

On this 20th day of December, 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 Jennifer Martin, Chief Deputy 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. Commissioner Dale Childers led the pledge of allegiance to the United States flag and the pledge of allegiance to the Texas flag.

SPECIAL REQUESTS/DONATIONS

1. To consider, discuss, and approve a Proclamation for Ector County Court At Law Judge, Jim Bobo and Ector County Clerk, Linda Haney.
Debbie Clay – Commissioners' Office

Commissioner Simmons read the Proclamation for Ector County Court at Law Judge, Jim Bobo. After thanking both Judge Bobo and Ector County Clerk, Linda Haney for their many years of service to Ector County he made a motion to approve the Proclamations; Commissioner Childers seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

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

2. To consider, discuss, and take any necessary action regarding a presentation from Sciens Consulting, LLC on the integration for the City/County radio system with Motorola, to approve a contract with Motorola to conduct the project, to approve a budget amendment to General Fund, Other General Expense, Special Departmental Equipment, 001-950-5507 from Unreserved Fund Balance, 001-3310 in the amount of \$1,000,000 and authorize the County Judge to sign.
Dale Childers – County Commissioner Pct. 3

A motion was made by Commissioner Simmons to table this item but died due to a lack of a second.

Commissioner Childers made a motion to accept Motorola's Ector County site add on proposal to enhance the City of Odessa's radio system for \$3,068,000 and to purchase the post warranty maintenance and SUA II for \$132,491 for five (5) years for a total of \$662,455 and to authorize the County Judge to sign all associated documents. Commissioner Childers also moved for a budget amendment from general fund, non-departmental other, special department equipment 001-950-5507 from unreserved fund balance 001-3310 in the amount of \$3,068,000; A second was made by Commissioner Shelton. **MOTION PASSED. 4-1**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Rodriguez

Voting against motion:

✓ Commissioner Simmons

3. To consider, discuss, and take any necessary action regarding an order declaring expectation to reimburse expenditures pertaining to the Motorola radio communication system project with proceeds of future debt and authorize the County Judge to sign.
David R. Austin – County Auditor

ITEM WITHDRAWN

4. To receive a yearly report from Vector Fleet Management and approve the acceptance of a check on the Cost Savings Sharing Plan.
Kenneth Lind – Purchasing

A motion to accept a check in the amount of \$53,178.42 was made by Commissioner Childers; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

5. To accept donation of \$2,000 from Fraternal Order of Police, Odessa Lodge #1, for the Ector County Sheriff's Office.
Mike Griffis – Sheriff

A motion to accept the donation of \$2,000 from the Fraternal Order of Police, Odessa Lodge #1, for the Ector County Sheriff's Office was made by Commissioner Shelton; the motion was seconded by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

6. To consider, discuss, and take any necessary action to approve a Resolution in support of hosting the 92nd Annual West Texas County Judges and Commissioners Association Conference in 2021 and a \$10,000 pledge to host the conference.
Debbie Clay – Commissioners' Office

A motion to approve a Resolution in support of hosting the 92nd Annual West Texas County Judges and Commissioners Association Conference in 2021 and to pledge \$10,000 to host the conference was made by Commissioner Shelton; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

7. To receive a presentation from the Highways and Streets Department regarding an update of operational activity, proposed projects for 2019, and to consider and discuss any issues associated with said presentation.
Evans Kessey – Highways and Streets

NO ACTION NECESSARY

8. To consider, discuss, and take any necessary action to approve a county provided mobile phone in lieu of a cell phone allowance for the Highways and Streets Director, Road Maintenance Supervisor, Road Maintenance Foreman, and the Traffic Operations Supervisor, and to revert current budgeted telephone allowance for Heavy Equipment Operator II and authorize the County Judge to sign.
Evans Kessey – Highways and Streets

Commissioner Shelton made a motion to provide mobile phones in lieu of a cell phone allowance for the Highways and Streets Director, Road Maintenance Supervisor, Road Maintenance Foreman, and the Traffic Operations Supervisor, and to revert current budgeted telephone allowance for Heavy Equipment Operator II and for budget amendments from 002-810-5151 Telephone Allowance for \$1330, 002-810-5401 Safety Training & Supplies \$470, 002-830-5151 Telephone Allowance \$275, 002-830-5401 Safety Training & Supplies \$325 to 002-810-5207 Subscriptions \$1,800 and 002-830-5207 \$600; A second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

9. To consider, discuss, and take any necessary action regarding a Request for Qualification (RFQ) for Engineering Design Services for roadway widening and pavement upgrades as part of 2019 Road Project Plan, and to approve or reject design and consultation costs(s) to be paid from account expenditure line item, Engineering, Professional Services, 002-820-5301 and authorize the County Judge to sign.
Evans Kessey – Highways & Streets

