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FILED FOR RECORD
KRYSTAL VALDEZ
ELLIS COUNTY CLERK

RANDY STINSON
Commissioner Pct. #1

TODD LITTLE
County Judge

LOUIS PONDER
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 20th, 2024, 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**, a quorum of the Court will be physically present. During this meeting time the following will be discussed and considered:

OPENING COURT

The County Judge will call the meeting to order, declare quorum if present, and declare that notices have been legally posted, pursuant to the Open Meetings Act, 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 Consent:

- A.1 Approval of regular bills, payroll, and officers' reports. – *County Treasurer Cheryl Chambers*
- A.2 Approval of the monthly Treasurer's report for July 2024, pursuant to Local Government Code §114.025. – *County Treasurer Cheryl Chambers*
- A.3 Approval of Commissioners' Court regular meeting minutes from August 6th, 2024. – *County Clerk Krystal Valdez*
- A.4 Acceptance of a tabulated report of the county's receipts and disbursements of funds from July 13th – August 9th, 2024, pursuant to Local Government Code §114.024. – *County Auditor Staci Parr*

- A.5 Acceptance of the monthly Auditor's report for July 2024, pursuant to Local Government Code §114.025. – *County Auditor Staci Parr*
- A.6 Acceptance of the July 2024 cash audit reports. – *County Auditor Staci Parr*
- A.7 Acceptance of the Audit Report for Emergency Services District #2 (Midlothian), pursuant to Health and Safety Code §775.082. – *Fire Marshal Tim Birdwell*
- A.8 Acceptance of the Audit Report for Emergency Services District #4 (Red Oak), pursuant to Health and Safety Code §775.082. – *Fire Marshal Tim Birdwell*
- A.9 Acceptance of the Audit Report for Emergency Services District #9 (Palmer), pursuant to Health and Safety Code §775.082. – *Fire Marshal Tim Birdwell*
- A.10 Approval of the Justice of the Peace, Precinct 1 monthly report for July 2024, pursuant to Local Government Code §114.044. – *The Honorable Chris Macon, Justice of the Peace, Precinct 1*
- A.11 Approval of the Justice of the Peace, Precinct 2 monthly report for July 2024, pursuant to Local Government Code §114.044. – *The Honorable Jackie Miller, Justice of the Peace, Precinct 2*
- A.12 Acceptance of completing continuing educational training hours for Commissioner Louis Ponder, Pct. 3 during the V.G. Young North and East County Judges and Commissioners Annual Conference on July 15-18, 2024. – *Precinct 3 Commissioner Louis Ponder*
- A.13 Approval of a resolution assigning private activity bond authority for the Texas Department of Housing and Community Affairs. – *County Judge Todd Little*

Financial Consent:

- F.1 FY24 Line-Item Transfer. – *County Clerk Krystal Valdez*
- Decrease 001-0320-506010 (Mileage Reimbursement) by \$1,500.⁰⁰
 - Decrease 001-0320-507030 (Telephone) by \$3,700.⁰⁰
 - Decrease 001-0320-508010 (Supplies) by \$7,300.⁰⁰
 - Decrease 001-0320-508050 (Conference) by \$1,450.⁰⁰
 - Decrease 001-0320-508060 (Bonds/Dues) by \$900.⁰⁰
 - Decrease 001-0320-508230 (Legal Notices) by \$200.⁰⁰
 - Decrease 001-0320-508350 (Training) by \$300.⁰⁰
 - Increase 001-0320-508030 (Furniture/Fixtures) by \$11,462.¹⁰
 - Increase 001-0320-508020 (Equipment) by \$3,134.⁹⁰
 - Increase 001-0320-508680 (Contract Services) by \$753.⁰⁰
- F.2 FY24 Line-Item Transfer. – *Department of Development Director Alberto Mares*
- Decrease 001-0060-508680 (Contract Services) by \$16,500.⁰⁰
 - Increase 001-0060-508190 (Computer Equipment) by \$16,000.⁰⁰
 - Increase 001-0060-508010 (Supplies) by \$500.⁰⁰

