



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, April 20, 2021, 2:00 P.M., in the Historic Ellis County Courthouse, Commissioners' Courtroom (2nd floor), 101 W. Main Street, Waxahachie, Texas** at which time the following will be discussed and considered, to-wit:

IMPORTANT INFORMATION RELATED TO COVID-19 IN CONNECTION TO COMMISSIONERS' COURT MEETINGS:

Visitors will be asked to review posted screening questions prior to entry. Pursuant to Governor Abbott's Executive Order GA-29, visitors will be asked to keep at least six (6) feet apart from other members of the public and Ellis County staff.

OPENING COURT

County Judge will call meeting to order, declare quorum if present, and declare notices legally posted pursuant to Open Meetings Act §551

Motion to open meeting

Invocation and Pledge of Allegiance – 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:

- A1 Approval of Regular Bills, Payroll and Officers' Reports. – *County Treasurer, Cheryl Chambers*
- A2 Approval of the Regular Meeting Minutes from April 6, 2021. – *County Clerk, Krystal Valdez*
- A3 Approval of Interlocal work between County of Ellis Precinct 1 and the City of Palmer, reference Minute Order 187.21. Interlocal work to include: Reclaim and Resurface Virginia Dr, in the amount of \$13,411.20; Resurface S. Stacks Rd., level and hot mix Bridge in the amount of \$66,967.00. - *Commissioner Pct. 1, Randy Stinson*
- A4 Approval of the Ellis County Monthly Treasurer's Report for February 2021, in accordance with Local Government Code, section §114.026. - *County Treasurer, Cheryl Chambers*

- A5 Approval of the Ellis County Monthly Treasurer's Report for March 2021, in accordance with Local Government Code, section §114.026. - *County Treasurer, Cheryl Chambers*
- A6 Approval of the County Auditor to accept funds from the American Rescue Plan Act of 2021 in a total amount of \$35.8 million allocated to Ellis County, Texas. Distributions of approximately 50% to be received no later than May 10, 2021. - *County Auditor, Janet Martin*
- A7 Approval of the County Auditor's Monthly Report for March 2021, pursuant to Local Government Code, section §114.025. - *County Auditor, Janet Martin*

Financial:

- F.1 Approval of the Department of Development's (DoD) monthly financial report for March 2021, pursuant to Local Government Code, section §114.044. - *Department of Development, Alberto Mares*
- F.2 Approval of a tabulated report of the county's receipts and disbursements of funds from March 30, 2021 – April 12, 2021, pursuant to Local Government Code, section §114.024. - *County Auditor, Janet Martin*
- F.3 Approval of the County Auditor to certify receipt of Fiscal year 2021 quarters 1 and 2 of the Formula Grant 212-21-070 from Texas State Comptroller Office of Court Administration in the amount of \$64,480.50, pursuant to Local Government code, section §111.0106. - *County Auditor, Janet Martin*
- F.4 Approval of the County Auditor to certify receipt of Fiscal year 2021 quarter 2 of the SAFPF Grant from Texas State Comptroller TDCJ in the amount of \$1,890.00, pursuant to Local Government code, section §111.0106. - *County Auditor, Janet Martin*
- F.5 **FY2020-21 Line Item Transfer**
DECREASE 001-0370-505020 - Salaries - Full Time by \$20,000;
INCREASE 001-0370-508020 - Equipment by \$20,000. - *Tax Assessor Collector, Richard Rozier*
- F.6 **FY2020-21 Line Item Transfer**
DECREASE 001-0425-508350 - Safety/Training - \$1,200;
INCREASE 001-0425-508650 - Employment Screening by \$1,200. - *Human Resources, Theresa Taylor*
- F.7 **FY2020-21 Line Item Transfer**
DECREASE 009-0602-570000 - FM1 Contingency by \$400,000;
INCREASE 009-0602-508020 - FM1 Purchase of Equipment by \$400,000. - *Commissioner, Pct #1 – Randy Stinson*
- F.8 **FY2020-21 Line Item Transfer**
DECREASE 010-0653-508070 – FM2 General Expenses by \$2,000;
INCREASE 010-0653-509180 – FM2 Hardware/Tools by \$2,000. - *Commissioner, Pct #2 – Lane Grayson*