A motion to approve a Request for Qualification (RFQ) for Engineering Design Services for roadway widening and pavement upgrades as part of 2019 Road Project Plan, and to approve or reject design and consultation costs(s) to be paid from account expenditure line item, Engineering, Professional Services, 002-820-5301 was made by Commissioner Simmons; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for motion;

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

10. To consider, discuss, approve, reject, or take any necessary action regarding 2018 Sole Source List.
Lucy Soto – Purchasing

A motion was made by Commissioner Simmons to approve the 2018 Sole Source List; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

AWARD OF BIDS/PROPOSALS

11. To consider, discuss, review, and take any necessary action on the Missing Assets, from the departments, on the items that could not be found on their 2018 Inventory.
Kenneth Lind – Purchasing

Commissioner Simmons made a motion to remove the missing assets from the inventory; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

12. To consider, discuss, and take any necessary action on the disposal of assets that were noted as junked, dismantled, traded-in, recycled, etc., during the 2018 inventory.
Kenneth Lind – Purchasing

Commissioner Childers made a motion to approve the disposal of assets that were noted as junked, dismantled, traded-in, recycled, etc., during the 2018 inventory; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for motion.

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

CONTRACTS/AGREEMENT/GRANTS

13. To consider, discuss, and take any necessary action regarding the revised Interlocal Cooperation Agreement between Ector County and Haskell County and LaSalle Corrections West, LLC for the housing and care of Ector County Inmates and authorize the County Judge to sign.
Mike Griffis – Sheriff

Commissioner Childers made a motion to approve the revised Interlocal Cooperation Agreement between Ector County and Haskell County and LaSalle Corrections West, LLC for the housing and care of Ector County Inmates and authorize the County Judge to sign; a second was made by Commissioner Shelton. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

14. To consider, discuss, approve, reject, and take any necessary action regarding the AIA Change Order #14 for the Jail Additions and Renovations Project and authorize the County Judge to sign.
Kenneth Lind – Purchasing

ITEM WITHDRAWN

15. To consider, discuss, and take any necessary action to approve the Reinvestment Zone Tax Abatement Agreement with Oberon Solar 1B, LLC and authorize the County Judge and Commissioners to sign.
Dusty Gallivan – County Attorney

A motion was made by Commissioner Shelton to approve the Reinvestment Zone Tax Abatement Agreement with Oberon Solar 1B, LLC and authorize the County Judge and Commissioners to sign; Commissioner Childers 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 to accept the termination of the contract for services between Ector County and GEO Corrections and Detention, LLC effective February 9, 2019 and authorize the County Judge to sign letter of termination of the IGA between Ector County and the United States Marshal Service (USMS) effective January 11, 2019.
Debi Hays – County Judge

A motion was made by Commissioner Childers to accept the termination of the contract for services between Ector County and GEO Corrections and Detention, LLC effective February 9, 2019 and authorize the County Judge to sign letter of termination of the IGA between Ector County and the United States Marshal Service (USMS) effective January 11, 2019; a second was made by Commissioner Rodriguez. **MOTION PASSED. 3-2**

Voting for motion:

- Judge Hays
 Commissioner Childers Commissioner Rodriguez
Voting against motion:
 Commissioner Shelton Commissioner Simmons

PERSONNEL REQUESTS

17. To consider, discuss, and take any necessary action to approve the hiring of two attorneys at a Step 9 based on years of prosecutorial experience.
Dusty Gallivan – County Attorney

Commissioner Childers made a motion to approve the hiring of two attorneys at a Step 9 based on years of prosecutorial experience; Commissioner Shelton seconded the motion. **MOTION PASSED. 4-1**

Voting for motion:

- Judge Hays
 Commissioner Shelton
 Commissioner Childers Commissioner Rodriguez
Voting against motion:
 Commissioner Simmons

18. To consider, discuss, and take any necessary action to approve moving an attorney from the general budget to the PTI budget at a 202-07.
Dusty Gallivan – County Attorney

A motion was made by Commissioner Childers to approve moving an attorney from the general budget to the PTI budget at a 202-07; a second was made by Commissioner Rodriguez. **MOTION PASSED. 4-1**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Rodriguez

Voting against motion:

✓ Commissioner Simmons

19. To consider, discuss, and take any necessary action to authorize the Highways and Streets Director to hire temporary employees to provide general labor services to meet the department's project goals for 2019 budget year, and to approve or reject wages to be paid from account expenditure line item, Road Maintenance, Salaries, Part Time/Seasonal, 002-810-5104 and authorize the County Judge to sign.
Evans Kessey – Highways & Streets

