

On this the 25th day of June, 2019, 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, County Clerk

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:06 A. M. with a quorum of the court present. The invocation was led by Sheriff Griffis. Commissioner Childers 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 allowing Downtown Odessa, Inc. to utilize the Courthouse/Health Department parking lot beginning at 5:00 p.m. on July 3 – July 4th for the 24th Firecracker Fandango. Alexa Moulakis – Downtown Odessa, Inc.

Commissioner Shelton made a motion to approve allowing Downtown Odessa, Inc. to utilize the Courthouse/Health Department parking lot beginning at 5:00 p.m. on July 3 – July 4th for the 24th Firecracker Fandango; 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	

2. To reappoint Ladoyce Lambert to the Permian Basin Community Centers Board of Trustees for an additional two year term beginning June 26, 2019 to June 25, 2021. Chris Barnhill – PermianCare

A motion was made by Commissioner Childers to reappoint Ladoyce Lambert to the Permian Basin Community Centers Board of Trustees for an additional two year term beginning June 26, 2019 to June 25, 2021; 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	

AWARD OF BIDS/PROPOSALS

3. To consider, discuss, award, reject, and take any necessary action regarding the Highways and Streets – Metal Shed Covers Bid; approve a budget amendment of \$221,775 to FMLR Fund – Road Maintenance Department – Improvements and Construction, 002-810-5509 from FMLR Fund – Road Maintenance Department – Road Maintenance, 002-810-5241 and authorize the County Judge to sign. Kenneth Lind – Purchasing Evan Kessey – Highways & Streets

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

Commissioner Simmons made a motion to deny all bids and wait until budget processes to re-evaluate size and specifications; A second was made by Commissioner Shelton.

CONTRACTS/AGREEMENTS/GRANTS

4. To consider, discuss, and take any necessary action to terminate the Flexible Benefits Plan Document and Summary Plan description of the Cafeteria Plan being administered by American Fidelity Assurance Company on behalf of Ector County in compliance with IRS Code Section 125, effective July 31, 2019 and authorize the County Judge to sign. Pat Patton – Human Resources

A motion was made by Commissioner Childers to approve the termination of the Flexible Benefits Plan Document and Summary Plan description of the Cafeteria Plan being administered by American Fidelity Assurance Company on behalf of Ector County in compliance with IRS Code Section 125, effective July 31, 2019 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

5. To consider, discuss, and take any necessary action to terminate the Subscription Agreement between Ector County and American Fidelity Assurance Company, effective July 31, 2019 and authorize the County Judge to sign. Pat Patton – Human Resources

Commissioner Childers made a motion to approve the termination of the Subscription Agreement between Ector County and American Fidelity Assurance Company, effective July 31, 2019 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

6. To consider, discuss, and take any necessary action to terminate a Trust Subscription Agreement and Application for Medical Expense Reimbursement Coverage between Ector County and American Fidelity Assurance Company, effective December 31, 2019 and authorize the County Judge sign. Pat Patton – Human Resources

A motion was made by Commissioner Childers to approve the termination of the Trust Subscription Agreement and Application for Medical Expense Reimbursement Coverage between Ector County and American Fidelity Assurance Company, effective December 31, 2019 and authorize the County Judge 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 to approve Motorola Change Order to revise the payment schedule based on the phased implementation approach and adjust the project completion date and authorize the County Judge to sign. Stephen White – Information Technology

Commissioner Simmons made a motion to approve the Motorola Change Order to revise the payment schedule based on the phased implementation approach and adjust the project completion date and authorize the County Judge to sign; A seconded 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 |

PERSONNEL REQUESTS

8. To consider, discuss, and take any necessary action to hire a Legal Secretary at a Step 4 due to experience. Dusty Gallivan – County Attorney

MOTION WITHDRAWN

PUBLIC WORKS

9. To consider, discuss, and take any necessary action on MHRC Plans for Rodriguez Lot 35, Block 1, Sterling Park 3rd Filing Precinct 4, Ector County, Texas and authorize the County Judge to sign. David Peck – Project Manager

A motion was made by Commissioner Shelton to approve the MHRC Plans for Rodriguez Lot 35, Block 1, Sterling Park 3rd Filing Precinct 4 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 |

10. To consider, discuss, and take any necessary action for Proposed MHRC for Joselyn RV Park at 15421 S. Mares Street, Odessa, Texas, 79766, Ector County, Texas and authorize the County Judge to sign. David Peck – Projects Manager

Commissioner Simmons made a motion to approve the Proposed MHRC for Joselyn RV Park at 15421 S. Mares Street, Odessa, Texas, 79766, 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	

