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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, November 26th, 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 – *County Judge Todd Little*

PUBLIC COMMENT – Members of the public will have the opportunity to make their comments at the time the agenda item is being addressed.

RECOGNITIONS

- R.1 Recognition of the Ellis County Auditing Department for Receiving the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA)
- R.2 Proclamation Recognizing Thanksgiving in Ellis County, Texas

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 meeting minutes from the November 12th, 2024 regular Commissioners' Court meeting. – *County Clerk Krystal Valdez*

- A.3 Approval of the meeting minutes from the November 18th, 2024 special Commissioners' Court meeting. – *County Clerk Krystal Valdez*
- A.4 Acceptance of the County Auditor's monthly report for October 2024, pursuant to Texas Local Government Code §114.025. – *County Auditor Staci Parr*
- A.5 Acceptance of the October 2024 cash audit reports, pursuant to Texas Local Government Code §115.002. – *County Auditor Staci Parr*
- A.6 Acceptance of a tabulated report of the county's receipts and disbursements of funds from November 2nd, 2024 – November 15th, 2024, pursuant to Local Government Code §114.024. – *County Auditor Staci Parr*
- A.7 Acceptance of the Justice of the Peace, Precinct 1 monthly report for October 2024, pursuant to Texas Local Government Code §114.044. – *The Honorable Chris Macon, Justice of the Peace, Precinct 1*
- A.8 Approval of an interlocal agreement between Ellis County and the Ennis Independent School District, pursuant to the Texas Interlocal Cooperation Act. – *Precinct 2 Commissioner Lane Grayson*
- A.9 Acceptance of the annual compilation report of the fiscal accounts and records of Emergency Services District #5 (Ferris), pursuant to Texas Health & Safety Code §775.082. – *Fire Marshal Tim Birdwell*
- A.10 Approval of the Department of Development's (DoD) monthly financial report for October 2024, as required by Chapter 114.044 of the Texas Local Government Code. – *Department of Development Director Alberto Mares*
- A.11 Approval for the County Judge to sign an addendum to Section 10.12 (Limitation of Liability) of the existing DIR Contract No. DIR-CPO-4699, Environmental Systems Research Institute, Inc. (ESRI), and the State of Texas, acting by and through the Department of Information Resources (DIR) to extend the annual GIS software licenses in the Engineering Department. – *Department of Development Director Alberto Mares*

Financial Consent:

- F.1 Acceptance of Estray Revenue in the amount of \$100.⁰⁰ by the Sheriff's Office as unanticipated revenue. Request special budge of unanticipated revenue:
- Increase 001-0010-508700 (Estray) by \$100.⁰⁰
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *County Auditor Staci Parr*
- F.2 Acceptance of restitution in the amount of \$817.⁴¹ by the Sheriff's Office as unanticipated revenue. Request special budge of unanticipated revenue:
- Increase 001-0010-506970 (Special Investigations) by \$817.⁴¹
- Pursuant to Texas Local Government Code §111.0108, unanticipated revenue certified by County Auditor. – *County Auditor Staci Parr*

F.3 Fiscal Year 2024 Line-Item Transfer. – County Judge Todd Little

- Decrease 001-0140-505580 (Contingency Reserve) by \$208,750.⁰⁰
- Decrease 001-0140-505600 (Contingency/Fringe Liability) by \$150,000.⁰⁰
- Decrease 001-0140-507080 (Comprehensive Insurance) by \$381,112.⁰⁰
- Decrease 001-0140-590205 (Grant Writer) by \$120,000.⁰⁰
- Decrease 001-0140-599990 (Retiree Insurance) by \$81,543.³⁰
- Increase 001-0140-507010 (Utilities) by \$220,134.³³
- Increase 001-0140-507100 (Tax Appraisal Fee) by \$335,790.³⁷
- Increase 001-0140-507240 (Lease Facility) by \$42,986.³⁴
- Increase 001-0140-508020 (Equipment) by \$48,953.⁵⁶
- Increase 001-0140-508220 (Legal Fees) by \$168,025.⁷⁰
- Increase 001-0140-508370 (Postmortem Exams) by \$125,515.⁰⁰

REGULAR AGENDA – Discussion, Consideration and Action

Department of Development:

