

On this the 28th day of October, 2020, 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 Sara Estrada, Chief Deputy
County Clerk

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:03 A. M. with a quorum of the court present. The invocation was led by Commissioner Childers. Commissioner Simmons 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, discuss, and take any necessary action regarding a presentation from MOTRAN on Broadband Service in the Midland - Odessa Area.
Debi Hays - County Judge

Commissioner Childers made a motion to table item #1 with a second by Commissioner Simmons.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

2. To accept a \$1,000 donation from Varsity Sports Unlimited, LLC for the Ector County Sheriff's Office.
Mike Griffis – Sheriff

A motion was made by Commissioner Simmons to approve a \$1,000 donation from Varsity Sports Unlimited, LLC for the Ector County Sheriff's Office; Commissioner Childers seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

3. To accept a \$80,000 donation from BUSTIN FOR BADGES for the Ector County Sheriff's Office.
Mike Griffis – Sheriff

Commissioner Simmons made a motion to approve a \$80,000 donation from BUSTIN FOR BADGES for the Ector County Sheriff's Office; a second was made by Commissioner Shelton. **MOTION PASSED. 5-0**
Voting for Motion:

- | | |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays | |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Childers |
| <u>✓</u> Commissioner Simmons | <u>✓</u> Commissioner Rodriguez |

4. To consider, discuss, and take any necessary action to approve a resolution requesting the Texas Legislature to create a Criminal District Attorney's Office in Ector County and authorize the County Judge and County Commissioners to sign.
Dusty Gallivan – County Attorney

ITEM WITHDRAWN.

5. To consider, discuss, and take any necessary action regarding a request to discretionary exempt the Public Works Department from competitive procurement for purchases granted under Title 8, Chapter 262, Section 262.024(a) (1 through 7) and 262.24(a)(10 and 11) of the Texas Government Code and authorize the County Judge to sign.
Evans Kessey – Public Works

NO ACTION WAS TAKEN ON THIS ITEM.

CONTRACTS/AGREEMENTS/GRANTS

6. To consider, discuss, and take any necessary action regarding a period of contract correction to the approved Agreement for Off-Site Records Storage for District Courts Records and Trial Exhibits (Proposal #16-08-26-02) and authorize the County Judge to sign.
Lucy Soto – Purchasing

A motion was made by Commissioner Childers to approve a period of contract correction to the approved Agreement for Off-Site Records Storage for District Courts Records and Trial Exhibits (Proposal #16-08-26-02) and authorize the County Judge to sign; Commissioner Simmons seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

- | | |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays | |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Childers |
| <u>✓</u> Commissioner Simmons | <u>✓</u> Commissioner Rodriguez |

7. To consider, discuss, and take any necessary action regarding Change Order #4 and the AIA Certificate of Substantial Completion, for the Roofing Project 2018 – Phase 1 and authorize the County Judge to sign.
Lucy Soto – Purchasing

Commissioner Simmons made a motion to approve Change Order #4 and the AIA Certificate of Substantial Completion, for the Roofing Project 2018 – Phase 1 and authorize the County Judge to sign; a second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

PUBLIC WORKS

8. To consider, discuss, and take any necessary action on a Replat of a 3.10 Acre Tract out of the West Part of Lot 2 Block 18, Pleasant Farms Subdivision 2nd Filing, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

A motion was made by Commissioner Simmons to approve a Replat of a 3.10 Acre Tract out of the West Part of Lot 2 Block 18, Pleasant Farms Subdivision 2nd Filing, Ector County, Texas and authorize the County Judge to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

9. To consider, discuss, and take any necessary action on Pando Place a Replat of 5.99 Acres out of the South Part of Tract 12 Resurvey Partition – Plat of Section 42, Block 43, T-2-S, T&P RY. Co. Survey, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

Commissioner Simmons made a motion to approve Pando Place a Replat of 5.99 Acres out of the South Part of Tract 12 Resurvey Partition – Plat of Section 42, Block 43, T-2-S, T&P RY. Co. Survey, Ector County, Texas and authorize the County Judge to sign; a second was made by Commissioner Childers.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

10. To consider, discuss, and take any necessary action on Lozoya Lands a Subdivision of 10.25 Acres in Section 23, Block 44, T-2-S, T&P RY. Co. Survey, Ector County, Texas, and authorize the County Judge to sign.
David Peck – Project Manager

A motion was made by Commissioner Shelton to approve Lozoya Lands a Subdivision of 10.25 Acres in Section 23, Block 44, T-2-S, T&P RY. Co. Survey, Ector County, Texas, and authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

11. To consider, discuss, and take any necessary action on a Proposed MHRC Development to serve 13555 S Quartz Avenue 1,000 Acre Tract located in Pleasant Farms Subdivision, Block 2, Lot 5, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

A motion was made by Commissioner Simmons to approve MHRC Development to serve 13555 S Quartz Avenue 1,000 Acre Tract located in Pleasant Farms Subdivision, Block 2, Lot 5, Ector County, Texas and authorize the County Judge to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**
Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

