Time) by \$750,000.00 to increase Account #068-0145-400996 (Vehicle Replacement Fund Revenue) by \$750,000.00. – *Sheriff Brad Norman*

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 (MUD's). – *Department of Development Director Alberto Mares*

ADJOURNMENT OF EXECUTIVE SESSION

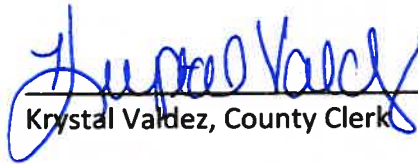
ADJOURNMENT OF REGULAR MEETING

Signed this the 15th 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 15th day of Septembers, 2023 at 2:55 p.m.



Krystal Valdez, County Clerk