REGULAR AGENDA – Discussion, Consideration and action:

DEPARTMENT OF DEVELOPMENT

- 1.1 **Discussion, consideration & action on a plat of Chisholm Place Two, Phase Three.** The property contains ± 24.082 acres of land in the BBB & C RR Co. Abstract No. 172 and the P. Stout Survey Abstract No. 1008, located at the northeast corner of Ebenezer Road and Wilson Road, in the extra-territorial jurisdiction (ETJ) of the City of Palmer, Road and Bridge Precinct No. 1.
- 1.2 **Discussion, consideration & action on a replat of Harris Subdivision, Phase 1, Lots 4A & 4B.** The property contains ± 7.634 acres of land in the Holcomb & Peck Survey, Abstract No. 528, located at the intersection of Shawnee Road and Bells Chapel Road, in the extra-territorial jurisdiction (ETJ) of the City of Red Oak, Road and Bridge Precinct No. 4.
- 1.3 **Discussion, consideration & action on a replat of Mohundro Farms, Lots 17A & 17B.** The property contains ± 5.047 acres of land in the R. De La Pena Survey, Abstract No. 3, located on the east side of Mohundro Road, ± 2,604 feet southeast of the intersection of FM 780 and Mohundro Road, Ferris, Road and Bridge Precinct No. 1.

PURCHASING

- 2.1 Granting an exemption under Section 262.024, Local Government Code, from the bidding requirements of Section §262.023, Local Government Code for the purchase of proprietary “JetScan Currency Counter”, Check Solutions and Software and Related Services from Cummins-Allison Corporation/CPI.
- 2.2 Discussion, consideration and approval for the award of Bid Number RFB 2021-001 – Contract for Auto and Heavy Equipment Repairs to AA Bigs Holdings, LLC dba A&A Repair.
- 2.3 Granting an exemption under Section 262.023, Local Government Code, from the bidding requirements of Section §262.023, Local Government Code for the procurement of Vehicle and Equipment Repairs.
- 2.4 Discussion, consideration and approval to use the Texas Department of Information Resources (DIR) Cooperative Contract DIR-SS-ILC0040 with AT&T and its Election Security partner, CyberDefenses in accordance with the Cooperative Purchasing Program, Chapter §271 of the Local Government Code. This will provide implementation of recommendations from the 2019 election security assessment and will include development of security policies, plans and “best practices” processes.
- 2.5 Discussion, consideration, and approval for the County Judge to execute contract with Data Preservation Solutions LLC using DIR Contract # DIR-TSO-4038 for the daily indexing of real property records & related services in an amount of \$9,472 per month, this will be funded from the County Clerk Record Management Fund.