12. To consider, discuss, and take any necessary action on Wiesner Estates a Replat of a 26.51 Acre Tract out of Section 23, Block 44, T-2-S, T&P RY Co. Survey, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

Commissioner Shelton made a motion to approve Wiesner Estates a Replat of a 26.51 Acre Tract out of Section 23, Block 44, T-2-S, T&P RY Co. Survey, Ector County, Texas and authorize the County Judge to sign; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

13. To consider, discuss, and take any necessary action on Proposed MHRC Development to serve 6244 W 3rd Street 3.3060 Acre Tract located in 2-S-2, Block 43, Section 26, Card #21 SE Part of Tract 18, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

A motion was made by Commissioner Shelton to approve MHRC Development to serve 6244 W 3rd Street 3.3060 Acre Tract located in 2-S-2, Block 43, Section 26, Card #21 SE Part of Tract 18, Ector County, Texas and authorize the County Judge to sign; Commissioner Childers seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

CONSENT AGENDA

14. To review, consider, discuss, and take any necessary action regarding the following Proposed Consent Agenda:
- To consider, discuss, and approve a 2021 budget line item transfer to General Fund, Commissioners Court, Education Travel, 001-020-5161 from County Commissioner Precinct 3, Educational Travel, 001-023-5161 for \$250.
Randy Donner – Auditor

Commissioner Childers made a motion to approve a 2021 budget line item transfer to General Fund, Commissioners Court, Education Travel, 001-020-5161 from County Commissioner Precinct 3, Educational Travel, 001-023-5161 for \$250; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**
Voting for Motion:

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

BUDGET/FINANCIAL

15. To consider, discuss, and take any necessary action to approve a budget amendment to supplement PO# 36786 for equipment rental through BuyBoard Cooperative Purchase Program with R.B. Everett & Company and to approve a line item transfer to FMLR, Road Maintenance, Equipment Rental, 002-810-5391 from Road Maintenance, 002-810-5241 for \$5,000 and authorize the County Judge to sign.
Evans Kessey – Public Works

A motion was made by Commissioner Simmons to approve a budget amendment to supplement PO# 36786 for equipment rental through BuyBoard Cooperative Purchase Program with R.B. Everett & Company and to approve a line item transfer to FMLR, Road Maintenance, Equipment Rental, 002-810-5391 from Road Maintenance, 002-810-5241 for \$5,000 and authorize the County Judge to sign; Commissioner Shelton seconded the motion.

MOTIONS WERE WITHDRAWN.

16. To consider, discuss, and approve pay application #2 to Johnson Controls, Inc. for the Master Lease Purchase Agreement.
Randy Donner – Auditor

Commissioner Simmons made a motion to approve pay application #2 to Johnson Controls, Inc. for the Master Lease Purchase Agreement; a second was made by Commissioner Childers. **MOTION PASSED. 5-0**
Voting for Motion:

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

17. To consider, discuss, and approve a 2021 budget amendment to General Fund, Human Resources, Subscriptions, 001-030-5207 from Unreserved Fund Balance, 001-3310 for \$530.
Randy Donner – Auditor

A motion was made Commissioner Simmons to approve a 2021 budget amendment to General Fund, Human Resources, Subscriptions, 001-030-5207 from Unreserved Fund Balance, 001-3310 for \$530; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**
Voting for Motion:

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

18. To consider and approve the Accounts Payable Fund Requirements Report for October 27, 2020 to review County financial statements and reports.
Randy Donner – County Auditor

Commissioner Childers made a motion to approve Accounts Payable Fund Requirements Report for October 27, 2020 to review County financial statements and reports; a second was made by Commissioner Simmons.

MOTION PASSED. 5-0

Voting for Motion:

- | | |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays | <u>✓</u> Commissioner Childers |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |
| <u>✓</u> Commissioner Simmons | |

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

A motion was made by Commissioner Simmons to table item #19 until the next meeting; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- | | |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays | <u>✓</u> Commissioner Childers |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |
| <u>✓</u> Commissioner Simmons | |

Commissioner Childers made a motion to adjourn into Executive Session with a second by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

- | | |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays | <u>✓</u> Commissioner Childers |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |
| <u>✓</u> Commissioner Simmons | |

A motion to reconvene was made by Commissioner Childers; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- | | |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays | <u>✓</u> Commissioner Childers |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |
| <u>✓</u> Commissioner Simmons | |

EXECUTIVE SESSION

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

NO ACTION WAS TAKEN ON THIS ITEM.

21. 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 ACTION WAS TAKEN ON THIS ITEM.

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

NO ACTION WAS TAKEN ON THIS ITEM.

11:11 A.M.

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

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Sara Estrada, Chief Deputy County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting of October 28, 2020.



Sara Estrada

SARA ESTRADA, CHIEF DEPUTY COUNTY CLERK
ECTOR COUNTY, TEXAS