

On this the 12th day of January, 2021, 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
Mike Gardner, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Don Stringer, Commissioner Precinct #3
Armando Rodriguez, Commissioner Precinct #4
Minutes taken by Jennifer Martin, County Clerk

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:02 A. M. with a quorum of the court present. The invocation was led by Commissioner Simmons. Commissioner Rodriguez 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 receive an annual update from Texas A&M AgriLife Extension and to consider and discuss any issues related to said update.
Steven B Paz – County Agent

NO ACTION WAS TAKEN ON THIS ITEM

2. To consider, discuss, and take any necessary action to approve the reappointments of Richard Browning, Mark Merritt, Winston Kenworthy, Travis Fisher, and Monnie Sparkman as members of the Ector County Airport Advisory Board with each appointed to serve a two-year term, beginning January 1, 2021.
David Peck – Projects Manager

Commissioner Simmons made a motion to approve the reappointments of Richard Browning, Mark Merritt, Winston Kenworthy, Travis Fisher, and Monnie Sparkman as members of the Ector County Airport Advisory Board with each appointed to serve a two-year term, beginning January 1, 2021; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

3. To consider, discuss, and take any necessary action to nominate Levi Bryand of LCA to the Region 14 Upper Rio Grande Flood Planning Group.
Debbie Clay – Commissioners Office

A motion was made by Commissioner Stringer to approve to nominate Levi Bryand of LCA to the Region 14 Upper Rio Grande Flood Planning Group; Commissioner Simmons seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

4. To accept a \$75 donation from Phillip Godwin for the Ector County Sheriff's Office.
Mike Griffis – Sheriff

Commissioner Gardner made a motion to accept a \$75 donation from Phillip Godwin for the Ector County Sheriff's Office; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

5. To accept a \$100 donation from Judith Hayes for the Ector County Sheriff's Office.
Mike Griffis – Sheriff

A motion was made by Commissioner Simmons to accept a \$75 donation from Phillip Godwin for the Ector County Sheriff's Office; a second was made by Commissioner Simmons; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

6. To accept a \$2,000 donation from the Ector County Republican Party for the Ector County Sheriff's Office.
Mike Griffis – Sheriff

Commissioner Simmons made a motion to accept a \$2,000 donation from the Ector County Republican Party for the Ector County Sheriff's Office; a second was made by Commissioner Gardner.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

7. To accept a \$12,000 donation from Barnhart Bolt & Special for the Ector County Sheriff's Office.
Mike Griffis – Sheriff

A motion was made by Commissioner Gardner to accept a \$12,000 donation from Barnhart Bolt & Special for the Ector County Sheriff's Office; Commissioner Simmons seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

8. To accept a donation of 70 Motorola XTS 2500 single band 800 MHz radios from the City of Odessa for use by the Ector County Volunteer Fire Departments.
Stephen White – Sheriff's Office

Commissioner Simmons made a motion to accept a donation of 70 Motorola XTS 2500 single band 800 MHz radios from the City of Odessa for use by the Ector County Volunteer Fire Departments; a second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

9. To receive a presentation from the Public Works Department regarding 2020 Operational Report and Project Proposals for 2021.
Evans Kessey – Public Works

A presentation was given by Evans Kessey.

NO ACTION WAS TAKEN ON THIS ITEM.

10. To consider, discuss, accept or reject and authorize the County Judge to sign Sworn Statement in Proof of Loss to the Atlantic Specialty Insurance Company of Canton, MA regarding a hail loss – DOL – June 14, 2017 in the amount of recoverable depreciation per this document is \$671,137.41. OneBeacon Government Risks – Wells Fargo Insurance Services;
Policy Number: 791-00-03-45-0006; Claim Number: 0AB201147.
Sam Brijalba – Human Resources

A motion was made by Commissioner Stringer to authorize the County Judge to sign Sworn Statement in Proof of Loss to the Atlantic Specialty Insurance Company of Canton, MA regarding a hail loss – DOL – June 14, 2017 in the amount of recoverable depreciation per this document is \$671,137.41.

