

On this the 24th day of September, 2018, at 10:00 A.M. came on to be held a **REGULAR** meeting of the Ector County Commissioners' Court in the Commissioners' Courtroom, Ector County Administration Building Annex, 1010 E. 8th St., Odessa, Texas with the following members present:

Debi Hays, County Judge
Eddy Shelton, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Dale Childers, Commissioner Precinct #3
Armando Rodriguez, Commissioner Precinct #4
Minutes taken by Linda Haney, County Clerk

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:00 A. M. with a quorum of the court present.

The invocation was led by Commissioner Eddy Shelton.

County Clerk Linda Haney led the pledge of allegiance to the United States flag and the pledge of allegiance to the Texas flag.

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. To consider and approve a Resolution for Safe Place of the Permian Basin and Crisis Center of West Texas recognizing the month of October as Domestic Violence Awareness Month.
Debi Hays – County Judge

Commissioner Simmons made a motion for approval of a Resolution for Safe Place of the Permian Basin and Crisis Center of West Texas recognizing the month of October as Domestic Violence Awareness Month; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<input checked="" type="checkbox"/> Judge Hays	
<input checked="" type="checkbox"/> Commissioner Shelton	<input checked="" type="checkbox"/> Commissioner Simmons
<input checked="" type="checkbox"/> Commissioner Childers	<input checked="" type="checkbox"/> Commissioner Rodriguez

2. To receive a presentation from Pink the Basin regarding Breast Cancer Awareness Month.
Debi Hays – County Judge

Bridget Meyers and Sara Ogilvy with “Pink the Basin” appeared before the court for a presentation on Breast Cancer Awareness Month. No court action required.

3. To recognize Michael Finnerty with the Ector County Sheriff's Office for 30 years of dedication and service to Ector County.
Mike Griffis – Sheriff

Item #3 was taken up by the Court at the end of the meeting before Executive Session.

Sheriff Mike Griffis appeared before the court to present Michael Finnerty with a plaque recognizing Mr. Finnerty for 30 years of dedicated services to the Ector County Sheriff's Department. There was a number of former and current Sheriff's Office employees who were present for the presentation and for the reception following the meeting.

4. To receive a presentation from Texas A&M AgriLife to present Commissioner Eddy Shelton with a Commissioners Court Leadership Academy Certificate of Participation.
Steve Paz – Extension Agent

Steven Paz presented Commissioner Eddy Shelton with a Certificate of Participation in the V. G. Young Institute of County Government Commissioners Court Leadership Academy. The seminar was held August 15-16, 2018 in College Station and Commissioner Shelton successfully completed nine (9) hours of educational training. No court action required.

5. To conduct a Public Hearing regarding the District Clerk's Records Archive Preservation and Restoration Plan for FY 2018-2019.
Clarissa Webster – District Clerk

Item #5 was withdrawn.

6. To consider, discuss, approve, and take any necessary action regarding the District Clerk's Records Archive Preservation and Restoration Plan for FY 2018-2019.
Clarissa Webster – District Clerk

Item #6 was withdrawn.

7. To consider, discuss, and take any necessary action regarding the Sheriffs' and Constables' Fees for 2019.
Debi Hays – County Judge

Commissioner Simmons made a motion to accept and approve the proposed fee schedule for Sheriffs' and Constables' Fees for 2019; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<input checked="" type="checkbox"/> Judge Hays	
<input checked="" type="checkbox"/> Commissioner Shelton	<input checked="" type="checkbox"/> Commissioner Simmons
<input checked="" type="checkbox"/> Commissioner Childers	<input checked="" type="checkbox"/> Commissioner Rodriguez

8. To consider, discuss, and take any necessary action regarding adopting Street Name Sign Background Color in compliance with the provisions outlined in the Texas Manual on Uniform Traffic Control Devices (TMUTCD), Section 2D.43 and to approve implementation to be effective in 2018-2019 Budget Year at major roadways.
Evans Kessey – Highways and Streets

Evans Kessey, Director of the Highways and Streets Department appeared before the court with examples of street signs with the approved colors of brown, blue, green and white. These four background colors are in compliance with TMUTCD Section 2D.43 Street Name Signs, Paragraph 17 and 18. Mr. Kessey reported the green background color was being utilized for city street signs and the blue background color was being used for county roads in Midland County.

