

On this the 24th day of September, 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 10:04 A. M. with a quorum of the court present. The invocation was led by Commissioner Childers. County Judge Debi Hays 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 conduct a public budget hearing on the Proposed Fiscal Year 2019-2020 Budget.
Debi Hays – County Judge

The Public Hearing was closed at 10:10 A.M. after no discussion was heard from the public.

2. To consider and approve a Resolution for Safe Place of the Permian Basin and Crisis Center of West Texas recognizing the month of October as Domestic Violence Awareness Month and authorize the County Judge and County Commissioners to sign.
Debi Hays – County Judge

Commissioner Childers made a motion to approve a Resolution for Safe Place of the Permian Basin and Crisis Center of West Texas recognizing the month of October as Domestic Violence Awareness Month and authorize the County Judge and County Commissioners 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	

3. To consider, discuss, and take any necessary action to purchase a generator for Early Voting and Election Day in case of a power outage for the Elections Department.
Lisa Sertuche – Elections

A motion was made by Commissioner Childers to purchase a generator for Early Voting and Election Day in case of a power outage for the Elections Department; Commissioner Rodriguez 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	

4. To consider, discuss, and take any necessary action to allow the use of two rooms in the building at 3rd and Lee (ME's Office) for file storage for the District Attorney's Office.
Bobby Bland – District Attorney

Judge Hays made a motion to provide file storage for the District Attorney's Office in the portion of the courthouse that used to house the jail; A second was made by Commissioner Childers.

MOTION PASSED. 5-0

Voting for Motion:

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

5. To consider, discuss, and take any necessary action regarding the Sheriffs' and Constables' Fees for 2020.
Mike Griffis – Sheriff

A motion was made by Commissioner Simmons to approve the Sheriffs' and Constables' Fees for 2020 and to make them effective October 1, 2019; Commissioner Childers seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

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

6. To consider, discuss, and take any necessary action to approve: (a) 4-way lighted stop signs to be installed at 16th Street and Knox Avenue, and at Knox Avenue and 3rd Street; (b) speed limit signs at Sooner Avenue from 10th Street to Mockingbird Lane.
Evans Kessey – Traffic Operations

Commissioner Shelton made a motion to approve: (a) 4-way lighted stop signs to be installed at 16th Street and Knox Avenue, and at Knox Avenue and 3rd Street; (b) speed limit signs at Sooner Avenue from 10th Street to Mockingbird Lane; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

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

AWARD OF BIDS/PROPOSALS

7. To consider, discuss, award, reject, and take any necessary action regarding the purchase of a new Truck with a Pothole Patcher; approve a Budget Amendment to Equipment Services Fund, Special Department Equipment, 051-770-5507 for \$140,000, to Interest Earnings, 051-4161 for \$21,000, to Miscellaneous Revenue, 051-4199 for \$3,000 from Motor Vehicle Fuel, 051-770-5202 for \$7,000, from Motor Vehicle Equipment, 051-770-5505 for \$109,000; and to authorize the County Judge to sign.
Kenneth Lind – Purchasing
Evans Kessey – Highways & Streets

A motion was made by Commissioner Simmons to approve the purchase of a new Truck with a Pothole Patcher; approve a Budget Amendment to Equipment Services Fund, Special Department Equipment, 051-770-5507 for \$140,000, to Interest Earnings, 051-4161 for \$21,000, to Miscellaneous Revenue, 051-4199 for \$3,000 from Motor Vehicle Fuel, 051-770-5202 for \$7,000, from Motor Vehicle Equipment, 051-770-5505 for \$109,000; and to 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

8. To consider, discuss, and take any necessary action regarding the purchase of Tahoes; approve a Budget Amendment to Equipment Services Fund, Motor Vehicle Equipment, 051-770-5505 for \$187,000, to Insurance Settlements, 051-4172 for \$111,000, and to Miscellaneous Revenue, 051-4199 for \$76,000; and authorize the County Judge to sign.
Kenneth Lind – Purchasing
Evans Kessey – Highways & Streets

Commissioner Simmons made a motion to approve the purchase of Tahoes; approve a Budget Amendment to Equipment Services Fund, Motor Vehicle Equipment, 051-770-5505 for \$187,000, to Insurance Settlements, 051-4172 for \$111,000, and to Miscellaneous Revenue, 051- 4199 for \$76,000; 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 Simmons
- ✓ Commissioner Childers
- ✓ Commissioner Rodriguez

CONTRACTS/AGREEMENTS/GRANTS

9. To consider, discuss, and take any necessary action regarding the AIA Change Order #1, for the Coliseum Horse Stall Barn, and authorize the County Judge to sign.
Kenneth Lind – Purchasing

A motion was made by Commissioner Childers to approve the AIA Change Order #1, for the Coliseum Horse Stall Barn, and authorize the County Judge to sign; Commissioner Simmons seconded the motion.

