

ELLIS COUNTY COMMISSIONERS COURT
OFFICIAL MINUTES – APRIL 6, 2021

THE ELLIS COUNTY COMMISSIONERS COURT MET ON TUESDAY, APRIL 6, 2021 AT 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 WAS DISCUSSED AND CONSIDERED, TO-WIT:

MEMBERS PRESENT:

COUNTY JUDGE: TODD LITTLE

COUNTY CLERK: KRYSTAL VALDEZ

COMMISSIONERS:

RANDY STINSON, COMMISSIONER, PCT. 1
LANE GRAYSON, COMMISSIONER, PCT. 2
PAUL PERRY, COMMISSIONER, PCT. 3
KYLE BUTLER, COMMISSIONER, PCT. 4

OPENING COURT

COUNTY JUDGE CALLS MEETING TO ORDER, DECLARES QUORUM AND DECLARES NOTICES LEGALLY POSTED PURSUANT TO OPEN MEETINGS ACT.

MOTION TO OPEN COURT BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

INVOCATION AND PLEDGE OF ALLEGIANCE – *PAUL PERRY, COMMISSIONER, PRECINCT 3*

CONSENT AGENDA:

MINUTE ORDER 204.21 APPROVING CONSENT AGENDA

ADMINISTRATIVE:

- A1 APPROVING REGULAR BILLS, PAYROLL AND OFFICER'S REPORTS. – *CHERYL CHAMBERS, COUNTY TREASURER*
- A2 APPROVING COMMISSIONERS' COURT SPECIAL MEETING MINUTES FROM MARCH 22, 2021 AND REGULAR MEETING MINUTES FROM MARCH 23, 2021– *KRYSTAL VALDEZ, COUNTY CLERK*
- A3 APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN COUNTY OF ELLIS AND WAXAHACHIE ISD, TERM AGREEMENT THRU DECEMBER 31, 2021. – *KYLE BUTLER, COMMISSIONER, PRECINCT #4*

- A4 APPROVING THE COUNTY JUDGE TO SIGN A CONTRACT FOR SCANNING SERVICES. CONTRACT NOT TO EXCEED \$10,000.00. – *TODD LITTLE, COUNTY JUDGE*
- A5 ACCEPTING THE FIRE MARSHAL MONTHLY REPORT FOR FEBRUARY 2021.– *TIM BIRDWELL, FIRE MARSHAL*

FINANCIAL:

