

FILED FOR RECORD
KRYSTAL VALDEZ
ELLIS COUNTY CLERKRANDY STINSON
Commissioner Pct. #1TODD LITTLE
County JudgePAUL PERRY
Commissioner Pct. #3LANE GRAYSON
Commissioner Pct. #2Krystal Valdez
Ellis County ClerkKYLE 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, December 12th, 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 4 Commissioner Kyle Butler*

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. – *Treasurer Cheryl Chambers*
- A.2 Approval of the Monthly Treasurer's Report for July 2023, pursuant to Texas Local Government Code §114.026. – *Treasurer Cheryl Chambers*
- A.3 Approval of the Monthly Treasurer's Report for August 2023, pursuant to Texas Local Government Code §114.026. – *Treasurer Cheryl Chambers*
- A.4 Approval of the Monthly Treasurer's Report for September 2023, pursuant to Texas Local Government Code §114.026. – *Treasurer Cheryl Chambers*

- A.5 Approval of Commissioners' Court Regular Meeting Minutes from November 28th, 2023. – *County Clerk Krystal Valdez*
- A.6 Approval to appoint Jerold Nichols to the North Central Texas Board of Workforce Solutions for a three-year term beginning November 13th, 2023 and ending September 30th, 2026. – *County Judge Todd Little*
- A.7 Approval of the Justice of the Peace, Precinct 1 monthly report for November 2023, pursuant to Texas Local Government Code §114.044. – *The Honorable Chris Macon, Justice of the Peace, Precinct 1*
- A.8 Approval of a public official bond in the amount of \$10,000.⁰⁰ for County Judge Todd Little for a period of four-years from January 1st, 2023 to January 1st, 2027 in accordance with Texas Government Code §26.001. – *County Judge Todd Little*
- A.9 Approval of a public official bond in the amount of \$5,000.⁰⁰ for Judge Dan Cox, Justice of the Peace for Precinct 3, in accordance with Texas Government Code §27.001. – *The Honorable Dan Cox, Justice of the Peace, Precinct 3*
- A.10 Approval of the Justice of the Peace, Precinct 3 monthly report for November 2023, pursuant to Texas Local Government Code §114.044. – *The Honorable Dan Cox, Justice of the Peace, Precinct 3*
- A.11 Approval of the Justice of the Peace, Precinct 4 monthly report for November 2023, pursuant to Texas Local Government Code §114.044. – *The Honorable Louis Ponder, Justice of the Peace, Precinct 4*
- A.12 Acceptance of the County Auditor's monthly report for October 2023, pursuant to Texas Local Government Code §114.025. – *First Assistant County Auditor Staci Parr*
- A.13 Acceptance of a tabulated report of the county's receipts and disbursements of funds from November 16th – December 1st, 2023, pursuant to Texas Local Government Code §114.024. – *First Assistant County Auditor Staci Parr*
- A.14 Acceptance of the resignation of ESD #9 Danielle Vick, whose position ends December 12th, 2023, and accepting the application of Zachary Zett to replace Danielle Vick from December 12th, 2023 to December 31st, 2024. – *Fire Marshal Tim Birdwell*

Financial:

- F.1 Approval of a yearly contribution in the amount of \$70,000.00 to the Ellis County Children's Advocacy Center for Fiscal Year 2024. – *County Judge Todd Little*
- F.2 Approval of the 1st and 2nd quarterly payments of \$52,139.⁰⁸ each to the North Texas Behavioral Health Authority (NTBHA) for FY24; county match funds to be paid quarterly. The total amount to be paid out for FY24 would be \$208,556.³³. – *County Judge Todd Little*

- F.3 Accept funds from the City of Oak Leaf by FM4 in the amount of \$46,568.⁰⁰ as unanticipated revenue. Request special budget for unanticipated revenue:
- Increase 002-0902-509300 (Road Improvement – Road Expense) by \$46,568.⁰⁰
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *First Assistant County Auditor Staci Parr*
- F.4 Accept funds from the City of Glenn Heights by FM4 in the amount of \$46,568.⁰⁰ as unanticipated revenue. Request special budget for unanticipated revenue:
- Increase 002-0902-509300 (Road Improvement – Road Expense) by \$46,568.⁰⁰
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *First Assistant County Auditor Staci Parr*
- F.5 Accept funds from jury donations to Veterans Services in the amount of \$4,221.⁰⁰ as unanticipated revenue. Request special budget for unanticipated revenue:
- Increase 001-0070-506330 (Juror Donations) by \$4,221.⁰⁰
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *First Assistant County Auditor Staci Parr*
- F.6 Accept auction proceeds from the sale of surplus computer equipment by the Elections Department in the amount of \$3,100.⁰⁰ as unanticipated revenue. Request special budget for unanticipated revenue:
- Increase 001-0210-508190 (Computer Equipment) by \$3,100.⁰⁰.
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *First Assistant County Auditor Staci Parr*
- F.7 FY24 Line-Item Transfer. – *Precinct 2 Commissioner Lane Grayson*
- Decrease 010-0653-508070 (FM2 General Expenses) by \$10,000.⁰⁰
 - Increase 010-0653-509180 (FM2 Hardware/Tools) by \$10,000.⁰⁰
- F.8 FY24 Line-Item Transfer. – *Precinct 2 Commissioner Lane Grayson*
- Decrease 004-0652-508070 (RB2 General Expenses) by \$100.⁰⁰
 - Increase 004-0652-520100 (RB2 CDL Reimbursement) by \$100.⁰⁰
- F.9 FY24 Line-Item Transfer. – *Indigent Health Care Coordinator Terri Klein*
- Decrease 001-0110-508520 (Prescriptions) by \$12,000.⁰⁰
 - Increase 001-0110-508680 (Contract Services) by \$12,000.⁰⁰