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 regarding the AIA Certificate #1, Substantial Completion of Area #3, for the Jail Additions and Renovations Project; and authorize the County Judge to sign.
Kenneth Lind – Purchasing

Commissioner Simmons made a motion to approve the AIA Certificate #1, Substantial Completion of Area #3, for the Jail Additions and Renovations Project; and authorize the County Judge to sign; A second was made by Commissioner Childers. **MOTION PASSED. 4-0**

Voting for Motion:

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

Abstained:

- ✓ Commissioner Shelton

11. To consider, discuss, and take any necessary action to approve a Warranty Deed for the Oncor Utility Easement for the new Horse Stall Barn at the Ector County Coliseum.
Charles Pierce – Building Maintenance

A motion was made by Commissioner Childers to approve a Warranty Deed for the Oncor Utility Easement for the new Horse Stall Barn at the Ector County Coliseum; Commissioner Simmons seconded the motion.

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 regarding a Professional Services Agreement between Texas Tech University Health Sciences Center (TTUHSC) and Ector County Detention Center (ECDC) to provide licensed professional healthcare and Psychiatry; authorizing the County Judge to sign.
Mike Griffis – Sheriff

Commissioner Simmons made a motion to approve a Professional Services Agreement between Texas Tech University Health Sciences Center (TTUHSC) and Ector County Detention Center (ECDC) to provide licensed professional healthcare and Psychiatry 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

POLICIES/PROCEDURES

13. To consider, discuss, and take any necessary action to extend, until canceled by action of the Commissioners Court, the policy of payment of overtime for Patrol Deputies and Jailers after 86 hours, pursuant to the temporary 207 (k) exemption granted by the Commissioners Court on June 11 and August 13, 2018.
Patricia Patton – Human Resources

A motion was made by Commissioner Shelton to approve an extension, until canceled by action of the Commissioners Court, the policy of payment of overtime for Patrol Deputies and Jailers after 86 hours, pursuant to the temporary 207 (k) exemption granted by the Commissioners Court on June 11 and August 13, 2018; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

14. To consider, discuss, and take any necessary action to adopt the attached Policy of payment of overtime for eligible non-exempt Law Enforcement Officers of the Sheriff’s Department.
Patricia Patton – Human Resources

Commissioner Childers made a motion to adopt the attached Policy of payment of overtime for eligible non-exempt Law Enforcement Officers of the Sheriff’s Department; A second was made by Commissioner Shelton. **MOTION PASSED. 5-0**

Voting for Motion:

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

PUBLIC WORKS

- 15. To consider, discuss, and take any necessary action on Mendoza MHRC (Mirage RV Park) on 2834 Cowell Rd., Odessa, Texas 79766; Lot 9 Block 3, Sterling Park, 2nd Filing a Subdivision of Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

A motion was made by Commissioner Rodriguez to deny the application for Mendoza MHRC (Mirage RV Park) on 2834 Cowell Rd., Odessa, Texas 79766; Lot 9 Block 3, Sterling Park, 2nd Filing a Subdivision of Ector County, Texas and authorize the County Judge to sign; Motion died for lack of second.

NO ACTION WAS TAKEN ON THIS ITEM

- 16. To consider, discuss, and take any necessary action on Big “J” Acres a Subdivision of 10.00 acres in Section 25, Block 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 Big “J” Acres a Subdivision of 10.00 acres in Section 25, 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 Childers. **MOTION PASSED. 5-0**

Voting for Motion:

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

- 17. To consider, discuss, and take any necessary action on El Campo Estates a Subdivision of 10.00 acres and 3.76 acres of Street Right of Way for South Snow Moon Avenue and East Harvest Moon Street in Section 3, Block 42, T-4-S, T&P Ry. Co. Survey, Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

A motion was made by Commissioner Shelton to approve El Campo Estates a Subdivision of 10.00 acres and 3.76 acres of Street Right of Way for South Snow Moon Avenue and East Harvest Moon Street in Section 3, Block 42, T-4-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

- 18. To consider, discuss, and take any necessary action on a Proposed MHRC Camperas RV Park (Lujan Bobby) 4100 N. Robin Ave. Odessa, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

Commissioner Childers made a motion to approve MHRC Camperas RV Park (Lujan Bobby) 4100 N. Robin Ave. Odessa, Texas 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 Simmons
- ✓ Commissioner Childers
- ✓ Commissioner Rodriguez

