

On this the 23rd day of July, 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 10:00 A. M. with a quorum of the court present. The invocation was led by Commissioner Shelton. 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 receive a presentation by Victor Uvalle, with Texas Association of Counties, regarding Risk Control Services. Debi Hays — County Judge

NO ACTION TAKEN ON THIS ITEM

2. To consider, discuss, and take any necessary action regarding the 2020 Census; receive a presentation from Mrs. Charlene McBride, Partnership Specialist, United States Census Bureau; adopt a Resolution supporting the 2020 Census and to allocate \$25,000 in Ector Counties 2019-2020 Budget to support the 2020 Census. Eddy Shelton — Commissioner Pct. 1

Commissioner Shelton made a motion to approve a presentation from Mrs. Charlene McBride, Partnership Specialist, United States Census Bureau and adopt a Resolution supporting the 2020 Census and to allocate \$25,000 in Ector Counties 2019-2020 Budget to support the 2020 Census; A second was made by Commissioner Childers. **MOTION PASSED. 4-1**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Childers

✓ Commissioner Shelton

✓ Commissioner Rodriguez

Voting Against Motion:

✓ Commissioner Simmons voted against the financial contribution.

3. To consider, discuss, and take any necessary action regarding a resolution authorizing the creation of the Ector County Public Facility Corporation pursuant to Chapter 303 of the Texas Local Government Code to act on behalf of Ector County, Texas; approving the Certificate of Formation and Bylaws related thereto; and authorize the County Judge and County Commissioners to sign.
Debi Hays — County Judge

A motion was made by Commissioner Childers to approve a resolution authorizing the creation of the Ector County Public Facility Corporation pursuant to Chapter 303 of the Texas Local Government Code to act on behalf of Ector County, Texas; to approve the Certificate of Formation and Bylaws related thereto; appoint County Commissioners as the board and authorize the County Judge and County Commissioners to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

- 4 To present the Ector County Community Supervision and Corrections Department biennial budgets for fiscal years 2020 and 2021. Randy Donner — County Auditor

NO ACTION TAKEN ON THIS ITEM

- 5 To consider, discuss, and take any necessary action to approve the appointment of Judges', Alternate Judges', Early Voting Clerks and Ballot Board for a two year term for 2019-2020. Lisa Sertuche — Elections

Commissioner Shelton made a motion to approve the appointment of Judges', Alternate Judges', Early Voting Clerks and Ballot Board for a two year term for 2019-2020; 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

- 6 To consider, discuss, award, reject, and take any necessary action regarding the purchase of a Horse Stall System; approve following budget amendment to Coliseum Capital Improvement Fund, New Building, 043-861-5503 from Unreserved Fund Balance, 043-3310 in the amount of \$3 10,491; and authorize the County Judge to sign. Kenneth Lind — Purchasing and Aaron Martin — Coliseum

A motion was made by Commissioner Simmons to approve the purchase of a Horse Stall System and award to the contract to Priefert Rodeo and Ranch Equipment; approve the following budget amendment to Coliseum Capital Improvement Fund, New Building, 043-861-5503 from Unreserved Fund Balance, 043-3310 in the amount of \$310,491; 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

- 7 To consider, discuss, award, reject and take any necessary action regarding Paper Towels and Bathroom Tissue award extension to Wagner Supply Company and authorize the County Judge to sign. Lucy Soto — Purchasing

Commissioner Simmons made a motion to approve awarding an extension to Wagner Supply Company for paper towels and bathroom tissue 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

CONTRACTS/AGREEMENTS/GRANTS

- 8 To consider, discuss, approve reject, and take any necessary action regarding the extension of the Food Services Agreement with Summit Food Service for the Ector County Elderly Nutrition Program and authorize the County Judge to sign. Kenneth Lind — Purchasing

A motion was made by Commissioner Childers to approve the extension of the Food Services Agreement with Summit Food Service for the Ector County Elderly Nutrition Program 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 Shelton	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

9. To consider, discuss, and take any necessary action to approve the FY 2019 Contract with the Area Agency on Aging and authorize the County Judge to sign. Donna Greaves — Senior Centers

