



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, August 22nd, 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 1 Commissioner Randy Stinson*

RECOGNITIONS

R.1 Proclamation recognizing September as National Preparedness Month and thanking Waxahachie for partnership in the Ellis County Emergency Preparedness Fair on September 9th.

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 Acceptance of the Treasurer's Notice of Local Provider Participation Fund payment for \$451,424.99.
– *County Treasurer Cheryl Chambers*

- A.3 Approval of the Commissioners' Court Regular Meeting Minutes from August 8th, 2023. – *County Clerk Krystal Valdez*
- A.4 Approval of interlocal work between the County of Ellis, Precinct 1, and the City of Waxahachie for Interlocal Minute Order 467.22. Interlocal work includes Broadhead Road from April Lane to the northern city limits, reclaiming approximately 3,800' with 2-course chip seal adding Earthlok stabilization. The total cost of the project is \$107,730.00. – *Precinct 1 Commissioner Randy Stinson*
- A.5 Approval of the 2024 Sheriff and Constable Fees in accordance with Texas Government Code §118.131. – *Sheriff Brad Norman*
- A.6 Acceptance of the County Auditor's Monthly Report for May 2023, pursuant to Texas Local Government Code §114.025. – *County Auditor Janet Martin*
- A.7 Acceptance of the County Auditor's Monthly Report for June 2023, pursuant to Texas Local Government Code §114.025. – *County Auditor Janet Martin*
- A.8 Acceptance of the County Auditor's Monthly Report for July 2023, pursuant to Texas Local Government Code §114.025. – *County Auditor Janet Martin*
- A.9 Acceptance of a tabulated report of the county's receipts and disbursements of funds from August 1st, 2023 – August 11th, 2023, pursuant to Local Government Code §114.024. – *County Auditor Janet Martin*
- A.10 Approval of the 2023-2024 Ellis County Holiday Schedule, which corresponds to payroll and Commissioners' Court dates. – *County Judge Todd Little*
- A.11 Approve the Department of Development's monthly financial report for July 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. – *The Honorable Gene Calvert, County Court at Law #2*
- Decrease 001-0385-508350 (Staff Training/Conference) by \$1,100.00
 - Increase 001-0385-508420 (Judge's Conference) by \$1,100.00
- F.2 FY 2023 Line-Item Transfer. – *The Honorable William Wallace, 378th District Court*
- Decrease 001-0190-508880 (Computer Software) by \$1,900.00
 - Decrease 001-0190-508020 (Equipment) by \$1,673.00
 - Increase 001-0190-508680 (Contract Services) by \$800.00
 - Increase 001-0190-506980 (Law & Books) by \$380.00
 - Increase 001-0190-508050 (Conference) by \$2,350.00
 - Increase 001-0190-508320 (Visiting Judge) by \$41.00
 - Increase 001-0190-506010 (Mileage Reimbursement) by \$2.00