OneBeacon Government Risks – Wells Fargo Insurance Services;

Policy Number: 791-00-03-45-0006; Claim Number: 0AB201147. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

11. To consider, discuss, accept or reject and authorize the County Judge to sign Sworn Statement in Proof of Loss to the Atlantic Specialty Insurance Company of Canton, MA regarding a hail loss – DOL – March 28, 2017 in the amount of recoverable depreciation per this documents is \$401,146.35. One Beacon Government Risks – Wells Fargo Insurance Services;
Policy Number: 791-00-03-45-0006; Claim Number: 0AB200452.
Sam Brijalba – Human Resources

Commissioner Simmons made a motion to authorize the County Judge to sign Sworn Statement in Proof of Loss to the Atlantic Specialty Insurance Company of Canton, MA regarding a hail loss – DOL – March 28, 2017 in the amount of recoverable depreciation per this documents is \$401,146.35.

One Beacon Government Risks – Wells Fargo Insurance Services;

Policy Number: 791-00-03-45-0006; Claim Number: 0AB200452. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

12. To consider, discuss, and take any necessary action regarding a proposed resolution to support the adoption and approval of the Texas Term Sheet in its entirety and authorize the County Judge and County Commissioners to sign.
Debi Hays – County Judge

A motion was made by Commissioner Simmons to approve a proposed resolution to support the adoption and approval of the Texas Term Sheet in its entirety and authorize the County Judge and County Commissioners to sign; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

CONTRACTS/AGREEMENTS/GRANTS

13. To consider, review, discuss, and approve pay application #4 to Johnson Controls, Inc. for the Master Lease Purchase Agreement.
Randy Donner - Auditor

Commissioner Simmons made a motion to approve pay application #4 to Johnson Controls, Inc. for the Master Lease Purchase Agreement; a second was made by Commissioner Rodriguez.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

14. To consider, discuss, and take any necessary action regarding a Motorola Change Order #3 changing the project completion date and authorizing the County Judge to sign.
Stephen White – Sheriff's Office

A motion was made by Commissioner Gardner to approve a Motorola Change Order #3 changing the project completion date and authorizing the County Judge to sign; Commissioner Simmons seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

15. To consider, discuss, and take any necessary action to approve a request to apply for a grant for Rifle Resistant Body Armor offered through the Permian Basin Regional Planning Commission and authorize the County Judge to sign any and all documents associated with this agenda item.
Rickey George – Environmental Enforcement

Commissioner Simmons made a motion to approve a request to apply for a grant for Rifle Resistant Body Armor offered through the Permian Basin Regional Planning Commission and authorize the County Judge to sign any and all documents associated with this agenda item; a second was made by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

PERSONNEL REQUESTS

16. To consider, discuss, and take any necessary action on making overtime pay permanent for all County Employees.
Charles Pierce – Building Maintenance

Commissioner Simmons made a motion to allow departments currently receiving overtime pay to continue to do so through the end of the fiscal year and to add the Cemetery. Overtime pay would resume on the next pay period; a second was made by Judge Hays. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

PUBLIC WORKS

17. To consider, discuss, and take any necessary action on Adolf MHRC located on 7012 N Golder Ave, .516 Acre Lot located in N 150 of W 150 Tr 5 North Gate #54, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

A motion was made by Commissioner Simmons to approve Adolf MHRC located on 7012 N Golder Ave, .516 Acre Lot located in N 150 of W 150 Tr 5 North Gate #54, Ector County, Texas and authorize the County Judge to sign; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

CONSENT AGENDA

18. To review, consider, discuss, approve, and take any necessary action regarding the following proposed Consent Agenda:

- 18a. To consider, discuss, and take any necessary action regarding the purchase of an alignment machine for County vehicles, and to approve a budget amendment to Equipment Services Fund, Special Department Equipment, 051-770-5507 from Equipment Services Fund, Motor Vehicle Repairs & Maintenance, 051-770-5251 for \$62,228 and authorize the County Judge to sign.
Evans Kessey – Public Works

Judge Hays made a motion to table this item; a second was made by Commissioner Stringer.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

- 18b. To consider, discuss, and take any necessary action regarding the purchase of a Diagnostic Software for diesel and construction equipment, and to approve a budget amendment to Equipment Services Fund, Special Department Equipment, 051-770-5507 from Equipment Services Fund, Small Tool Supplies, 051-770-5190, for \$1,000, from Equipment Maintenance & Repair, 051-770-5247, for \$4,600, and from Motor Vehicle Repairs & Maintenance, 051-770-5251 for \$3,600, for a total of \$9,200 and authorize the County Judge to sign.
Evans Kessey – Public Works