ADMINISTRATIVE

- 3.1 Discussion, consideration and approval to engage the law firm of Carrington, Coleman, Sloman & Blumenthal, L.L.P. as counsel for the application, use, and administration of the American Rescue Plan funds. Cost to be limited to \$75,000. Additional cost would require Commissioners' Court approval. Judge Little to sign the engagement letter. – *County Auditor, Janet Martin*
- 3.2 Discussion, consideration, and approval to enter into an Engagement Agreement between Ellis County, Texas and The Beckham Group; representation shall include federal court litigation challenging the Federal Railroad Administration related to Texas Central's proposed high-speed rail project. – *Commissioner, Pct #2, Lane Grayson*
- 3.3 Discussion, consideration and approval to amend the Purchase and Sale Agreement between Ellis County, Texas and Southfork Capital, LLC. – *Wray Willett Stoffer Kosoris, Kevin Kosoris*
- 3.4 Discussion, consideration and approval to amend the Ellis County Sexually Oriented Businesses Order, minute order no. 142.05. – *Messer, Fort & McDonald, Terry Morgan*
- 3.5 Discussion, consideration and approval of funding to repair AHU units at the Jail damaged during the snow/ice storm. Total cost \$7,209.40. Cost to repair chiller #1 = \$720.00. Cost to repair McQuay chiller #2 = \$903.00. Hydronic repairs = \$3,812.00. Add 410A refrigerant to chiller #1 & #2 = \$1,774.40. All expenses will be submitted to Emergency Management to file with FEMA. – *County Sheriff, Brad Norman*
- 3.6 Discussion, consideration and approval for Sheriff Norman to sign and close contract #W9126G-20-P0033 with The Corp of Engineers for the completion of FY2020 services at Lake Bardwell. – *County Sheriff, Brad Norman*
- 3.7 Presentation and discussion regarding entering into a tax abatement agreement, as follows:
 - The name of the property owner is TXI Operations LP and the applicant for the tax abatement agreement is SunOpta Grains and Foods Inc.
 - The name of the reinvestment zone shall be Midlothian Commercial-Industrial Tax Abatement Reinvestment Zone Number 16 and the location is the southeast corner of Power Way and Brookhollow Drive in the RailPort Business Park, City of Midlothian, Ellis County, Texas, being approximately 30 acres.
 - The improvements to be included in the tax abatement agreement generally consist of approximately 400,000 square foot building to be used primarily for manufacturing.
 - The estimate costs of the improvements are \$200,000,000.

RECESS TO CONVENE TO EXECUTIVE SESSION

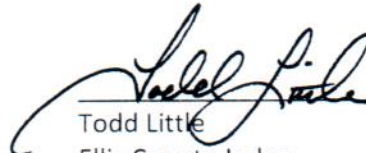
The Commissioners Court of Ellis County reserves the right to adjourn into **Executive Session** at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code §551, or to seek the advice of its 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 §551.

- 4.1 Pursuant to Chapter §551.087 of the Government Code, to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.
- 4.2 Pursuant to Chapter §551.071 of the Government Code, consultation with legal counsel regarding pending or contemplated litigation concerning amending the Ellis County Sexually Oriented Businesses Order, minute order no. 142.05.
- 4.3 Pursuant to Chapter §551.072 of the Government Code, to 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.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT

Signed this the 16th day of April, 2021.



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 16th day of April, 2021 at 3:48 ~~am~~/p.m.

Krystal Valdez, County Clerk



By Jina Chambers, Deputy

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

2021 APR -1 AM 11:15

ELLIS COUNTY CLERK

PUBLIC NOTICE OF COMMISSIONERS' COURT MEETING
FOR CONSIDERATION OF A TAX ABATEMENT
AGREEMENT FOR PROPERTY LOCATED IN ELLIS
COUNTY, TEXAS

The Commissioner's Court of Ellis County, Texas (the "County"), following creation of Midlothian Commercial-Industrial Tax Abatement Reinvestment Zone Number 16, in the City of Midlothian, Ellis County, Texas, will consider entering into a tax abatement agreement, as follows:

1. The name of the property owner is TXI Operations LP and the applicant for the tax abatement agreement is SunOpta Grains and Foods Inc.
2. The name of the reinvestment zone shall be Midlothian Commercial-Industrial Tax Abatement Reinvestment Zone Number 16 and the location is the southeast corner of Power Way and Brookhollow Drive in the RailPort Business Park, City of Midlothian, Ellis County, Texas, being approximately 30 acres.
3. The improvements to be included in the tax abatement agreement generally consist of approximately 400,000 square foot building to be used primarily for manufacturing.
4. The estimate costs of the improvements are \$200,000,000.

Pursuant to the Texas Open Meetings Act (the "Act"), the County will consider approval of the tax abatement agreement at 2:00 p.m. on May 4, 2021 in the Second Floor commissioner's Courtroom at 101 West Main Street, Waxahachie, Texas.

This notice shall remain continuously posted for at least 30 days prior to the meeting and shall be posted in the same manner as required by the Act for a Commissioners' Court meeting.