11. To consider, discuss, and take any necessary action on Gallegos West Replat of Lots 3, 4, & 5, Block 42, T-3-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 Childers to approve Gallegos West Replat of Lots 3, 4, & 5, Block 42, T-3-S T&P RY, Co. Survey 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	

12. To review, consider, discuss, approve, and take any necessary action regarding the following proposed Consent Agenda:
- a. To consider and approve a line item transfer to FMLR Fund, Road Maintenance, Contract Services, 002-810-5309 for \$13,000 from Road Maintenance, Equipment Rental, 002-810-5391 for \$5,000 and from Road Maintenance, Road Maintenance, 002-810-5241 for \$8,000.
Randy Donner – County Auditor
 - b. To consider and approve a line item transfer to General Fund, Auditor, Office Supplies, 001-260-5171 for \$3,000 from Auditor, Telephone, 001-260-5351 for \$1,000 and from Auditor, Educational Travel, 001-260-5161 for \$2,000.
Randy Donner – County Auditor
 - c. To consider and approve a line item transfer to Equipment Services Fund, Departmental Furniture & Equipment, 051-770-5199, in the amount of \$4,408 from equipment Services Fund, Subscriptions, 051-770-5207 in the amount of \$3,000 and from Underground Storage Tank Maintenance, 051-770-5254 in the amount of \$1,408 for a total of \$4,408.
Evans Kessey – Equipment Services
 - d. To consider and approve a line item transfer to FMLR Fund, Departmental Furniture & Equipment, 002-810-5199, in the amount of \$1,410 from FMLR Fund, Shop Supplies, 002-810-5191 in the amount of \$922 and from Small Tool Supplies, 002-810-5190 in the amount of \$488 for a total of \$1,410.
Evans Kessey – Road Maintenance

Commissioner Childers moved to approve the Consent Agenda; A second was made by Commissioner Shelton.

MOTION PASSED. 5-0

Voting for Motion:

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

BUDGET/FINANCIAL

- 13. To consider and approve a budget amendment to Capital Improvements Fund, Improvements and Construction, 044-990-5509 and to Capital Improvements Fund, Insurance Proceeds, 044-4172 for \$70,000. Randy Donner – County Auditor

A motion was made by Commissioner Simmons to approve a budget amendment to Capital Improvements Fund, Improvements and Construction, 044-990-5509 and to Capital Improvements Fund, Insurance Proceeds, 044-4172 for \$70,000; A second was made by Commissioner Childers.

MOTION PASSED. 5-0

Voting for Motion:

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

- 14. To consider and approve the Accounts Payable Fund Requirements Report for June 25, 2019 to review County financial statements and reports. Randy Donner – County Auditor

Commissioner Childers made a motion to approve Accounts Payable Fund Requirements Report for June 25, 2019 to review County financial statements and reports; A second was made by Commissioner Rodriguez.

MOTION PASSED. 5-0

Voting for Motion:

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

EXECUTIVE SESSION

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

1st _____ _____ _____ _____ _____	2nd _____ _____ _____ _____ _____	Debi Hays Eddy Shelton Greg Simmons Dale Childers Armando S. Rodríguez	Motion Passed _____ Motion Denied _____ Vote _____ Tabled Amendments _____
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16. To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.

Debi Hays – County Judge

1st	2nd		Motion Passed _____ Motion Denied _____ Vote _____
_____	_____	Debi Hays	
_____	_____	Eddy Shelton	
_____	_____	Greg Simmons	
_____	_____	Dale Childers	Tabled Amendments _____
_____	_____	Armando S. Rodríguez	

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

Debi Hays – County Judge

1st	2nd		Motion Passed _____ Motion Denied _____ Vote _____
_____	_____	Debi Hays	
_____	_____	Eddy Shelton	
_____	_____	Greg Simmons	
_____	_____	Dale Childers	Tabled Amendments _____
_____	_____	Armando S. Rodríguez	

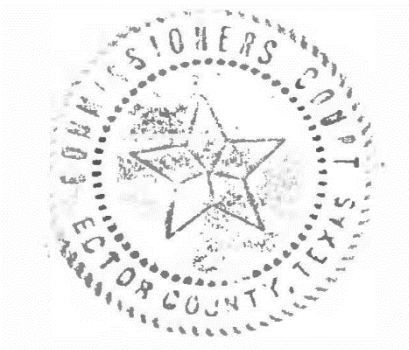
10:47

With no further business to discuss, Commissioner Childers made a motion with a second from Commissioner Simmons to the call of the chair. **MOTION PASSED 4-0**

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 June 25, 2019.



Jennifer Martin

 JENNIFER MARTIN, COUNTY CLERK
 ECTOR COUNTY, TEXAS