- F.3 FY 2023 Line-Item Transfer. – *The Honorable Cindy Ermatinger, 443rd District Court*
- Decrease 001-0200-505020 (Salaries) by \$4,142.06
 - Increase 001-0200-508020 (Equipment) by \$4,142.06
- F.4 FY 2023 Line-Item Transfer. – *The Honorable Jackie Miller, Justice of the Peace, Precinct 2*
- Decrease 001-0520-508020 (Equipment) by \$800.00
 - Increase 001-0520-508010 (Supplies) by \$500.00
 - Increase 001-0520-508060 (Official Bond-Dues) by \$300.00
- F.5 FY 2023 Line-Item Transfer. – *Elections Administrator Jana Onyon*
- Decrease 001-0210-508040 (Postage) by \$2,500.00
 - Increase 001-0210-508880 (Computer Software) by \$2,500.00
- F.6 FY 2023 Line-Item Transfer. – *Maintenance Director Keith Roberts*
- Decrease 001-0020-508100 (Auto Tires) by \$200.00
 - Increase 001-0020-508090 (Auto Repairs) by \$200.00
- F.7 FY 2023 Line-Item Transfer. – *Precinct 1 Commissioner Randy Stinson*
- Decrease 009-0602-570000 (FM1 – Contingency Surplus) by \$25,000.00
 - Increase 009-0602-509070 (FM1 – Tires) by \$5,000.00
 - Increase 009-0602-509100 (FM1 – Fuel) by \$20,000.00
- F.8 FY 2023 Line-Item Transfer. – *Indigent Health Coordinator Terri Klein*
- Decrease 001-0110-508050 (Conference) by \$130.58
 - Increase 001-0110-508350 (Safety/Training) by \$130.58
- F.9 FY 2023 Line-Item Transfer. – *I.T. Director Jocelyn King*
- Decrease 001-0035-508050 (Conference) by \$1,990.00
 - Decrease 001-0035-505020 (Salaries – Full Time) by \$5,000.00
 - Decrease 001-0035-506010 (Mileage Reimbursement) by \$1,000.00
 - Decrease 001-0035-508010 (Supplies) by \$5,500.00
 - Increase 001-0035-508190 (Computer Equipment) by \$8,600.00
 - Increase 001-0035-508680 (Contract Services) by \$4,890.00
- F.10 Authorization for the Treasurer to pay additional Brinks invoices of \$11,869.10. – *County Treasurer Cheryl Chambers*
- F.11 Approval for the Tax Assessor to disburse property tax refunds in the amount of \$14,700.65. – *County Auditor Janet Martin*
- F.12 Acceptance of funds from the Ellis County & District Attorney in the amount of \$170.00 for restitution for the Ellis County Sheriff's Office as unanticipated revenue. Request for special budget of unanticipated revenue:
- Increase 001-0010-506970 (Evidence Analysis and Testing) by \$170.00
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *County Auditor Janet Martin*

- F.13 Acceptance of funds from Sedgwick Claims Management for partial loss of SO vehicle in the amount of \$4,941.47 by the Ellis County Sheriff's Office as unanticipated revenue. Request for special budget of unanticipated revenue:
- Increase 001-0010-508240 (Collision Repair) by \$4,941.97
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *County Auditor Janet Martin*

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 Discussion, consideration & action to release a performance bond and accept maintenance bonds for Bison Meadows. The property contains ± 111.936 acres of land located at the intersection of FM 813 and FM 387, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 1.
- 1.2 Discussion, consideration & action to release a performance bond and accept maintenance bonds for Ellis Ranch Estates North and South. The property contains ± 246.358 acres of land, located at the north side of FM 878 ± 5,050 feet west of the intersection of FM 878 and Rutherford Road, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road & Bridge Precinct No. 1.
- 1.3 Discussion, consideration, and action to release a maintenance bond and accept infrastructure for Ferris Ranch, Phase One. This property contains ±18.762 acres of land located ± 745 feet west of the intersection of FM 660 and India Road, Ferris, Road & Bridge Precinct No. 1.
- 1.4 Discussion, consideration & action on a replat of Hayes & Williams Estates, Tract 1R, Block A. The property contains ± 12.759 acres of land in the M. Wilkins Survey, Abstract No. 1142, located on the north side of Judy's Lane, ± 630 feet west of the intersection of Judy's Lane and Morgan Road, in the extraterritorial jurisdiction (ETJ) of the City of Italy, Road and Bridge Precinct No. 3.
- 1.5 Discussion, consideration & action on a replat of Pecan Tree Corner, Lot 1AR - 5AR. The property contains ± 6.006 acres located on the east side of East Pecan Tree Road, ± 1,200 feet east of the intersection of East Pecan Tree Road and Edna Road, in the extraterritorial jurisdiction (ETJ) of the City of Waxahachie, Road and Bridge Precinct No. 3.
- 1.6 Discussion, consideration, and action to release a maintenance bond and accept infrastructure for Pioneer Point, Phase 5 & 6. The property contains ± 98.537 acres of land, located north of Crosswind Drive between Richard Road and Arrowhead Road in the extraterritorial jurisdiction (ETJ) the City of 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 in the S.B. Orton Survey, Abstract No. 813, the J. Fifer Survey Abstract No. 352, and the D.M. McNeil Survey No. 71, 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.