- F1 ACCEPTING THE COUNTY AUDITOR'S MONTHLY REPORT FOR FEBRUARY 2021, PURSUANT TO LOCAL GOVERNMENT CODE §114.025. – JANET MARTIN, COUNTY AUDITOR
- F2 APPROVING THE COUNTY'S RECEIPTS AND DISBURSEMENTS OF FUNDS FROM MARCH 16, 2021 – MARCH 31, 2021, PURSUANT TO LOCAL GOVERNMENT CODE §114.024. – JANET MARTIN, COUNTY AUDITOR
- F3 **FY2020-21 LINE ITEM TRANSFER:**
DECREASE 009-0602-509130 FM1 – CHEMICALS BY \$2,500.00;
INCREASE 009-0602-509070 FM1 – TIRES BY \$2,500.00 – RANDY STINSON, COMMISSIONER, PCT. 1
- F4 **FY2020-21 LINE ITEM TRANSFER:**
DECREASE 001-0140-509030 LAWSUIT SETTLEMENT BY \$10,000.00;
INCREASE 001-0010-508350 EMPLOYEE TRAINING BY \$10,000.00 – TODD LITTLE, COUNTY JUDGE
- F5 **FY2020-21 LINE ITEM TRANSFER:**
DECREASE 001-0140-570000 CONTINGENCY – SURPLUS BY \$10,000.00;
INCREASE 001-0140-508680 CONTRACT SERVICES BY \$10,000.00 – TODD LITTLE, COUNTY JUDGE
- F6 **FY2020-21 LINE ITEM TRANSFER:**
DECREASE 011-0704-508070 FM3 – GENERAL MISC. BY \$60,000.00
INCREASE 011-0704-509090 – REPAIRS BY \$60,000.00 – PAUL PERRY, COMMISSIONER, PCT. 3
- F7 APPROVING A SALARY SUPPLEMENT FOR THE COUNTY ATTORNEY OFFICE EMPLOYEE, BRYAN NORRIS, TO BE PAID WITH FUNDS RECEIVED AND TRANSFERRED FROM THE COUNTY & DISTRICT ATTORNEY STATE APPORTIONMENT FUNDS TO THE COUNTY ATTORNEY SALARY LINE ITEMS (INCLUDING FICA, SOCIAL SECURITY AND RETIREMENT LINE ITEMS) IN THE FOLLOWING MANNER:
- | | |
|---------------|------------|
| (A) 2020-2021 | \$3,587.04 |
| (B) 2021-2022 | \$4,500.00 |
- F8 APPROVING A SALARY SUPPLEMENT FOR THE COUNTY ATTORNEY OFFICE EMPLOYEE, STACEY AUVENSHINE, TO BE PAID WITH FUNDS RECEIVED AND TRANSFERRED FROM THE COUNTY & DISTRICT ATTORNEY STATE APPORTIONMENT FUNDS TO THE COUNTY ATTORNEY SALARY LINE ITEMS (INCLUDING FICA, SOCIAL SECURITY AND RETIREMENT LINE ITEMS) IN THE FOLLOWING MANNER:
- | | |
|---------------|------------|
| (A) 2020-2021 | \$.00 |
| (B) 2021-2022 | \$2,000.00 |
- F9 APPROVING A SALARY SUPPLEMENT FOR THE COUNTY ATTORNEY OFFICE EMPLOYEE, JAKE HEFFERNAN, TO BE PAID WITH FUNDS RECEIVED AND TRANSFERRED FROM THE COUNTY & DISTRICT ATTORNEY STATE APPORTIONMENT FUNDS TO THE COUNTY ATTORNEY SALARY LINE ITEMS (INCLUDING FICA, SOCIAL SECURITY AND RETIREMENT LINE ITEMS) IN THE FOLLOWING MANNER:

(A) 2020-2021 \$.00
(B) 2021-2022 \$1,445.00

F10 APPROVING A SALARY SUPPLEMENT FOR THE COUNTY ATTORNEY OFFICE EMPLOYEE, BARBARA ANGLIN, TO BE PAID WITH FUNDS RECEIVED AND TRANSFERRED FROM THE COUNTY & DISTRICT ATTORNEY STATE APPORTIONMENT FUNDS TO THE COUNTY ATTORNEY SALARY LINE ITEMS (INCLUDING FICA, SOCIAL SECURITY AND RETIREMENT LINE ITEMS) IN THE FOLLOWING MANNER:

(A) 2020-2021 \$.00
(B) 2021-2022 \$5,000.00

F11 APPROVING A SALARY SUPPLEMENT FOR THE COUNTY ATTORNEY OFFICE EMPLOYEE, JOE AGUILAR, TO BE PAID WITH FUNDS RECEIVED AND TRANSFERRED FROM THE COUNTY & DISTRICT ATTORNEY STATE APPORTIONMENT FUNDS TO THE COUNTY ATTORNEY SALARY LINE ITEMS (INCLUDING FICA, SOCIAL SECURITY AND RETIREMENT LINE ITEMS) IN THE FOLLOWING MANNER:

(A) 2020-2021 \$.00
(B) 2021-2022 \$2,000.00

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

DEPARTMENT OF DEVELOPMENT

MINUTE ORDER 205.21 (1.1) APPROVING A ONE-TIME VARIANCE FOR THE PROPOSED GIBSON PLACE (PARCEL NO. 192608) FROM VOLUME I, SECTION IV (B)(2)(RESIDENTIAL LOTS) OF THE SUBDIVISION & DEVELOPMENT STANDARDS TO ALLOW ONE (1) LOT WITHOUT MEETING THE MINIMUM ROAD FRONTAGE REQUIREMENT. THE PROPERTY CONTAINS ± 3.154 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF GIBSON ROAD, ± 250 FEET EAST OF THE INTERSECTION OF COUNTRY MEADOWS DRIVE AND GIBSON ROAD, IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF WAXAHACHIE, ROAD & BRIDGE PRECINCT NO. 1.