- F.3 FY24 Line-Item Transfer. – *I.T. Director Jocelyn King*
- Decrease 001-0035-508010 (Supplies) by \$400.⁰⁰
 - Increase 001-0035-508080 (Auto/Gas/Oil) by \$400.⁰⁰
- F.4 FY24 Line-Item Transfer. – *Human Resources Director Sharon Mancilla*
- Decrease 001-0425-508680 (Contract Services) by \$400.⁰⁰
 - Decrease 001-0425-508650 (Employment) by \$2,000.⁰⁰
 - Increase 001-0425-506010 (Mileage Reimbursement) by \$100.⁰⁰
 - Increase 001-0425-508050 (Conference) by \$200.⁰⁰
 - Increase 001-0425-508010 (Supplies) by \$2,100.⁰⁰
- F.5 FY24 Line-Item Transfer. – *The Honorable Jackie Miller, Justice of the Peace, Precinct 2*
- Decrease 001-0520-506020 (Staff Travel) by \$1,100.⁰⁰
 - Decrease 001-0520-508120 (Radio) by \$250.⁰⁰
 - Decrease 001-0520-508730 (Maint – RPS) by \$1,000.⁰⁰
 - Decrease 001-0520-508010 (Supplies) by \$500.⁰⁰
 - Increase 001-0520-508050 (Conference) by \$1,100.⁰⁰
 - Increase 001-0520-508680 (Contract Services) by \$250.⁰⁰
 - Increase 001-0520-508740 (Docket Books Printing) by \$1,000.⁰⁰
 - Increase 001-0520-508060 (Official Bonds) by \$500.⁰⁰
- F.6 FY24 Line-Item Transfer. – *Precinct 4 Commissioner Kyle Butler*
- Decrease 012-0755-508070 (Operating Expenditures) by \$12,000.⁰⁰
 - Increase 012-0755-509090 (Parts & Repairs) by \$12,000.⁰⁰
- F.7 FY24 Line-Item Transfer. – *Precinct 4 Commissioner Kyle Butler*
- Decrease 006-0754-570000 (Contingency Surplus) by \$489,637.⁴⁹
 - Increase 006-0754-508020 (Purchase of Equipment) by \$489,637.⁴⁹
- F.8 FY24 Line-Item Transfer. – *Sheriff Brad Norman*
- Decrease 001-0010-506490 (Employee Recognition) by \$351.⁸¹
 - Increase 042-0942-4000870 (Sheriff Forfeiture) by \$325.⁰⁰
 - Increase 001-0010-508850 (Sales Tax) by \$26.⁸¹
- F.9 FY24 Line-Item Transfer. – *Precinct 2 Commissioner Lane Grayson*
- Decrease 010-0653-509100 (FM2 Gas/Oil) by \$15,000.⁰⁰
 - Decrease 010-0653-509150 (FM2 Asphalt) by \$15,000.⁰⁰
 - Increase 010-0653-509090 (FM2 Repairs/Parts) by \$30,000.⁰⁰
- F.10 FY24 Line-Item Transfer. – *Precinct 1 Commissioner Randy Stinson*
- Decrease 009-0602-570000 (FM1 Contingency) by \$130,000.⁰⁰
 - Increase 009-0602-508680 (Contract Services) by \$100,000.⁰⁰
 - Increase 009-0602-509100 (Fuel) by \$30,000.⁰⁰

- F.11 FY24 Line-Item Transfer. – *Law Library Director Safaa Cloud*
- Decrease 019-0919-506010 (Mileage Reimbursement) by \$250.⁰⁰
 - Decrease 019-0919-508850 (Sales Tax) by \$300.⁰⁰
 - Increase 019-0919-508020 (Equipment) by \$550.⁰⁰
- F.12 FY24 Line-Item Transfer. – *Precinct 3 Constable Curtis Polk, Jr.*
- Decrease 001-0613-508210 (Uniform Expense) by \$569.⁶²
 - Decrease 001-0613-508010 (Supplies) by \$36.³⁸
 - Decrease 001-0613-508020 (Equipment) by \$27.⁹⁰
 - Increase 001-0613-508090 (Auto Repairs) by \$338.⁹⁰
 - Increase 001-0613-508350 (Training) by \$295.⁰⁰
- F.13 Accept auction proceeds from Rene Bates Auctioneers, Inc. in the amount of \$34,993.⁶⁸ by Road & Bridge Precinct 4 as unanticipated revenue. Request special budget of unanticipated revenue:
- Increase 006-0754-508020 (Purchase of Equipment) by \$34,993.⁶⁸
- Pursuant to Local Government Code §111.0108, unanticipated revenue certified by County Auditor.
– *County Auditor Staci Parr*
- F.14 Accept insurance reimbursements from Sedgwick Claims Management in the amount of \$9,967.⁰⁰ and from Consumers County Mutual Insurance in the amount of \$8,869.⁸³ (total amount of \$18,836.⁸³) by Road & Bridge Precinct 4 as unanticipated revenue. Request special budget of unanticipated revenue:
- Increase 006-0754-508020 (Purchase of Equipment) by \$18,836.⁸³
- Pursuant to Local Government Code §111.0108, unanticipated revenue certified by County Auditor.
– *County Auditor Staci Parr*

REGULAR AGENDA – Discussion, Consideration and Action

Department of Development:

- 1.1 Discussion, consideration, and action to ratify staff action on an amending plat of William Griffin Addition, Lots 3 & 4, Block A. The ± 9.495-acre site is located at the northeast intersection of West State Highway 34 and Bozek Lane, Ennis, Road and Bridge Precinct No. 2.
- 1.2 Discussion, consideration, and action to ratify staff action on a plat of Berryhill Estates 1st Installment, Lots 1 & 2. The ± 2.140-acre site is located ± 1,350 feet southwest of the intersection of FM 2258 and FM 157, situated in the Leeman Kelsey Survey, Abstract No. 594, located in the extraterritorial jurisdiction (ETJ) of the City of Venus, Road and Bridge Precinct No. 4.
- 1.3 Discussion, consideration, and action to ratify staff action on a plat of Berryhill Estates 2nd Installment, Lots 3 & 4. The ± 2.130-acre site is located ± 1,700 feet southwest of the intersection of FM 2258 and FM 157, situated in the Leeman Kelsey Survey, Abstract No. 594, located in the extraterritorial jurisdiction (ETJ) of the City of Venus, Road and Bridge Precinct No. 4.
- 1.4 Discussion, consideration, and action to ratify staff action on a plat of Sproul Acres, Lot 1, Block 1. The ± 3.426-acre site is located ± 2,200 feet south of the intersection of West Highland Road and Bryson Lane, situated in the A.R. Newton Survey, Abstract No. 793, located in the extraterritorial jurisdiction (ETJ) of Midlothian, Road and Bridge Precinct No. 4.