Commissioner Simmons made a motion to approve the FY 2019 Contract with the Area Agency on Aging 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

10. To consider, discuss, and take any necessary action regarding an Interlocal Agreement between the Texas Department of Motor Vehicles and Ector County for Provision of Equipment and Consumables and authorize the County Judge to sign. Lindy Wright — Tax Office

A motion was made by Commissioner Simmons to approve an Interlocal Agreement between the Texas Department of Motor Vehicles and Ector County for Provision of Equipment and Consumables 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

11. To consider, discuss, and take any necessary action regarding an Interlocal Cooperation Contract between Ector County and the Texas Department of Public Safety for crime laboratory services and authorize the County Judge to sign. Dusty Gallivan — County Attorney

Commissioner Childers made a motion to approve an Interlocal Cooperation Contract between Ector County and the Texas Department of Public Safety for crime laboratory services and authorize the County Judge to sign; A second was made 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	

12. To consider, discuss, and take any necessary action regarding the Maestro Health Administration Agreement, as well as the Business Associate Agreement with Ector County to provide AFLAC benefits, conduct Open Enrollment for all County health-related benefits, administer the Cafeteria Plan and Flexible Spending Accounts as outlined in Exhibits A & B of the Agreement and authorize the County Judge to sign. Patricia Patton — Human Resources

A motion was made by Commissioner Shelton to approve the Maestro Health Administration Agreement, as well as the Business Associate Agreement with Ector County to provide AFLAC benefits, conduct Open Enrollment for all County health-related benefits, administer the Cafeteria Plan and Flexible Spending Accounts as outlined in Exhibits A & B of the Agreement 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	

PERSONNEL REQUESTS

13. To consider, discuss, and take any necessary action to hire temporary part-time help to assist inputting voter registration applications etc. July 29-August 1, 2019. Lisa Sertuche — Elections Office

Commissioner Simmons made a motion to approve hiring temporary part-time help to assist inputting voter registration applications etc. July 29-August 1, 2019; 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	

14. To consider, discuss, and take any necessary action regarding pay increase for new Director of Nursing at \$43.36 per hour. Mike Griffis — Sheriff

A motion was made by Commissioner Childers to approve a pay increase for the new Director of Nursing at \$43.36 per hour; 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	

15. To consider, discuss, and take any necessary action regarding a request to hire a Legal Secretary to replace the previous Legal Secretary before their accrued vacation has expired and to approve a budget amendment. Bobby Bland — District Attorney

Commissioner Simmons made a motion to approve hiring a Legal Secretary to replace the previous Legal Secretary before their accrued vacation has expired and to approve a budget amendment; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

POLICIES/PROCEDURES

16. To consider, discuss, and take any necessary action regarding a referral fee payable to County employees for their assistance in filling positions, provided each new hire remains for a specific period of time. Patricia Patton — Human Resources

A motion was made by Commissioner Simmons to implement a referral fee policy to pay County employees for their assistance in filling positions, provided each new hire and referring employee remain employed for 90 days. The referral fee will be paid after the 90th day in the amount of \$300; Department Heads and Elected Officials are not eligible to receive the fee. This policy will include re-hires but not transfers; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

PUBLIC WORKS

17. To consider, discuss, and take any necessary action on Dawson Geophysical Company permission to conduct a 3D geophysical survey for and on behalf of Fairfield Geotechnologies on lands which Ector County is the acting agent and/own the surface mineral, and authorize the County Judge to sign. David Peck — Projects Manager

Commissioner Shelton made a motion to approve granting Dawson Geophysical Company permission to conduct a 3D geophysical survey for and on behalf of Fairfield Geotechnologies on lands which Ector County is the acting agent and/own the surface mineral, 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

- 17a. To consider, discuss, and take any necessary action on Dawson Geophysical Company permission to conduct a 3D geographical survey for and on behalf of Fasken Oil & Ranch on land which Ector County is the acting agent and /own the surface mineral, and authorize the County Judge to sign. David Peck — Projects Manager