PUBLIC PARTICIPATION: TIM JACKSON, SURVEYOR

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

MINUTE ORDER 206.21 (1.2) DENYING THE CONDITIONALLY APPROVED PLAT OF LOT 1 AND 2, VAN CARTER ADDITION FOR THE FOLLOWING REASONS: 1) NOT ADHERING TO THE COUNTY'S QUALITY GROWTH INITIATIVES, VOLUME III (STANDARD CONSTRUCTION DETAILS), SECTION III (B); 2) APPLICANT'S STATEMENT/LETTER STATING THEY WILL NOT UPGRADE/IMPROVE THE NECESSARY INFRASTRUCTURE AS ROCKETT SUD REQUIRES TO DEVELOP THESE TWO (2) LOTS AS STATED IN THE UTILITY ENDORSEMENT FORM. THE PROPERTY CONTAINS ± 4.397 ACRES LOCATED AT THE

NORTHEAST INTERSECTION OF SHAW ROAD AND COOKE ROAD, IN THE EXTRA-TERRITORIAL JURISDICTION (ETJ) OF ENNIS, ROAD AND BRIDGE PRECINCT No. 2.

MOTION TO DENY BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

(To 2.1)

PURCHASING

MINUTE ORDER 207.21 (2.1) APPROVING AN ANNUAL UPDATE FOR OUR FIXED ASSET INVENTORY IN THE AMOUNT NOT TO EXCEED \$20,000.00, USING TEXAS ASSOCIATION OF SCHOOL BOARDS BUYBOARD COOPERATIVE CONTRACT #579-19 WITH RCI.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

MINUTE ORDER 208.21 (2.2) APPROVING TO PURCHASE THREE (3) 2022 MACK PINNACLE DUMP TRUCKS FOR ROAD AND BRIDGE PRECINCT 1 IN AN AMOUNT OF \$466,723.00 USING HGACBUY CONTRACT #HT06-20 WITH GRANDE TRUCK CENTER.

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 209.21 (2.3) APPROVING FREIGHT CHARGES IN THE AMOUNT OF \$1,540.22 FOR THE WEBEX EQUIPMENT FOR THE JUSTICE OF THE PEACE PCT. 1, PCT. 2, PCT. 3, PCT. 4.

MOTION TO APPROVE BY COMMISSIONER STINSON, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

ADMINISTRATIVE

MINUTE ORDER 210.21 (3.1) APPROVING A BUDGET AMENDMENT TO CREATE A NEW EMERGENCY MANAGEMENT SPECIALIST POSITION FOR THE OFFICE OF EMERGENCY MANAGEMENT, AMENDMENT IS DUE TO A GRAVE PUBLIC NECESSITY TO MEET AN UNUSUAL AND UNFORESEEN CONDITION THAT COULD NOT HAVE BEEN INCLUDED IN THE ORIGINAL BUDGET THROUGH THE USE OF REASONABLE DILIGENT THROUGH AND ATTENTION, PURSUANT TO LOCAL GOV'T CODE §111.010. – *SAMANTHA PICKETT, EMERGENCY MANAGEMENT COORDINATOR*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, AND COMMISSIONER PERRY VOTING NO, MOTION CARRIED

MINUTE ORDER 211.21 (3.2) APPROVING TO ALLOCATE MONIES WITHIN THE ELLIS COUNTY CHILD ABUSE PREVENTION FUND, PER TEXAS CODE OF CRIMINAL PROCEDURE ART. 102.0186; FUNDS TO BE DISBURSED QUARTERLY, 50% OF FUNDS TO CASA AND 50% TO ELLIS COUNTY CHILDREN'S ADVOCACY CENTER. – *REBECCA LUNDBERG, DISTRICT ATTORNEY'S OFFICE*

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER STINSON, MOTION CARRIED

NO ACTION (3.3) PRESENTATION REGARDING U.S. CENSUS RELEASE OF 2020 DATA AND IMPACT ON THE COUNTY REDISTRICTING AND ELECTION OBLIGATIONS. – *DAVID MENDEZ, BICKERSTAFF*

(To 3.5)