A motion was made by Commissioner Simmons to authorize the Highways and Streets Director to hire temporary employees to provide general labor services to meet the department's project goals for 2019 budget year, and to approve or reject wages to be paid from account expenditure line item, Road Maintenance, Salaries, Part Time/Seasonal, 002-810-5104 and 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

POLICIES/PROCEDURES

20. To consider, discuss, and take any necessary action to revise the retired employee definition for eligibility to qualify for health and dental benefits under the Ector County Employee Health Benefit Plan, effective January 1, 2019.
Pat Patton – Human Resources

Commissioner Simmons made a motion to revise the retired employee definition for eligibility to qualify for health and dental benefits under the Ector County Employee Health Benefit Plan, effective January 1, 2019; a second was made by Commissioner Childers. **MOTION PASSED. 5-0.**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

PUBLIC WORKS

21. To consider, discuss, and take any necessary action on Ramirez's Retreat a subdivision of 10.00 acres in Section, 24, Block 4, 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 Ramirez's Retreat a subdivision of 10.00 acres in Section, 24, Block 4, T-2-S, T&P RY. Co. Survey, Ector County, Texas and 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

22. To consider, discuss, and take any necessary action on a proposed Ector County MHRC (Pacheco) to serve lots 1&2, Block 24, Knox Village Ranchettes Phase 7 a subdivision of 48.45 acres of land in Sec 36, Blk 44, T-2-S, T&P RY. Co. Survey Ector County, Texas and authorize the County Judge to sign.

David Peck – Projects Manager

Commissioner Simmons made a motion to approve Ector County MHRC (Pacheco) to serve lots 1&2, Block 24, Knox Village Ranchettes Phase 7 a subdivision of 48.45 acres of land in Sec 36, Blk 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 Childers. **MOTION PASSED. 5-0.**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

SALE TO FORECLOSURE ON PROPERTY

23. To consider, discuss and take any necessary action to sell property located on 301 Fitch, Odessa, Texas, for \$17,000, which is less than market value specified in the Judgment of Foreclosure and less than the total amount of Judgments against the property.

Debi Hays – County Judge

A motion was made by Commissioner Simmons to sell property located on 301 Fitch, Odessa, Texas, for \$17,000, which is less than market value specified in the Judgment of Foreclosure and less than the total amount of Judgments against the property; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

CONSENT AGENDA

24. To approve the following Consent Agenda:

- a. To consider and approve a line item transfer to General Fund, Non-Departmental Other, Other General Expense, 001-950-5402 to County Judge, Travel and Education Expense, 001-010-5161 in the amount of \$1,000.

David R. Austin – County Auditor

Commissioner Childers made a motion to approve a line item transfer to General Fund, Non Departmental Other, Other General Expense, 001-950-5402 to County Judge, Travel and Education Expense, 001-010-5161 in the amount of \$1,000; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

BUDGET/FINANCIAL

25. To consider, discuss, and take any necessary action regarding a budget amendment to Improvements and Construction, 047-420-5509 from Unreserved Fund Balance, 047-3310 in the amount of \$300,000.

Charles Pierce – Building Maintenance

Commissioner Shelton made a motion to approve a budget amendment to Improvements and Construction, 047-420-5509 from Unreserved Fund Balance, 047-3310 in the amount of \$300,000; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

26. To consider and approve the Accounts Payable Fund Requirements Report for December 20, 2018 and to review County financial statements and reports.

David R. Austin – County Auditor

A motion was made by Commissioner Childers to approve the Accounts Payable Fund Requirements Report for December 20, 2018 and to review County financial statements and reports; a second was made by Commissioner Shelton. **MOTION PASSED. 5-0**

Voting for motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

EXECUTIVE SESSION

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

Debi Hays – County Judge

The Court did not meet in Executive Session.

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

Debi Hays – County Judge

The Court did not meet in Executive Session.

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

Debi Hays – County Judge

The Court did not meet in Executive Session.

11:35 A.M.

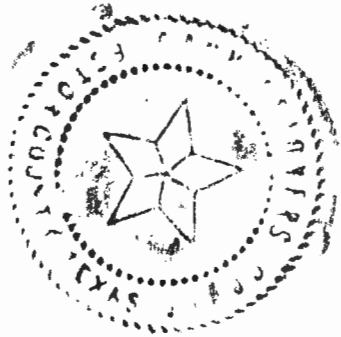
With no further business to discuss, Commissioner Childers made a motion with a second by Commissioner Shelton to adjourn to the call of the chair. **MOTION PASSED. 5-0**

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Linda Haney, County Clerk, do hereby attest to the accuracy of the Commissioner's Court

Proceedings for the Regular Commissioner's Court Meeting of December 20, 2018.



Linda Haney

LINDA HANEY, COUNTY CLERK
ECTOR COUNTY, TEXAS