

On this the 5th day of March, 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 Jennifer Martin, County Clerk

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:01 A. M. with a quorum of the court present. The invocation was led by Debi Hays, County Judge. 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 to approve and order the removal of any trash, illegal dump litters and/or solid waste, and dumpsters from County right-of-way within 90 days for public road improvement and rehabilitation.
Evans Kessey – Public Works

Commissioner Shelton made a motion to table Item #1 until the court has an opportunity to meet with affected parties and create public awareness; A second was made by Judge Hays. **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

2. To consider, discuss, approve, reject, and take any necessary action regarding: (1) Roadway rehabilitation to include widening of 42nd Street to 5 Lanes, improve grade crossing and drainage at Cypress Avenue and Sierra Avenue, perform drainage analysis, and prepare Metes and Bounds for ROW acquisition(s) from FM 1936 to Moss Avenue in Precinct 1, (2) Roadway rehabilitation to include widening of Cottonwood Road, improve culvert crossing before Aster Avenue from US 385 to Midland County Line in Precinct 2, as proposed in the 20-Year Roadway Improvement Plan, and as road projects proposed for 2021 in such plan; and to engage Landgraf, Crutcher & Associates (LCA) to provide all necessary topographical survey and engineering design for the project's preliminary construction plans for a fee not to exceed \$460,555, excluding right-of-way, utility adjustment, and underground pipeline costs, for the purpose of the said request.
Evans Kessey – Public Works

A motion was made by Commissioner Simmons to approve (1) Roadway rehabilitation to include widening of 42nd Street to 5 Lanes, improve grade crossing and drainage at Cypress Avenue and Sierra Avenue, perform drainage analysis, and prepare Metes and Bounds for ROW acquisition(s) from FM 1936 to Moss Avenue in Precinct 1, (2) Roadway rehabilitation to include widening of Cottonwood Road, improve culvert crossing before Aster Avenue from US 385 to Midland County Line in Precinct 2, as proposed in the 20-Year Roadway Improvement Plan, and as road projects proposed for 2021 in such plan; and to engage Landgraf, Crutcher & Associates (LCA) to provide all necessary topographical survey and engineering design for the project's preliminary construction plans for a fee not to exceed \$460,555, excluding right-of-way, utility adjustment, and underground pipeline costs, for the purpose of the said request; Judge Hays seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

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

3. To consider, discuss, and take any necessary action regarding the specification for the 2020 Seal Coat Projects II and authorize the County Judge to sign.
Evans Kessey – Public Works
Lucy Soto – Purchasing

Commissioner Simmons made a motion to approve the specification for the 2020 Seal Coat Projects II 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

AWARD OF BIDS/PROPOSALS

4. To consider, discuss, award, reject and take any necessary action regarding the Seal Coat Aggregate II and authorize the County Judge to sign.
Lucy Soto – Purchasing
Evans Kessey – Highways & Streets

A motion was made by Commissioner Simmons to approve the Seal Coat Aggregate II and 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

5. To consider, discuss, award, reject and take any necessary action regarding the following bid: Graded Base, Type E Grade 4.
Lucy Soto – Purchasing
Evans Kessey – Highways & Streets

Commissioner Childers made a motion to approve the following bid: Graded Base, Type E Grade 4; A second was made by Judge Hays. **MOTION PASSED. 5-0**

Voting for Motion:

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

PERSONNEL REQUESTS

6. To consider, discuss, and take any necessary action to hire 728-Heavy Equipment Operator III at a Step 6 due to experience.
Evans Kessey – Public Works

A motion was made by Commissioner Childers to hire 728-Heavy Equipment Operator III at a Step 6 due to experience; Commissioner Shelton seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

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

- 7. To consider, discuss, and take any necessary action to hire 732-Road Maintenance Technician II under 005-810 at a Step 6 due experience.
Evans Kessey – Public Works

Commissioner Shelton made a motion to hire 732-Road Maintenance Technician II under 005-810 at a Step 6 due to experience; A second was made by Judge Hays. **MOTION PASSED. 5-0**

Voting for Motion:

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

- 8. To consider, discuss, and take any necessary action regarding the pay of the Chief Sanitarian from a Step 1 to Step 2 beginning 03/02/2020 and authorize the County Judge to sign.
Brandy Garcia – Health Department

A motion was made by Commissioner Simmons to approve the pay of the Chief Sanitarian from a Step 1 to Step 2 beginning 03/02/2020 and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

PUBLIC WORKS

- 9. To consider, discuss, and take any necessary action on a MHRC – 4042 E. Goldenrod Drive 4.49 Acre Tract located in Gardendale Subdivision, Block 22, Lot 2, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

Commissioner Simmons made a motion to approve a MHRC – 4042 E. Goldenrod Drive 4.49 Acre Tract located in Gardendale Subdivision, Block 22, Lot 2, 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

- 10. To consider, discuss, and take any necessary action on a Proposed MHRC DG RV Park 11580 Martaca Street Odessa, Texas 79763 McCabe Addition Phase III Lot 13, Block 4, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

A motion was made by Commissioner Shelton to approve a Proposed MHRC DG RV Park 11580 Martaca Street Odessa, Texas 79763 McCabe Addition Phase III Lot 13, Block 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 Childers
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