A motion was made by Commissioner Shelton with a second by Commissioner Childers to select white as the background color with black used for the lettering and applicable border and to approve implementation to be effective in 2018-2019 Budget Year at major roadways within the county. **MOTION PASSED. 5-0**

Voting for Motion:

<input checked="" type="checkbox"/> Judge Hays	
<input checked="" type="checkbox"/> Commissioner Shelton	<input checked="" type="checkbox"/> Commissioner Simmons
<input checked="" type="checkbox"/> Commissioner Childers	<input checked="" type="checkbox"/> Commissioner Rodriguez

9. To consider, discuss, and take any necessary action to accept the insurance proceeds from Travelers – St. Paul and Marine in the amount of \$32,669 per Total Loss Declaration by Travelers of Unit # 1084 Sheriff's Vehicle and authorize the County Judge to sign.
Sam Brijalba – Human Resources

CONTRACTS/AGREEMENT/GRANTS

13. To consider, discuss, and take any necessary action to approve the Grant Renewal Application of the Ector County Title IV-E Legal Contract #24717373 with the Department for Family and Protective Services beginning October 1, 2018 and ending September 30, 2025 and authorize the County Judge to sign.

Debi Hays – County Judge

Commissioner Simmons made a motion for approval of the Grant Renewal Application of the Ector County Title IV-E Legal Contract #24717373 with the Department for Family and Protective Services beginning October 1, 2018 and ending September 30, 2025 and to authorize the County Judge to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

14. To consider, discuss, and take any necessary action to approve the renewal of FY2019 Texas Vine Agreement beginning September 1, 2018 and authorize the County Judge to sign.

Debi Hays – County Judge

A motion was made by Commissioner Childers with a second by Commissioner Simmons for approval of the renewal of FY2019 Texas Vine Agreement beginning September 1, 2018 and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

15. To consider, discuss, and take any necessary action regarding the AIA Change Order #1 for the Roofing Project 2018 – Phase 1 and authorize the County Judge to sign.

Kenneth Lind – Purchasing

Commissioner Childers made a motion for approval of the AIA Change Order #1 for the Roofing Project 2018 – Phase 1 and to authorize the County Judge to sign; Commissioner Simmons seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

16. To consider, discuss, and take any necessary action regarding the AIA Change Order #11 for the Jail Additions and Renovations Project and authorize the County Judge to sign.

Kenneth Lind – Purchasing

A motion was made by Commissioner Shelton with a second by Commissioner Rodriguez for approval of the AIA Change Order #11 for the Jail Additions and Renovations Project and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

17. To consider, discuss, approve, and take any necessary action regarding an Interlocal Cooperation Agreement between Yoakum County and Ector County for the housing and care of Ector County Inmates and authorize the County Judge to sign.
Mike Griffis – Sheriff

Commissioner Simmons made a motion for approval of an Interlocal Cooperation Agreement between Yoakum County and Ector County for the housing and care of Ector County Inmates and to authorize the County Judge to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Judge Hays | |
| <input checked="" type="checkbox"/> Commissioner Shelton | <input checked="" type="checkbox"/> Commissioner Simmons |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

18. To consider, discuss, approve, and take any necessary action regarding an Interlocal Cooperation Agreement between McLennan County and Ector County for the housing and care of Ector County Inmates and authorize the County Judge to sign.
Mike Griffis – Sheriff

