



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, December 14, 2021, 2:00 P.M.**, in the **Historic Ellis County Courthouse, Commissioners' Courtroom (2<sup>nd</sup> floor), 101 W. Main Street, Waxahachie, Texas**, at which time the following will be discussed and considered, to-wit:

**OPENING COURT**

County Judge will call meeting to order, declare quorum if present, and declare notices legally posted pursuant to Open Meetings Act §551

Motion to open meeting

Invocation and Pledge of Allegiance – *Commissioner Lane Grayson*

**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 September 2021 Monthly Treasurer's Report. – *County Treasurer, Cheryl Chambers*
- A.3 Acceptance of the October 2021 Monthly Treasurer's Report. – *County Treasurer, Cheryl Chambers*
- A.4 Presentation of a tabulated report of the county's receipts and disbursements of funds from November 18, 2021 – December 5, 2021, pursuant to Local Government Code §114.024. – *County Auditor, Janet Martin*
- A.5 Consideration and acceptance of a donation of books from Jerrie Smith to the Wayne McCollum Detention Center in the amount of \$187.00. - *County Auditor, Janet Martin*
- A.6 Acceptance of annual collections and distribution reports for 10-01-2020 through 09-30-2021, pursuant to Texas Property Tax Code §31.10. – *Tax Assessor Collector, Richard Rozier*

- A.7 Acceptance of monthly collections and distribution reports for 10-01-2021 through 10-31-2021, pursuant to Texas Property Tax Code §31.10. – *Tax Assessor Collector, Richard Rozier*
- A.8 Acceptance of monthly collections and distribution reports for 11-01-2021 through 11-30-2021, pursuant to Texas Property Tax Code §31.10. – *Tax Assessor Collector, Richard Rozier*
- A.9 Acceptance of Justice of the Peace, Pct. #1 monthly report, pursuant to Local Government Code §114.044. – *Justice of the Peace, Precinct. 1, Judge Chris Macon*
- A.10 Approval of Interlocal Cooperation Contract between Ellis County and City of Pecan Hill beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 1, Randy Stinson*
- A.11 Approval of Interlocal Cooperation Contract between Ellis County and Palmer ISD beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 1, Randy Stinson*
- A.12 Approval of Interlocal Cooperation Contract between Ellis County and City of Palmer beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 1, Randy Stinson*
- A.13 Approval of Interlocal Cooperation Contract between Ellis County and City of Garrett beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 1, Randy Stinson*
- A.14 Approval of Interlocal Cooperation Contract between Ellis County and Ferris ISD beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 1, Randy Stinson*
- A.15 Approval to reimburse property damage to 131 Lasseter Drive, Red Oak, TX 75154, in the amount of \$300.00. – *Commissioner, Precinct 1, Randy Stinson*
- A.16 Approval of Interlocal Cooperation Contract between Ellis County and City of Oak Leaf beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 4, Kyle Butler*
- A.17 Approval of Interlocal Cooperation Contract between Ellis County and City of Ovilla beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 4, Kyle Butler*
- A.18 Approval of Interlocal Cooperation Contract between Ellis County and City of Waxahachie beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 4, Kyle Butler*
- A.19 Approval of Interlocal Cooperation Contract between Ellis County and City of Red Oak ISD beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 4, Kyle Butler*
- A.20 Approval of Interlocal Cooperation Contract between Ellis County and City of Waxahachie ISD beginning January 1, 2022 to December 31, 2022. – *Commissioner, Precinct 4, Kyle Butler*
- A.21 Approval of the Department of Development’s (DoD) monthly financial report for November 2021, as required by Texas Local Government Code §114.044. – *Department of Development, Alberto Mares*

**Financial:**

- F.1 Acceptance of unanticipated revenue in the amount of \$3,301 from BuyBoard in payment of the FY2021 cooperative rebate, pursuant to Local Government Code §111.0432. Special budget for the funds is 001-0140-506940 Employee Recognition. – *County Auditor, Janet Martin*

- F.2 Acceptance of unanticipated revenue in the amount of \$17,628.38 from JP Morgan Chase in payment of the FY2021 credit card rebate, pursuant to Local Government Code §111.0432. Special budget for the funds is 001-0140-506940 Employee Recognition. - *County Auditor, Janet Martin*
- F.3 **FY 2021-2022 LINE ITEM TRANSFER, Commissioner, Pct. 2, Lane Grayson**  
 DECREASE 010-0653-508070 FM2 General Expense by \$90,000.00  
 INCREASE 010-0653-508020 FM2 Equipment by \$90,000.00
- F.4 **FY 2021-2022 LINE ITEM TRANSFER, Commissioner, Pct. 4, Kyle Butler**  
 DECREASE 012-0755-570000 FM4 Contingency – Surplus by \$10,000.00  
 INCREASE 012-0755-509060 FM4 Culverts by \$10,000.00
- F.5 Approval of salary supplement for County Attorney Office Employee, Kelli Reed, to be paid with funds received and transferred from County & District Attorney Seizure/Forfeiture Account to the County Attorney line items (including FICA, Social Security and Retirement line items) in the following manner:
- |     |             |    |          |
|-----|-------------|----|----------|
| (a) | 2020 – 2021 | \$ | .00      |
| (b) | 2021 – 2022 | \$ | 7,868.16 |
- *County & District Attorney, Ann Montgomery*