11. To consider, discuss, and take any necessary action on proposed MHRC to serve 15398 N. Gardendale Avenue, Gardendale Subdivision 2nd Filing Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

Commissioner Childers made a motion to approve a proposed MHRC to serve 15398 N. Gardendale Avenue, Gardendale Subdivision 2nd Filing Ector County, Texas and authorize the County Judge to sign; A second was made by Commissioner Shelton. **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 consider, discuss, and take any necessary action on a proposed MHRC to serve 11329 W. University Blvd. 1.0158 acre tract located in Westridge Subdivision, Block 20, Lot 17, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

A motion was made by Commissioner Shelton to approve a proposed MHRC to serve 11329 W. University Blvd. 1.0158 acre tract located in Westridge Subdivision, Block 20, Lot 17, 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 Childers
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

13. To consider, discuss, and take any necessary action on a proposed MHRC for Patriot Housing, LLC, at 16530 W. Interstate 20 Odessa, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

Commissioner Shelton made a motion to approve a proposed MHRC for Patriot Housing, LLC, at 16530 W. Interstate 20 Odessa, 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 Childers
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
<u>✓</u> Commissioner Simmons	

14. To consider, discuss, and take any necessary action on Basin Industrial Addition being a plat of a 162.639 acre tract located in Section 46 and 47, Block 44, T-2-S T&P Ry. Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

A motion was made by Commissioner Shelton to approve Basin Industrial Addition being a plat of a 162.639 acre tract located in Section 46 and 47, Block 44, T-2-S T&P Ry. 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

15. To consider, discuss, and take any necessary action on replat of Lots 4-8, Block 3, McCabe Addition Phase III lying in and being a portion of the North Half of Section 32, Block 43, Township 2 South, T&P RR. Company Survey, Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

Commissioner Shelton made a motion to approve replat of Lots 4-8, Block 3, McCabe Addition Phase III lying in and being a portion of the North Half of Section 32, Block 43, Township 2 South, T&P RR. Company 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

BUDGET/FINANCIAL

16. To consider, discuss, and approve a budget amendment to Public Works, FMLR Fund, Engineering and Professional Services, 002-820-5301 from FMLR Fund, Road Maintenance, 002-810-5241 for \$53,400.
Evans Kessey – Public Works

A motion was made by Commissioner Shelton to approve a budget amendment to Public Works, FMLR Fund, Engineering and Professional Services, 002-820-5301 from FMLR Fund, Road Maintenance, 002-810-5241 for \$53,400; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

17. To consider, discuss, and approve a budget amendment to General Fund, Other General Expense, 001-950-5402 from General Fund, Unreserved Fund Balance, 001-3310 for \$21,135.
Randy Donner – County Auditor

Commissioner Childers made a motion to approve a budget amendment to General Fund, Other General Expense, 001-950-5402 from General Fund, Unreserved Fund Balance, 001-3310 for \$21,135; A second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

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

18. To consider, discuss, and approve a budget amendment to Jail Expansion Fund, Jail, Departmental Furniture & Equipment, 047-420-5199 for \$12,729, to Improvements & Construction, 047-420-5509 for \$25,500 from Unreserved Fund Balance, 047-3310 for \$38,229.
Randy Donner – County Auditor

A motion was made by Commissioner Simmons to approve a budget amendment to Jail Expansion Fund, Jail, Departmental Furniture & Equipment, 047-420-5199 for \$12,729, to Improvements & Construction, 047-420-5509 for \$25,500 from Unreserved Fund Balance, 047-3310 for \$38,229; 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

19. To consider, discuss, and approve a budget amendment to Public Works, FMLR Fund, County Advertising, 002-810-5403 from Subscriptions, 002-810-5207 for \$300.
Evans Kessey – Public Works

Commissioner Simmons made a motion to approve a budget amendment to Public Works, FMLR Fund, County Advertising, 002-810-5403 from Subscriptions, 002-810-5207 for \$300; A second was made by Commissioner Childers. **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

20. To consider, discuss, approve reject and take any necessary action regarding the Ector County Investment Report for the quarter ending December 31, 2019.
Randy Donner – County Auditor
Cleopatra Callaway – Treasurer

A motion was made by Commissioner Childers to approve the Ector County Investment Report for the quarter ending December 31, 2019; Commissioner Shelton 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

21. To consider and approve the Accounts Payable Fund Requirements Report for March 5, 2020 to review County financial statements and reports.
Randy Donner – County Auditor

Commissioner Simmons made a motion to approve the Accounts Payable Fund Requirements Report for March 5, 2020 to review County financial statements and reports; A second was made by Commissioner Childers. **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 adjourn into Executive Session; 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

Commissioner Shelton was absent after Executive Session

A Motion was made by Commissioner Childers with a second by Commissioner Simmons to reconvene.

MOTION PASSED. 4-0

Voting for Motion:

✓ Judge Hays

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

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

NO ACTION WAS TAKEN ON THIS ITEM

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

NO ACTION WAS TAKEN ON THIS ITEM

24. 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

11:13 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. 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 March 5, 2020.



Jennifer Martin
JENNIFER MARTIN, COUNTY CLERK
ECTOR COUNTY, TEXAS