19. To consider, discuss, and take any necessary action on a Proposed MHRC Sertuche on 3519 N. North Star Avenue 0.8989 acre tract Western Skies Subdivision, Block 17, Lots 1-3 Odessa, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

A motion was made by Commissioner Shelton to approve MHRC Sertuche on 3519 N. North Star Avenue 0.8989 acre tract Western Skies Subdivision, Block 17, Lots 1-3 Odessa, 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

20. To consider, discuss, and take any necessary action on Wildcatter Place of Subdivision of 10.24 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 – Projects Manager

Commissioner Shelton made a motion to approve Wildcatter Place of Subdivision of 10.24 acres in 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 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

CONSENT AGENDA

21. To review, consider, discuss, approve, and take any necessary action regarding the following proposed Consent Agenda:
- To consider and approve a line item transfer to General Fund, County Attorney, Professional Dues & Fees, 001-170-5302 from County Attorney, Postage, 001-170-5193 for \$209.
Randy Donner – County Auditor
 - To consider, discuss, and approve a line item transfer to General Fund, Sheriff, Educational Travel, 001-360-5161 from Sheriff, Law Enforcement Supplies, 001-360-5183 for \$3,560.
Randy Donner – County Auditor
 - To consider, discuss, and approve a line item transfer to General Fund, Treasurer, Educational Travel, 001-270-5161 from Treasurer, Professional Dues & Fees, 001-270-5302 for \$166.
Randy Donner – County Auditor
 - To consider, discuss, and approve a line item transfer to Self-Funded Liability Insurance Fund, Claims Settlements, 032-960-5382 from County Legal Fees, 032-960-5334 for \$15,000.
Randy Donner – County Auditor

A motion to approve all items listed above in the consent agenda was made by Commissioner Childers; Commissioner Rodriguez 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	

BUDGET/FINANCIAL

22. To consider, discuss, approve, reject and take any necessary action regarding the Ector County Investment Report for the quarter ending June 30, 2019.
Randy Donner – County Auditor
Cleopatra Callaway – County Treasurer

Commissioner Simmons made a motion to approve the Ector County Investment Report for the quarter ending June 30, 2019; 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	

23. To consider, discuss, and take any necessary action to adopt the Ector County Budget for Fiscal Year 2019-2020 and authorize the County Judge and County Commissioners to sign.
Debi Hays – County Judge

A motion was made by Commissioner Childers to adopt the 2019-2020 budget for Ector County as presented with approved raises to be effective on October 6, 2019; 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	

24. To consider, discuss, and take any necessary action to ratify the tax increase reflected in the Fiscal Year 2019-2020 Budget.
Debi Hays – County Judge

Commissioner Simmons made a motion to adopt the effective tax rate of .354095 for the upcoming fiscal year. Motion died for lack of second.

Commissioner Simmons made a motion that the property tax be increased by the adoption of a tax rate of .365000, which is effectively a 3.08 percent increase in the tax rate for the 2019 tax year; A second was made by Commissioner Childers. **MOTION PASSED. 3-2**

Voting for Motion:

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

Voting Against Motion:

<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Rodriguez
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25. To consider, discuss, and take any necessary action to adopt the 2019-2020 Ad Valorem Tax Rate for Ector County and take any necessary action and authorize the County Judge and County Commissioners to sign.
Debi Hays – County Judge

Commissioner Simmons moved that the property tax be increased by the adoption of a tax rate of .365000, which is effectively a 3.08 percent increase in the tax rate for the 2019 year; 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

26. To consider and approve the Accounts Payable Fund Requirements Report for September 24, 2019 to review County financial statements and reports.
Randy Donner – County Auditor

A motion was made by Commissioner Childers to approve the Accounts Payable Fund Requirements Report for September 24, 2019 to review County financial statements and reports; 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

Commissioner Shelton made a motion to adjourn into Executive Session; 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

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

A motion was made by Commissioner Simmons to authorize the settlement that was presented by Ector County's insurance provider in the Carpentar case; Commissioner Rodriguez 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

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

NO ACTION TAKEN ON THIS ITEM

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

NO ACTION TAKEN ON THIS ITEM

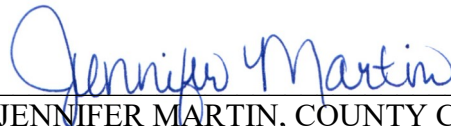
11:08 A.M

With no further business to discuss, Commissioner Simmons made a motion with a second by Commissioner Childers 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 September 24, 2019.



JENNIFER MARTIN, COUNTY CLERK
ECTOR COUNTY, TEXAS