Purchasing

- 2.1 Discussion, consideration and action to declare surplus and then donate the following items to the Texas State Guard Ham Radio Unit: forty (40) handheld radios and forty-two (42) vehicle radios. See attached support document.
- 2.2 Discussion, consideration, and action on the approval of HOK Task Order #2 Courts and Administration Remodel using the Master Services Agreement (MSA) between Ellis County and HOK, Inc. (Minute Order # 147.22) for engineering design services for replacement of a chiller serving the Courts and Administration Building in an amount of \$10,500.⁰⁰.
- 2.3 Discussion, consideration, and action to declare the listed items from the Sheriff's Office as surplus to be disposed in accordance with the Local Government Code 263 (see supporting documents).
- 2.4 Discussion, consideration, and action to declare a 1988 BOMAG Recycler, VIN 85831 from Road & Bridge Precinct 4 as surplus to be disposed in accordance with the Local Government Code 263.
- 2.5 Discussion, consideration, and action on the purchase of a 2024 Bomag Reclaimer from R.B. Everett & Co. Using Sourcewell Contract #060122-BA in an amount of \$543,468.⁰⁰ Commissioner, Pct.4.
- 2.6 Discussion, consideration and action to advertise and solicit a request for bids for Flex Base, Type A, Grade 1-2 Combination Mix.

Administrative:

- 3.1 Approval of a variance for PID 190189 to delay platting. – *Precinct 3 Commissioner Louis Ponder*
- 3.2 Discussion, consideration, and action for the County Judge to sign an extension to WellPath for Inmate Medical from October 1 to December 15, 2024. This adjustment is from 3.5% to 4.5%, and includes the increase that was requested from May 1, 2024 through December 15, 2024 of \$150,000.⁰⁰. – *Indigent Health Coordinator Terri Klein*
- 3.3 Discussion, consideration, and action regarding a burn ban in Ellis County. – *Fire Marshal Tim Birdwell*

MOTION TO ENTER PUBLIC HEARING

- P.1 Public hearing regarding the Fiscal Year 2025 Proposed Budget.

MOTION TO EXIT PUBLIC HEARING

- 3.4 Discussion regarding the Fiscal Year 2025 Proposed Budget. No action will be taken. – *County Judge Todd Little*

MOTION TO ENTER PUBLIC HEARING

- P.2 Public hearing regarding elected official salaries.

MOTION TO EXIT PUBLIC HEARING

- 3.5 Discussion, consideration, and action to set salaries for elected officials. – *County Judge Todd Little*

MOTION TO ENTER PUBLIC HEARING

- P.3 Conduct a public hearing to discuss setting the mandatory payment rate for Fiscal Year 2025 applicable to Ellis County's local provider participation program. The Ellis County Commissioners' Court will hold the public hearing pursuant to Chapter 296A of the Texas Health & Safety Code, which authorized the creation of Ellis County local provider participation program. Public hearing to discuss the amounts of any mandatory payments that the Commissioners' Court intends to require during the year and how the revenue derived from those payments is to be spent.

MOTION TO EXIT PUBLIC HEARING

- 3.6 Discussion, consideration, and action to set mandatory payment rate for Fiscal Year 2025, pursuant to Chapter 296A of the Texas Health & Safety Code. – *County Treasurer Cheryl Chambers*
- 3.7 Discussion, consideration, and action for the County Judge to sign a lease agreement between Ellis County and Haight, Taylor, McClain LLC (HTM) for a one-year term, in an amount of \$5,500.⁰⁰ per month. – *County Judge Todd Little and Purchasing Agent EJ Harbin*
- 3.8 Discussion, consideration, and action on the resolution of pending litigation concerning the settlement in Cause No. 109725 in the 40th District Court, styled Ellis County, Texas v. Paynecon, Incorporated, AKA, Payne Concrete, INC., et. al.

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 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 Government Code §551.071 (1), consultation with legal counsel regarding pending litigation concerning the settlement in Cause No. 109725 in the 40th District Court, styled Ellis County, Texas v. Paynecon, Incorporated, AKA, Payne Concrete, INC., et. al.
- 4.3 Pursuant to Government Code §551.071 (1), consultation with legal counsel regarding pending or contemplated litigation concerning the letter from Oncor.

- 4.4 Pursuant to Government Code 551.087 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 the territory of the governmental body and with which the governmental body is conducting economic development negotiations relating to County owned property.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed the 16th of August, 2024 –



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 16th of August, 2024 at 4:23 p.m.



Krystal Valdez, County Clerk *Deputy*