- 1.1 Discussion, consideration, and action to ratify staff action on a plat of James Corner, Lot 1, Block A. The ± 2.115-acre site is located ± 1,230 feet southeast of the intersection of Chaparall Road and Newton Road, situated in the Rafael De La Pena Survey, Abstract No. 3, Ferris, Road and Bridge Precinct No. 1.
- 1.2 Discussion, consideration, and action to ratify staff action on a plat of Johnson Ross Addition, Lot 1, Block A. The ± 1.1264-acre site is located ± 690 feet southwest of the intersection of Old Maple Street and Old Gin Road, situated in the Rafael Pena Survey, Abstract No. 3, Ennis, Road and Bridge Precinct No. 1.
- 1.3 Discussion, consideration, and action to ratify staff action on a plat of Premiere Estates, Lot 1, Block A. The ± 3.136-acre site is located ± 690 feet south of the intersection of Trumbull Circle and Loop 561, situated in the Littleton White Survey, Abstract No. 1110, Ferris, Road and Bridge Precinct No. 1.
- 1.4 Discussion, consideration, and action to ratify staff action on a final plat of Cotton Creek Subdivision, Lots 1-4, Block A. The ± 13.979-acre site is located at the intersection of Ramons Road and Sandswitch Road, situated in the Joseph Garwood Survey, Abstract No. 415, Ennis, Road and Bridge Precinct No. 2.
- 1.5 Discussion, consideration, and action to ratify staff action on an amending plat of Cuevas Estates, Lots 1A-4A, Block A. The ± 4.443-acre site is located ± 1,040 feet southeast of the intersection of Hughes Cemetery Road and FM 55, situated in the Ellis County School Land Survey Abstract No. 329, Avalon, Road and Bridge Precinct No. 2.
- 1.6 Discussion, consideration, and action to ratify staff action on a final plat of Lyons Road Estates, Lots 1 & 2, Block A. The ± 8.689-acre site is located northeast of the intersection of Alma Road and Lyons Road, situated in the Memphis, El Paso and Pacific Railroad Co. Survey, Abstract No. 765, Waxahachie, Road and Bridge Precinct No. 2.
- 1.7 Discussion, consideration, and action to ratify staff action on a plat of Green Acre, Lot 1, Block A. The ± 1.192-acre site is located ± 2,750 feet southeast of the intersection of Barton Road and First Street, situated in the Fletcher Layton Survey, Abstract No. 624, in the extraterritorial jurisdiction (ETJ) of the City of Maypearl, Road and Bridge Precinct No. 3.

- 1.8 Discussion, consideration, and action to ratify staff action on a plat of J.M.J. Addition, Lots 1 & 2, Block A. The ± 4.9873-acre site is located at the intersection of Holder Road and Dry Branch Road, situated in the Thomas J. Smith Survey, Abstract No. 970, Forrester, Road and Bridge Precinct No. 3.
- 1.9 Discussion, consideration, and action to ratify staff action on a plat of Hunter Estates, Lot 1, Block A. The ± 2.138-acre site is located ± 1,500 feet west of the intersection of North Armstrong Road and Matthews Road, situated in the Adam T. Miller Survey, Abstract No. 716, in the extraterritorial jurisdiction (ETJ) of the City of Maypearl, Road and Bridge Precinct No. 4.
- 1.10 Discussion, consideration, and action to ratify staff action on a plat of Robles Addition, Lots 1 & 2, Block A. The ± 3.471-acre site is located ± 1,890 feet west of the intersection of Loma Linda Road and FM 813, situated in the T.R. Follett Survey, Abstract No. 373, Waxahachie, Road and Bridge Precinct No. 4.
- 1.11 Discussion, consideration, and action to ratify staff action on a plat of Vela Addition, Lots 1 & 2, Block A. The ± 6.841-acre site is located ± 2,170 feet south of the intersection of Buffalo Street and Old Fort Worth Road, situated in the CUAD IRR Co Survey, Abstract No. 262 and the J. Stewart Survey, Abstract No. 961, in the extraterritorial jurisdiction (ETJ) of the City of Grand Prairie, Road and Bridge Precinct No. 4.