REGULAR AGENDA – Discussion, Consideration and Action:

Department of Development:

- 1.1 Ratify staff action on a plat of Arlene’s Addition Lot 1, Block 1. The ± 5.939-acre site is located ± 1,215 feet south of the intersection of FM 1181 and Hwy. 34, situated in the A De La Garza Survey, Abstract No. 2, in the extraterritorial jurisdiction (ETJ) of the City of Ennis, Ferris, Road and Bridge Precinct No. 1.
- 1.2 Ratify staff action on a plat of Morton Acres. The ± 3.139-acre site is located ± 595 feet east of the intersection of Slate Rock Road and Andrews Road, situated in the R De La Pena Survey, Abstract No. 3, Ennis, Road and Bridge Precinct No. 1.

- 1.3 Discussion, consideration, and action on a request for a variance for Parcel ID 153766 from Section IV (A) of the Subdivision & Development Regulations & Septic Regulations (Order 182.11) to allow this property to develop without meeting the minimum lot size and depth. The ± 0.3627-acre site is located near the intersection of FM 664 and Ridge Crest Drive, in the extraterritorial jurisdiction (ETJ) of the Red Oak, Road and Bridge Precinct No. 1.
- 1.4 Discussion, consideration, and action on a request for a variance for Parcel ID 178744 from Section IV (A) of the Subdivision & Development Regulations to allow this property to develop without meeting the minimum road frontage requirements. The ± 4.54-acre site is located ± 1,500 west of the intersection of FM 813 & Oates Road, Palmer, Road and Bridge Precinct No. 1.
- 1.5 Ratify staff action on a plat of Simpkins Addition Lots 1 & 2, Block A. The ± 3.128-acre site is located ± 1,690 feet west of the intersection of Oak Grove Road and Brown Road, situated in the George B McKinstry Survey, Abstract No. 668, Ennis, Road and Bridge Precinct No. 2.
- 1.6 Discussion, consideration, and action on a request for a variance for Parcel ID 189854 from Section IV (A) of the Subdivision & Development Regulations to allow this property to develop without meeting the minimum road frontage requirements. The ± 12.65-acre site is located ± 410 feet west of the intersection of Tigh Wad Road & FM 308, Itasca, Road and Bridge Precinct No. 3.

Purchasing

- 2.1 Discussion, consideration, and action on the purchase of a Caterpillar Model 930M QC Wheel Loaders & Integrated Tool Carriers in an amount of \$248,000.⁰⁰ for Road & Bridge Precinct 3 using the Sourcewell Cooperative Contract Number 020223, from Holt Cat.
- 2.2 Discussion, consideration, and action to approve an interlocal agreement between City of Ferris and Ellis County in accordance with the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code.
- 2.3 Discussion, consideration, and action to renew the following bid for a (1) year renewal period: Bid No. 2020-020 Convenience Store Fuel with Pearman Oil & LP Gas, Inc.
- 2.4 Discussion, consideration, and action on the purchase of furniture and installation services for the Ellis County Central Building from Tangram Interiors using the Omnia Cooperative Contract Number 2019.001899 for \$1,026,537.⁰².
- 2.5 Discussion, consideration and action on Change Order #5 to the Rogers-O'Brien Contract (Minute Order 255.23) for replacement of inoperable elevator with a new Schindler Elevator at Ellis County Central in an amount of \$147,769.⁰⁰.
- 2.6 Discussion, consideration, and action to approve the design service proposal from Entos Design for the Midlothian Tax Office in an amount not to exceed \$15,400.⁰⁰.