**REGULAR AGENDA – Discussion, Consideration and Action:**

**DEPARTMENT OF DEVELOPMENT**

- 1.1 **Discussion, consideration & action on a plat of Boyce Road Addition, Lots 1 & 2, Block A.** The property contains ± 2.464 acres of land in the F.M. Woodard Survey, Abstract No. 1120, located on the northside of FM 879, ± 590 feet east of the intersection of FM 879 and Boyce Road, in the extraterritorial jurisdiction (ETJ) of Waxahachie, Road & Bridge Precinct 1.
- 1.2 **Discussion, consideration, and action for a one-time variance for the proposed Cole Creek Ranch (Parcel No. 178998) from Volume I, Section V (D) (3) (i) (Special District Development Standards) of the Subdivision & Development Standards to reduce the minimum front setback and side utility easement requirements.** The property contains ± 41.25 acres of land located on the south side of FM 879, ± 4,350 feet west of the intersection of Ike Road and FM 879, in the extraterritorial jurisdiction (ETJ) of Waxahachie, Road & Bridge Precinct 1.
- 1.3 **Discussion, consideration & action on a plat of Greystone Estates, Lots 1-13 and 15-20.** The property contains ± 32.591 acres of land in the Abraham Snider Survey, Abstract No. 981, located on the east side of Singleton Road, ± 2,400 feet north of the intersection of Singleton Road and Campbell Road, Waxahachie, Road & Bridge Precinct 3.
- 1.4 **Consideration and action to release a performance bond for Greystone Estates, Lots 1-13 and 15-20,** Waxahachie, Road & Bridge Precinct 3.
- 1.5 **Discussion, consideration & action on a plat of Jackson Addition.** The property contains ± 2.426 acres of land in the J.M. Kinchen Survey, Abstract No. 598, located on the south side of Ozro Road, ± 4,100 feet east of the intersection of Ozro Road and FM 157, Maypearl, Road & Bridge Precinct 3.
- 1.6 **Discussion, consideration & action on a plat of Mi Casita Acres Plat.** The property contains ± 3.8 acres of land in the P.T. McCabe Survey, Abstract No. 677, located on the north side of Carolyn Road, ± 1,000 feet west of the intersection of Carolyn Road and LR Campbell Road, Italy, Road & Bridge Precinct 3.

- 1.7 **Discussion, consideration, and action for a one-time variance for 4951 Joe Wilson Road (Parcel No. 179223) from Volume I, Section IV (A) (2) (Residential Lots) of the Subdivision & Development Standards to allow one (1) lot without meeting the minimum road frontage requirement.** The property contains ± 3.00 acres of land located on the north side of Joe Wilson Road, ± 520 feet east of the intersection of Joe Wilson Road and Ranch Cedar Road, in the extraterritorial jurisdiction (ETJ) of the City of Midlothian, Road & Bridge Precinct 4.

## **PURCHASING**

- 2.1 Discussion, consideration and approval to purchase a Bomag BW211PD-5 in an amount of \$116,080.00 from R.B. Everett & Company for Road & Bridge Precinct 1 using the BuyBoard Cooperative Contract number 597-019.
- 2.2 Consideration, discussion and approval to renew the following bid RFP-2019-008 Disaster Debris Removal, Reduction, Disposal and other Emergency Debris Related Services with TFR Enterprises (Primary), D&J Enterprises (Secondary), and Crowder Gulf (Tertiary) for a one-year period January 25, 2022 to January 24, 2023.
- 2.3 Discussion, consideration, and approval to purchase Cisco WebEx Equipment from Flair DataSystems, Inc. in the amount of \$18,025.23 using Texas DIR Cooperative Contract No. DIR-TSO-4167 for the Juvenile Services Department using American Rescue Plan Act funds.
- 2.4 Discussion, consideration and approval to purchase an Etnyre ECS 250 Crack Sealer from R.B. Everett & Company in an amount of \$68,656.00 using the BuyBoard Cooperative Contract Number 597-019 for Road & Bridge Precinct 2.
- 2.5 Authorization to Advertise and Solicit Bids for Hot-Mix Asphalt. *Precincts 1, 2, 3 and 4*
- 2.6 Discussion, consideration and approval to purchase a 2021 Volvo SD75BF Padfoot Soil Compactor from Romco Equipment Company in the amount of \$105,571.00 using BuyBoard Cooperative Contract Number 597-19 for Road and Bridge Precinct 4.
- 2.7 Consideration and approval to renew the lease of copiers for the Road and Bridge Precinct 2, Audit and Engineering Departments, from Xerox using the Omnia Partners Cooperative Contract Number R191104 in accordance with the Cooperative Purchasing Program, Chapter 271 of the Texas Government Code.