A motion was made by Commissioner Stringer to approve the purchase of a Diagnostic Software for diesel and construction equipment, and to approve a budget amendment to Equipment Services Fund, Special Department Equipment, 051-770-5507 from Equipment Services Fund, Small Tool Supplies, 051-770-5190, for \$1,000, from Equipment Maintenance & Repair, 051-770-5247, for \$4,600, and from Motor Vehicle Repairs & Maintenance, 051-770-5251 for \$3,600, for a total of \$9,200 and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

- 18c. To consider, discuss, and approve a line item transfer to Sales Tax Fund, Road Department, Postage, 005-810-5193 from Improvements and Construction, 005-810-5509 for \$200.
Randy Donner - Auditor

Commissioner Simmons made a motion to approve a line item transfer to Sales Tax Fund, Road Department, Postage, 005-810-5193 from Improvements and Construction, 005-810-5509 for \$200; a second was made by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

- 18d. Receive and accept the continuing education certificate reflecting successful completion by Lindy Wright Ector County Tax Assessor Collector of 20 hours of continuing education pursuant to SB 546 and Section 6.231(d) of the Property Tax Code.
Lindy Wright – Tax Assessor

A motion was made by Commissioner Simmons to approve the continuing education certificate reflecting successful completion by Lindy Wright Ector County Tax Assessor Collector of 20 hours of continuing education pursuant to SB 546 and Section 6.231(d) of the Property Tax Code; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

BUDGET/FINANCIAL

19. To consider, discuss, and approve a budget amendment to General Fund, Commissioners Court, Subscription, 001-020-5207 from Unreserved Fund Balance, 001-3310 for \$594.
Randy Donner – Auditor

Commissioner Simmons made a motion to approve a budget amendment to General Fund, Commissioners Court, Subscription, 001-020-5207 from Unreserved Fund Balance, 001-3310 for \$594; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

20. To consider and approve the Accounts Payable Fund Requirements Report for January 12, 2021 to review County financial statements and reports.
Randy Donner – County Auditor

A motion was made by Commissioner Simmons to approve the Accounts Payable Fund Requirements Report for January 12, 2021 to review County financial statements and reports; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

21. To consider, discuss and take any necessary action to discuss any and all issues related to COVID-19.
Debi Hays – County Judge

Terry Lange, Justice of the Peace Pct. 1, Missi Walden, Justice of the Peace Pct. 2 and Sherwood “Woody” Kupper, Justice of the Peace Pct. 3 addressed the court in response to a complaint expressed by Keith Antilley during the previous court meeting. Judge Walden gave a handout with information regarding the work that had been done in the office and stated that the workload had actually increased over the previous two years.

Kriston Crow also addressed the court lodging a complaint about the offices of Justice of the Peace being closed and unavailable to the public. Mr. Crow informed the JPs that he had requested their time sheets and was waiting to receive that information. He also stated that he had personal experience with the difficulty of contacting them due to a case that he currently has filed in the court of Justice of the Peace Pct. 2. He stated that the closure was a disservice to the public; therefore, he put them on notice that an organization that he is a member of was searching for candidates to run against them in the upcoming election.

NO ACTION WAS TAKEN ON THIS ITEM

EXECUTIVE SESSION

22. To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.
Debi Hays – County Judge

DID NOT MEET IN EXECUTIVE SESSION

23. To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.
Debi Hays – County Judge

DID NOT MEET IN EXECUTIVE SESSION

24. To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.
Debi Hays – County Judge

DID NOT MEET IN EXECUTIVE SESSION

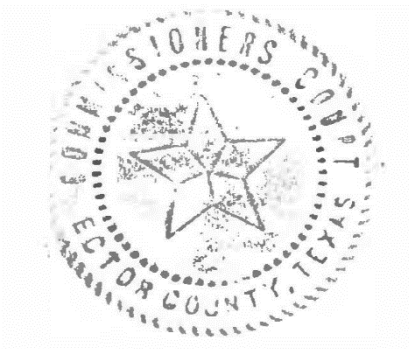
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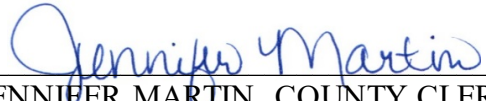
With no further business to discuss, Commissioner Simmons made a motion with a second by Commissioner Gardner to adjourn to the call of the chair. **MOTION PASSED. 5-0**

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Jennifer Martin, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting of January 12, 2021.




JENNIFER MARTIN, COUNTY CLERK
ECTOR COUNTY, TEXAS