A motion was made by Commissioner Shelton with a second by Commissioner Childers for approval of an Interlocal Cooperation Agreement between McLennan County and Ector County for the housing and care of Ector County Inmates and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Judge Hays | |
| <input checked="" type="checkbox"/> Commissioner Shelton | <input checked="" type="checkbox"/> Commissioner Simmons |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

19. To consider, discuss, approve, and take any necessary action regarding an Interlocal Agreement between Garza County and Ector County for the housing and care of Ector County Inmates and authorize the County Judge to sign.
Mike Griffis – Sheriff

Commissioner Shelton made a motion for approval of an Interlocal Agreement between Garza County and Ector County for the housing and care of Ector County Inmates and to authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Judge Hays | |
| <input checked="" type="checkbox"/> Commissioner Shelton | <input checked="" type="checkbox"/> Commissioner Simmons |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

20. To consider, discuss, and take any necessary action regarding the modification of the Professional Engineering Services agreement for the TXDOT Project No. AP ODESSA (TXDOT CSJ No. 1706ODESA), to approve a budget amendment to Airport Capital Improvement Fund, Grantee Contribution, 046-870-5398 from Unreserved Fund Balance, 046-3310 in the amount of \$7,200 and authorize the County Judge to sign.
David Peck – Projects Manager

A motion was made by Commissioner Simmons with a second by Commissioner Shelton for approval of the modification of the Professional Engineering Services agreement for the TXDOT Project No. AP ODESSA (TXDOT CSJ No. 1706ODESA), to approve a budget amendment to Airport Capital Improvement Fund, Grantee Contribution, 046-870-5398 from Unreserved Fund Balance, 046-3310 in the amount of \$7,200 and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

21. To consider, discuss, and take any necessary action to approve a contract with Dearborn National Life and authorize the County Judge to sign.
Pat Patton – Human Resources

Commissioner Simmons made a motion for approval of a contract with Dearborn National Life and to authorize the County Judge to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

PERSONNEL REQUESTS

22. To consider, discuss, and take any necessary action regarding a request to hire a Human Resource Clerk at Step 5 due to experience.
Patricia Patton – Human Resources

A motion was made by Commissioner Simmons with a second by Commissioner Childers for approval to hire a Human Resource Clerk at Step 5 due to experience. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

23. To consider, discuss, and take any necessary action regarding a request to hire a Benefits Coordinator prior to the separation of the current employee and permission to hire up to a Step 5.
Patricia Patton – Human Resources

Commissioner Simmons made a motion for approval to hire a Benefits Coordinator prior to the separation of the current employee and permission to hire up to a Step 5; Commissioner Childers seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

PUBLIC WORKS

24. To consider, discuss, and take any necessary action on a Proposed Ector County Camp 432 Properties Trailer-RV Park MHRC Development to Serve 403 W. 48th St. Odessa, Texas 79764 Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

A motion was made by Commissioner Simmons with a second by Commissioner Shelton for approval of Ector County Camp 432 Properties Trailer-RV Park MHRC Development to Serve 403 W. 48th St. Odessa, Texas 79764 Ector County, Texas and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Shelton
- ✓ Commissioner Childers
- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

25. To consider, discuss, and take any necessary action on a Proposed Horseshoe RV and Storage MHRC Development to Serve 16411 N. Horseshoe Drive, Gardendale, Texas 79758 Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

Commissioner Simmons made a motion for approval of Horseshoe RV and Storage MHRC Development to Serve 16411 N. Horseshoe Drive, Gardendale, Texas 79758 Ector County, Texas and to authorize the County Judge to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Shelton
- ✓ Commissioner Childers
- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

26. To consider, discuss, and take any necessary action on a Proposed Morning Star RV Park MHRC Development to Serve 11060 W. Westridge Drive, Odessa, Texas 79764 Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

A motion was made by Commissioner Shelton with a second by Commissioner Simmons for approval of Morning Star RV Park MHRC Development to Serve 11060 W. Westridge Drive, Odessa, Texas 79764 Ector County, Texas and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Shelton
- ✓ Commissioner Childers
- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