## **ADMINISTRATIVE**

- 3.1 Discussion, consideration, and approval of a donation of roadway materials and labor from L. Keeley Construction, per Texas Transportation Code §251.019. – *Commissioner Precinct 2, Randy Stinson*
- 3.2 Discussion, consideration, and approval of a resolution establishing the Ellis County Adult Sexual Assault Response Team (“SART”) pursuant to Texas Local Government Code, §351, Subchapter J.  
– *County and District Attorney, Ann Montgomery*
- 3.3 Discussion, consideration, and approval to increase contract amount for Campbell & Associates Law Firm PC, related to Texas Bar administrative matter. – *County & District Attorney, Ann Montgomery*
- 3.4 Discussion, consideration, and approval of the ARPA purchase policy for non-infrastructure purchases.  
– *County Auditor, Janet Martin*
- 3.5 Auditor requests permission to pay FY2021 invoices using FY2022 funds in the amount of \$22,765.22. List is attached. – *County Auditor, Janet Martin*

- 3.6 Discussion, consideration, and approval to purchase and make payment of an IT item in the amount of \$64,371.00. Amount was approved of in the FY2022 Budget. - *County Auditor, Janet Martin*
- 3.7 Approval for Sheriff Brad Norman to donate two Setina prisoner cages to the Italy Police Department for two 2014 Chevrolet Tahoe's they purchased from TX DPS. The Ellis County Sheriff's Office has numerous of these cages that we will eventually surplus since they are year and model specific. – *County Sheriff, Brad Norman*
- 3.8 Consider and approve annual Software as a Service Agreement with TechShare, LGC to provide Indigent Defense software for calendar year 2022. Invoice amount is \$8,839.00. To be paid out of Indigent Budget.  
– *Indigent Defense, Susan Soros*
- 3.9 Approval for the destruction of documents from the Tax Office and possibly other offices archives. These documents are no longer required to be retained by state law. The documents will be removed from storage and taken to the Gerdau Metals Recycling Facility in Midlothian, TX. They have agreed to incinerate the documents at no charge to the county. – *Tax Collector Assessor, Richard Rozier*
- 3.10 Discussion, consideration and reappointment of Ellis County Fire Marshal, Tim Birdwell for a 2-year period beginning December 14, 2021 and ending December 14, 2023. – *Fire Marshal, Tim Birdwell*
- 3.11 Discussion, consideration and acceptance of Ellis County Fire Marshal Surety Bond. - *Fire Marshal, Tim Birdwell*
- 3.12 Discussion, consideration and approval of a Change Order to McKinstry's Energy Savings Performance Contract.  
*McKinstry, Jorge Moreno*
- 3.13 Discussion, update and review of McKinstry's implementation with respect to contract specifications.  
– *Commissioner, Pct. #3, Paul Perry*
- 3.14 Discussion, consideration, and approval to take action to enforce maintenance bond and compliance with Ellis County Quality Growth Initiatives roadway and subdivision standards regarding Eyrie Meadows subdivision in Precinct 3. – *Department of Development, Alberto Mares*
- 3.15 Discussion and presentation regarding numbering of ballots for each election according to the Texas Election Code. – *Elections Administrator, Jana Onyon*

#### **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 §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 Chapter §551.071 of the Government Code, consultation with legal counsel regarding pending or contemplated litigation matter concerning special districts FWSD No. 3 and/or TCEQ Lakeview MUDs and/or TCEQ Selinger MUD and Wastewater Discharge Permit.
- 4.2 Pursuant to Chapter §551.071 of the Government Code, consultation with legal counsel regarding pending or contemplated litigation concerning Ellis County Quality Growth Initiatives and/or enforcement of bond requirements regarding Eyrie Meadows subdivision in Precinct 3.

4.3 Pursuant to Chapter §551.071 of the Government Code, consultation with legal counsel regarding pending or contemplated litigation, including pending legal proceedings concerning Texas State Bar administrative matter.

**ADJOURNMENT OF EXECUTIVE SESSION**

**ADJOURNMENT OF REGULAR MEETING**

Signed this the 10<sup>th</sup> day of December, 2021

  
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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 10<sup>th</sup> day of December, 2021 at 8:59 a.m. p.m.



  
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Krystal Valdez, County Clerk

- The Commissioners' Court reserves the right to consider and take action on the above agenda items in any particular order.
- If you or your representative, have a disability that requires special arrangements and you plan to attend this public meeting, please contact the County Judge's Office at (972) 825-5011 within 72 hours of the meeting. Reasonable accommodations will be made to meet your needs at the meeting.