A motion was made by Commissioner Shelton to approve granting Dawson Geophysical Company permission to conduct a 3D geographical survey for and on behalf of Fasken Oil & Ranch on land which Ector County is the acting agent and /own the surface mineral, 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

18. To consider, discuss, approve, and take any necessary action on the Notice of Intent (NOI) for Small Municipal Separate Storm Sewer Systems (MS4) permit and authorize the County Judge to sign.
David Peck — Projects Manager

Commissioner Childers made a motion to approve the Notice of Intent (NOI) for Small Municipal Separate Storm Sewer Systems (MS4) permit 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 Shelton	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

19. To consider, discuss, and take any necessary action for MI-IRC Development Copper Canyon RV Park to 1 1600 Monopoly Lane, Ector County, Texas and authorize the County Judge to sign. David Peck — Projects Manager

A motion was made by Commissioner Simmons to approve MI-IRC Development Copper Canyon RV Park to 11600 Monopoly Lane, 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

20. To consider, discuss, and take any necessary action for MHRC Development for Traylor Family Mobile Homes to serve 4000 E. Buttercup Odessa, Texas 79758, Ector County, Texas and authorize the County Judge to sign. David Peck — Project Manager

Commissioner Childers made a motion to approve MHRC Development for Traylor Family Mobile Homes to serve 4000 E. Buttercup Odessa, Texas 79758, 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 Shelton	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

21. To consider, discuss, and take any necessary action for MHRC Development Vargas RV Park to serve 13972 W. Fire Water Trail, Ector County, Texas and authorize the County Judge to sign. David Peck — Projects Manager

A motion was made by Commissioner Shelton to approve MHRC Development Vargas RV Park to serve 13972 W. Fire Water Trail, 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 Shelton	<u>✓</u> Commissioner Childers
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

CONSENT AGENDA

22. 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 Self-Funded Liability Fund, Claims, Settlements, 032-960-5382 from Self-Funded Liability Fund, County Legal Fees, 032-960-5384 for \$1,000. Randy Donner — County Auditor

Commissioner Childers made a motion to approve a line item transfer to Self-Funded Liability Fund, Claims, Settlements, 032-960-5382 from Self-Funded Liability Fund, County Legal Fees, 032-960-5384 for \$1,000; 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

BUDGET/FINANCIAL

23. To consider and approve a budget amendment to General Fund, Medical Examiner, Autopsy Services, 001-215-5305 for \$60,000 and General Fund, Medical Examiner, Transport Expense 001215-5162 for \$10,000 from General Fund, Unreserved Fund Balance, 001-3310 for \$70,000. Chuck Moad — Medical Examiner

A motion was made by Commissioner Simmons to approve a budget amendment to General Fund, Medical Examiner, Autopsy Services, 001-215-5305 for \$60,000 and General Fund, Medical Examiner, Transport Expense 001215-5162 for \$10,000 from General Fund, Unreserved Fund Balance, 001-3310 for \$70,000; 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

24. To present the County Judge's Proposed 2019-2020 Budget for public inspection and review. Debi Hays — County Judge

NO ACTION TAKEN ON THIS ITEM

25. To consider and approve the Accounts Payable Fund Requirements Report for July 23, 2019 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 July 23, 2019 to review County financial statements and reports; 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	

Commissioner Childers made a motion to adjourn into Executive Session; 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	

EXECUTIVE SESSION

26. 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

27. 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

28. 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

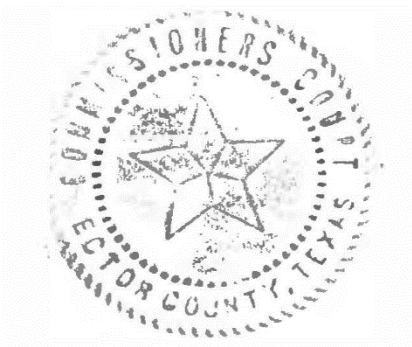
10:54 A.M

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, Jennifer Martin, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting of July 23, 2019.



Jennifer Martin
JENNIFER MARTIN, COUNTY CLERK
ECTOR COUNTY, TEXAS