Purchasing:

- 2.1 Discussion, consideration, and action to declare the listed items from Road & Bridge Precinct 2 and Constable, Precinct 4 as surplus to be disposed in accordance with Local Government Code Chapter 263: One (1) 2001 Broce Broom Sweeper, VIN #401317, from R&B 2; one (1) 2008 Dodge Ram 1500, VIN #1D7HA16N18J18002, from R&B 2; one (1) desktop computer from Constable 4; and one (1) computer monitor from Constable 4.
- 2.2 Discussion, consideration, and action for the award of RFP-2025-001 Comprehensive Inmate Medical and Behavioral Health Services to CHS Care TX, LLC dba YesCare for Group 1 Inmate Medical Services and approval for the County Judge to execute the contract upon final legal review.
- 2.3 Discussion, consideration, and action to purchase Extended Service Agreement Renewal and Subscription License Renewal from Safari Micro using the DIR-CPO-4846 in the amount of \$98,856.⁴⁶ for the Sheriff's Office.
- 2.4 Discussion, consideration and action to grant an exemption under Local Government Code Section 262.024 (a) (7) to purchase EZ Street Proprietary Polymer Cold Asphalt Mix on an as-needed basis from Atlas Asphalt, Inc., as the sole source.
- 2.5 Discussion, consideration, and action to purchase EZ Street Proprietary Polymer Cold Asphalt Mix on an as-needed basis from Atlas Asphalt, Inc., utilizing the exemption granted under Local Government Code Section 262.024 (a) (7).
- 2.6 Approval for the County Judge to execute approved contract with Southern Cleaning Services, Inc. for RPP-2024-007 Janitorial Services awarded November 4th, 2024, with an initial term of one (1) year, not to exceed \$125,000.⁰⁰, for Ellis County Central, the Precinct 2 Sub-Courthouse, and the Juvenile Services Building.

Administrative:

MOTION TO ENTER PUBLIC HEARING

- P.1 Conduct a public hearing on a request for tax abatement from AREP, located in Reinvestment Zone No. 13 in the City of Red Oak.

MOTION TO EXIT PUBLIC HEARING

- 3.1 Discussion, consideration, and approval to enter a tax abatement agreement with AREP, located in Reinvestment Zone 13 of the City of Red Oak. – *County Judge Todd Little*
- 3.2 Update on the status of the Shankle Road Municipal Utility District (MUD) following the TCEQ commission meeting on November 20th, 2024. – *County Judge Todd Little*
- 3.3 Discussion and resolution to cast votes to elect directors for the Ellis Appraisal District for 2025. – *County Judge Todd Little*
- 3.4 Discussion, consideration, and approval for the County Judge to sign a letter to the Governor requesting participation in the Event Trust Fund Program in support of the 2025 Funny Car Chaos event at the Texas Motorplex, pursuant to Tex. Rev. Civ. Stat. Art. 5190 Section 5C. – *County Judge Todd Little*
- 3.5 Discussion, consideration, and approval for the County Judge to sign a lease agreement for the use of the Waxahachie Civic Center for the purpose of the Ellis County temporary auxiliary courthouse – for jury selections. – *The Honorable Jim Chapman, County Court at Law 1*
- 3.6 Discussion, consideration, and action to renew the Order to Designate Auxiliary Court House. – *The Honorable Jim Chapman, County Court at Law 1*
- 3.7 Acceptance of petitions for the creation of Ellis County Emergency Services District #12. – *County Judge Todd Little*
- 3.8 Approval to utilize Strategic Government Resources (SGR) for job marketing & advertising and candidate evaluation & vetting to assist in filling the vacant County Engineer position in an amount not to exceed \$10,000.⁰⁰. – *County Judge Todd Little*

MOTION TO ENTER 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, 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) Including a possible remote video conference with Bickerstaff, Heath, Delgado, Acosta, LLP..

- 4.2 Pursuant to Texas Government Code §551.071 (1), consultation with legal counsel, Nachawati Law Group, via remote video conference, regarding pending or contemplated litigation concerning authorizing the County Judge to execute the settlement participation and release forms regarding an offer from Kroger in the matter of Texas Opioid Multi-District Litigation for the county.
- 4.3 Pursuant to Texas Government Code §551.071 (2), consultation with outside legal counsel, Littler Mendelson P.C., via remote video conference, on a matter in which the duty of the attorney to the governmental body under the Texas Rules of Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding employment matters, specifically the Commissioners' Court's role in handling a complaint filed with the County Human Resources Department.
- 4.4 Pursuant to Texas Government Code §551.071 (1), consultation with legal counsel regarding pending litigation concerning Court Case No. 4:24-cv-00368, styled Courthouse News Service v. Michael Gould, in his official capacity as Collin County District Clerk, et al.. Including a possible remote video conference with D. Randall Montgomery & Associates PLLC.

ADJOURNMENT OF EXECUTIVE SESSION

ADJOURNMENT OF REGULAR MEETING

Signed the 22nd of November, 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 22nd of November, 2024 at 4:42 p.m.



Krystal Valdez, County Clerk *Deputy*