27. To consider, discuss, and take any necessary action on a Proposed Hernandez MHRC Development to Serve 900 N. Navajo Avenue 2.0 acre tract out of a 3.03 acre tract in Lot 6, Block 28, Ocotillo Park, 4th Filing, Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

Commissioner Shelton made a motion for approval of Hernandez MHRC Development to Serve 900 N. Navajo Avenue 2.0 acre tract out of a 3.03 acre tract in Lot 6, Block 28, Ocotillo Park, 4th Filing, Ector County, Texas and to authorize the County Judge to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Shelton
- ✓ Commissioner Childers
- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

28. To consider, discuss, and take any necessary action on a Proposed Guevara MHRC Development to Serve N. Cynthia Drive 0.2900 acre tract located in Vanguard Subdivision, Block 2, SE 0.29 AC of Lot 3, Ector County, Texas and authorize the Judge to sign.
David Peck – Projects Manager

A motion was made by Commissioner Shelton with a second by Commissioner Childers for approval of Guevara MHRC Development to Serve N. Cynthia Drive 0.2900 acre tract located in Vanguard Subdivision, Block 2, SE 0.29 AC of Lot 3, Ector County, Texas and to authorize the Judge to sign.

MOTION PASSED. 5-0

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Shelton
- ✓ Commissioner Childers
- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

29. To consider, discuss, and take any necessary action on a Proposed Laughlin MHRC Development to Serve Lot 8, Block 22 Western Hills Subdivision The East 238.55 Acres of Sec 18, Blk 43, T-2-S, T&P RY. Co. Survey, Ector County, Texas and authorize the Judge to sign.
David Peck – Projects Manager

Commissioner Shelton made a motion for approval of Laughlin MHRC Development to Serve Lot 8, Block 22 Western Hills Subdivision The East 238.55 Acres of Sec 18, Blk 43, T-2-S, T&P RY. Co. Survey, Ector County, Texas and to authorize the Judge to sign; Commissioner Childers seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Shelton
- ✓ Commissioner Childers
- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

30. To consider, discuss, and take any necessary action on Zachary Smith Addition being a Plat of a 30.53 acre tract located in Section 44, Block 43, T&P RR. Co. Survey, Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

A motion was made by Commissioner Shelton with a second by Commissioner Simmons for approval of Smith Addition being a Plat of a 30.53 acre tract located in Section 44, Block 43, T&P RR. Co. Survey, Ector County, Texas and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Shelton
- ✓ Commissioner Childers
- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

31. To consider, discuss, and take any necessary action on a Proposed Ector County Muster Point RV Park MHRC Development to Serve 16112 W. 39th St. Odessa, Texas 79764 Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

Commissioner Shelton made a motion for approval of Ector County Muster Point RV Park MHRC Development to Serve 16112 W. 39th St. Odessa, Texas 79764 Ector County, Texas and to authorize the County Judge to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Shelton
- ✓ Commissioner Childers
- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

CONSENT AGENDA

32. To approve the following Consent Agenda:

- a. To consider and approve a line item transfer to General Fund, Sheriff, Subscriptions, 001-360-5207 from General Fund, Sheriff, Telephone, 001-360-5351 for \$3,500.
Mike Griffis – Sheriff
- b. To consider, discuss, and approve a line item transfer/budget amendment from 001-5-030-5161 Educational Travel in the amount of \$300 to 001-5-030-5171 Office Supplies.
Patricia Patton – Human Resources
- c. To consider, discuss, and take any necessary action regarding a proposed expenditure line item transfer to Airport Fund, Airport Runway Maintenance, 042-870-5249 from Special Department Equipment, 042-870-5507 for \$5,000.
Evans Kessey – County Airport