Administrative:

- 3.1 Presentation, consideration, and action to ratify the Ellis County & District Attorney's Office application for a grant with the Texas Veterans Commission for the continued implementation of a Veteran's Treatment Court Program in Ellis County. – *County & District Attorney Ann Montgomery*
- 3.2 Discussion, consideration, and action to approve an interlocal cooperation contract between the County of Ellis and the City of Oak Leaf for a term agreement through December 31st, 2024. – *Precinct 4 Commissioner Kyle Butler*
- 3.3 Discussion, consideration, and action to approve an interlocal cooperation contract between the County of Ellis and Red Oak ISD for a term agreement through December 31st, 2024. – *Precinct 4 Commissioner Kyle Butler*
- 3.4 Discussion, consideration, and action to approve an interlocal cooperation contract between the County of Ellis and Waxahachie ISD for a term agreement through December 31st, 2024. – *Precinct 4 Commissioner Kyle Butler*
- 3.5 Discussion, consideration, and action to approve an interlocal cooperation contract between the County of Ellis and the City of Waxahachie for a term agreement through December 31st, 2024. – *Precinct 4 Commissioner Kyle Butler*
- 3.6 Discussion, consideration, and approval to amend the Bank Depository agreement to include additional language for the FHLB Letter of Credit and approval for the County Judge to sign a new Bank Depository Agreement and Collateral Security Agreement. – *Treasurer Cheryl Chambers*
- 3.7 Discussion, consideration, and action for the County Judge to sign a one-year contract with Inovalon, in the amount of \$12,000, which will provide insurance verification for Indigent HealthCare and Inmate Medical. – *Indigent Health Care Coordinator Terri Klein*
- 3.8 Discussion, consideration, and action to authorize the necessary posting and public notice for the request for a stop sign on Woodstream Rd. at the intersection of Springwood Ln. and schedule the required public hearing at a future Commissioners Court meeting. – *County Engineer Ted Kantor*
- 3.9 Discussion, consideration, and action to refer case work to outside counsel, Bickerstaff, on currently pending Municipal Utility District (MUD) applications, and to authorize associated case expenses. – *Commissioner Randy Stinson*
- 3.10 Discussion, consideration, and action to re-appoint the Ellis County Fire Marshal, Tim Birdwell, for a 2-year period beginning December 14, 2023 and ending December 14, 2025. – *Fire Marshal Tim Birdwell*
- 3.11 Discussion, consideration, and action to approve the County Judge to sign an agreement with the Texas Department of Transportation (TxDOT) to purchase 3.005 acres of right-of-way from Ellis County for U.S. Highway 45 in the amount of \$23,230.⁰⁰. – *County Judge Todd Little*
- 3.12 Discussion, consideration, and action to finalize and accept a settlement agreement with American Medical Response. – *County Judge Todd Little*

- 3.13 Discussion, consideration, and action regarding services provided by the Wellpath contract and coordination of service benefits as it relates to the proposed interlocal agreement with the North Texas Behavioral Health Authority (NTBHA). – *County Judge Todd Little*
- 3.14 Discussion, consideration, and action on the appointment of an employee to serve as the Ellis County Behavioral Health Director, and relevant duties. – *County Judge Todd Little*

RECESS TO CONVENE TO EXECUTIVE SESSION

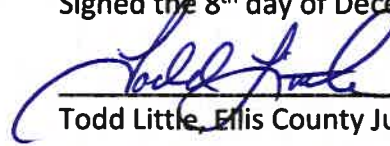
The Commissioners' Court of Ellis County reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, as authorized by Texas Government Code Chapter 551, or to seek the advice of 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 concerning TCEQ matters, specifically pending Texas Pollutant Discharge Elimination Systems permits (TPDES) and pending petitions for the creation of Municipal Utility Districts (MUD's).
- 4.2 Pursuant to Local Government Code §551.074, deliberation of the appointment, employment, evaluation, and duties of the Ellis County Fire Marshal.
- 4.3 Pursuant to Texas Government Code §551.071 (1)(B), consultation with outside legal counsel regarding a settlement offer with American Medical Response.
- 4.4 Pursuant to Texas Government Code §551.071 (2), consultation with legal counsel 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 regarding services provided by Wellpath and coordination of service benefits as it relates to the proposed interlocal agreement with the North Texas Behavioral Health Authority (NTBHA).
- 4.5 Pursuant to Local Government Code §551.074, deliberation of the appointment, employment, evaluation, and duties of Ellis County Behavioral Health Director candidates.
- 4.6 Pursuant to Local Government Code §551.074, deliberation of the appointment, employment, evaluation, and duties of the Ellis County Human Resources Director candidates.

ADJOURNMENT OF EXECUTIVE SESSION

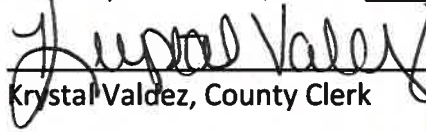
ADJOURNMENT OF REGULAR MEETING

Signed the 8th day of December, 2023



Todd Little, Ellis County Judge

I, the undersigned, County Clerk Ellis County, 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 8th day of December, 2023 at 5:00 p.m.



Krystal Valdez, County Clerk