Motion to recess regular session and enter a public hearing.

Public Hearing No. 1

- P.1 Conduct a public hearing to consider & act upon a request to amend its development regulations, the Ellis County Quality Growth Initiatives – Volumes I, II & III.

Motion to exit public hearing and reconvene the regular meeting.

- 1.8 Discussion, consideration, and action on a request to amend its development regulations, the Ellis County Quality Growth Initiatives – Volumes I, II & III. These proposed amendments will primarily address (1) updates to the development review process (permitting, platting, engineering, construction, etc.) and ensure compliance with recent updates to state law per the 88th Texas State Legislature, (2) amendments related to special districts, subdivision bonds, and definitions, (3) updates to current culvert & road standards and inspections/testing processes, 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 Discussion, consideration, and approval to purchase a 2024 Mack Dump Truck from NAFG in the amount of \$181,768.00 using Sourcewell Contract number 060920-NAF for Road & Bridge PCT 3.
- 2.2 Discussion, consideration and approval to purchase a 2024 Warren Half Round Pup Trailer from NAFG in the amount of \$64,435.00 using Sourcewell Contract number 060920-NAF for Road & Bridge PCT 3.
- 2.3 Consideration and action to declare the listed items as surplus to be disposed in accordance with Local Government Code Chapter 263 for the Justice of the Peace, Pct 4 and Constable, Pct 4 (see supporting documentation).
- 2.4 Authorization to advertise and solicit Request for Bid for Substance Abuse Evaluation, Treatment and Education Services.
- 2.5 Discussion, consideration, and approval to purchase HVAC and mechanical equipment for the Ellis County Jail in an amount of \$468,610.00 using BuyBoard Cooperative Contracts 631-20 with American Mechanical Services of Texas, LLC.
- 2.6 Discussion, consideration, and approval to award CSP-2023-002 "Ellis County Sub-Courthouse Precinct #2" to McGough Construction Co., LLC in the amount of \$14,131,378.00.

Administrative:

- 3.1 Discussion of the Fiscal Year 2024 Proposed Budget. No action will be taken. A public hearing on the FY 2024 Budget will be held on September 5th, 2023. – *County Judge Todd Little*
- 3.2 Discussion, consideration, and action to propose a tax rate for Tax Year 2024 based on rates presented by the Tax Assessor/Collector. A public hearing on the tax rate will be held on September 5th, 2023. – *County Judge Todd Little and Tax Assessor/Collector Richard Rozier*

- 3.3 Authorization for the County Judge and Precinct 4 Commissioner to sign a lease agreement with Tommy and Janice Childers Faries for a term of two years with construction of a 680 ft. R.A.P. Road as payment. – *County Judge Todd Little and Precinct 4 Commissioner Kyle Butler*
- 3.4 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*
- 3.5 Discussion, consideration, and action on a 3rd amended order resolution adopted by Minute Order No. 268.08 – Amending and Restating Resolution Concerning Utility and Communication Lines in County Right-of-Way. – *Engineering Director Ted Kantor*

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, 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 regarding county utility easements.
- 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).

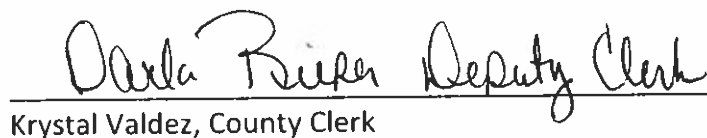
ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed this the 18th day of August, 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 18th day of August, 2023 at 3:18 p.m.


Krystal Valdez, County Clerk