A motion was made by Commissioner Childers with a second by Commissioner Rodriguez to approve the Consent Agenda, Items A, B, & C. **MOTION PASSED. 5-0**

Voting for Motion:

- Judge Hays
- Commissioner Shelton Commissioner Simmons
- Commissioner Childers Commissioner Rodriguez

BUDGET/FINANCIAL

- 33. To consider and approve a budget amendment to General Fund, District Attorney, Witness Travel & Expense, 001-120-5333 and to General Fund, State Reimburse Witness Travel, 001-4023 for \$20,000.
Bobby Bland – District Attorney

Commissioner Childers made a motion for approval of a budget amendment to General Fund, District Attorney, Witness Travel & Expense, 001-120-5333 and to General Fund, State Reimburse Witness Travel, 001-4023 for \$20,000; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- Judge Hays
- Commissioner Shelton Commissioner Simmons
- Commissioner Childers Commissioner Rodriguez

- 34. To consider and approve a budget amendment to General Fund, Library, Library Supplies, 001-690-5185 and to General Fund, Donated Revenues, 001-4171 for \$827.
Rebecca Taylor – Library

A motion was made by Commissioner Simmons with a second by Commissioner Childers for approval of a budget amendment to General Fund, Library, Library Supplies, 001-690-5185 and to General Fund, Donated Revenues, 001-4171 for \$827. **MOTION PASSED. 5-0**

Voting for Motion:

- Judge Hays
- Commissioner Shelton Commissioner Simmons
- Commissioner Childers Commissioner Rodriguez

- 35. To consider, discuss, approve, reject and take any necessary action regarding a proposed budget amendment to the FY 2019 Budget, General Fund, Parks, Contract Services, 001-660-5309 from Unreserved Fund Balance, 001-3310 in the amount of \$2,270.
Evans Kessey – Parks

Item #35 was withdrawn.

36. To consider and approve the Accounts Payable Fund Requirements Report for September 24, 2018 and to review County financial statements and reports.

David R. Austin – Auditor

A motion was made by Commissioner Childers with a second by Commissioner Simmons to approve the Accounts Payable Fund Requirements Report for September 24, 2018, to review County financial statements and Reports. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

Reports may be viewed in the Ector County Auditor's Office during regular business.

10:40 A.M.

Commissioner Childers made a motion to retire to Executive Session; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

10:59 A.M.

A motion was made by Commissioner Childers with a second by Commissioner Simmons to reconvene in General Session. **MOTION PASSED. 5-0**

EXECUTIVE SESSION

37. To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.

Debi Hays – County Judge

Commissioner Simmons made a motion to refer the James Howell, III case to Attorney Layne Rouse; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

38. To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.

Debi Hays – County Judge

No discussion in Executive Session on Item #38.

39. To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.

Debi Hays – County Judge

No discussion in Executive Session on Item #39.

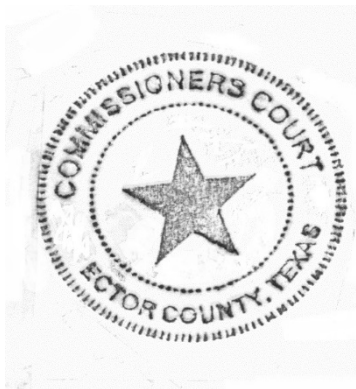
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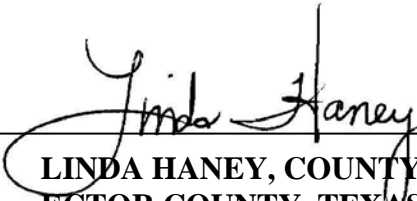
With no further business to discuss, Commissioner Childers made a motion with a second by Commissioner Shelton to adjourn to the call of the chair. **MOTION PASSED. 5-0**

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Linda Haney, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting of September 24, 2018.





**LINDA HANEY, COUNTY CLERK
ECTOR COUNTY, TEXAS**