MINUTE ORDER 212.21 (3.5) APPROVING AN ORDER TO DESIGNATE THE WAXAHACHIE CIVIC CENTER AS A TEMPORARY AUXILIARY COURTHOUSE PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 292.001; AUXILIARY COURTHOUSE WILL FACILITATE A SAFER SOCIALLY-DISTANCED ENVIRONMENT FOR JURY TRIAL PROCEEDINGS. – *TODD LITTLE, COUNTY JUDGE*

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

MINUTE ORDER 213.21 (3.6) APPROVING TO ENTER INTO A LEASE AGREEMENT BETWEEN THE CITY OF WAXAHACHIE, TEXAS ("CIVIC CENTER") AND ELLIS COUNTY, TEXAS FOR THE PURPOSE OF PROVIDING A SPACE TO DESIGNATE AS TEMPORARY AUXILIARY COURTHOUSE, FOR A PERIOD OF TIME ENDING DECEMBER 1ST, 2021, PRICE OF \$1,000/PER DAY (2-3 DAYS PER MONTH). – *TODD LITTLE, COUNTY JUDGE*

MOTION TO APPROVE BY COMMISSIONER PERRY, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

MINUTE ORDER 214.21 (3.7) APPROVING A RESOLUTION FOR ELLIS COUNTY TO SUPPORT HOUSE BILL 4138 AND SENATE BILL 1828 TO ALLOW TRUCKS TO CARRY EXCESS CARGO WEIGHT ON DESIGNATED ROUTES.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

RECESS INTO EXECUTIVE SESSION **3:13 P.M.**

MOTION TO RECESS BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

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 §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTER CONCERNING ELECTION LAW, REDISTRICTING, AND/OR COUNTY GOVERNMENT LAW QUESTIONS.
- 4.2 PURSUANT TO §551.071 OF THE GOVERNMENT CODE, CONSULTATION WITH LEGAL COUNSEL REGARDING PENDING OR CONTEMPLATED LITIGATION MATTER CONCERNING SPECIAL DISTRICTS AND/OR TCEQ'S RECEIPT OF MUD APPLICATIONS.

RECONVENE TO REGULAR SESSION 4:20 P.M.

MOTION TO RECONVENE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

(To 1.3)

MINUTE ORDER 215.21 (1.3) APPROVING A SUBMISSION OF REQUEST FROM FINCH FP, LTD AND BRIAN EDWARD FINCH TO TCEQ FOR A CONTESTED HEARING OF THE CREATION OF LAKEVIEW MUDs NO. 1, 2, AND 3; AND APPROVING THE ENGAGEMENT OF BICKERSTAFF HEATH WITH CLIENT FEES TO BE NEGOTIATED WITH THE CITY OF WAXAHACHIE.

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER BUTLER, MOTION CARRIED

(To 3.4)

MINUTE ORDER 216.21 (3.4) APPROVING THE ENGAGEMENT AGREEMENT WITH BICKERSTAFF HEATH DELGADO ACOSTA LLP TO PROVIDE REDISTRICTING SERVICES FOLLOWING THE RELEASE OF THE 2020 U.S. CENSUS. – DAVID MENDEZ, BICKERSTAFF

MOTION TO APPROVE BY COMMISSIONER GRAYSON, SECOND BY COMMISSIONER PERRY, MOTION CARRIED

ADJOURNMENT 4:23 P.M.

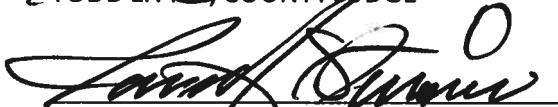
MOTION TO ADJOURN BY COMMISSIONER BUTLER, SECOND BY COMMISSIONER GRAYSON, MOTION CARRIED

THE OFFICIAL MINUTES OF THE ELLIS COUNTY COMMISSIONERS' COURT OF APRIL 6, 2021 ARE HEREBY APPROVED.

PRESIDING OFFICER:



TODD LITTLE, COUNTY JUDGE



RANDY STINSON, COMMISSIONER, PCT 1



PAUL PERRY, COMMISSIONER, PCT 3

Absent

LANE GRAYSON, COMMISSIONER, PCT 2



KYLE BUTLER, COMMISSIONER, PCT 4

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 20TH DAY OF APRIL 2021.



KRYSTAL VALDEZ, COUNTY CLERK

