

On this 26<sup>th</sup> day of February, 2019 at 10:00 a.m., came to be held a REGULAR meeting of the Ector County Commissioner's Court in the Commissioners' Courtroom, Ector County Administration Building Annex, Room 120, 1010 East 8th Street, 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 Childers.

Commissioner Rodriguez 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, approve, and take any necessary action regarding the District Clerk hosting a Passport Fair on Saturday, March 30, 2019, from 9:00 a.m. to 1:00 p.m., within the Ector County Courthouse.

Clarissa Webster – District Clerk

Commissioner Simmons made a motion to approve the District Clerk hosting a Passport Fair on Saturday, March 30, 2019, from 9:00 a.m. to 1:00 p.m., within the Ector County Courthouse; 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, approve, and take any necessary action to increase the fee charged for the District Clerk's passport photo services.

Clarissa Webster – District Clerk

A motion was made by Commissioner Simmons to increase the fee charged for the District Clerk's passport photo services; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

3. To consider, discuss, approve, and take any necessary action regarding authorizing the payment of 5 hours of overtime hours for each Deputy Clerk who will work the Passport Fair on March 30, 2019.

Clarissa Webster – District Clerk

Commissioner Childers made a motion to authorize the payment of 5 hours of overtime for each Deputy Clerk and Courthouse Security Officer who will work the Passport Fair on March 30, 2019; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

4. To consider, discuss, and take any necessary action to authorize the acceptance of insurance proceeds from Travelers – St. Paul and Marine in the amount of \$3,417.50 per Total Loss Declaration by Travelers of unit #952 Sheriff's Office Vehicle: 2011 Chevrolet Impala LS (Fleet), VIN #: 2G1WD5EM9B1211530 and authorize the County Judge to sign.  
Sam Brijalba – Human Resources

A motion was made by Commissioner Simmons to authorize the acceptance of insurance proceeds from Travelers – St. Paul and Marine in the amount of \$3,417.50 per Total Loss Declaration by Travelers of unit #952 Sheriff's Office Vehicle: 2011 Chevrolet Impala LS (Fleet), VIN #: 2G1WD5EM9B1211530, to remove from inventory 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

5. To consider, discuss, and take any necessary action regarding guidance on the Non-Citizen Report form the Secretary of State Advisory 2019-02 and authorize the County Judge to sign.  
Lisa Sertuche – Elections Office

### Item Tabled

6. To consider, discuss, approve, reject and take any necessary action regarding a request from the Plains All American Pipeline to close a section of W. Hillmont Road (Limits: from Sprague Road to Mary Francis Avenue) for subsurface contamination delineation due to previously punctured pipeline at the location and authorize the County Judge to sign.  
Evans Kessey – Highways & Streets

Commissioner Simmons made a motion to approve a request from the Plains All American Pipeline to close a section of W. Hillmont Road (Limits: from Sprague Road to Mary Francis Avenue) for subsurface contamination delineation due to previously punctured pipeline at the location and authorize the County Judge to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

7. To consider, discuss, and take any necessary action regarding replacement of the existing door entry system for the Sheriff Offices and Jail Administration Offices with new door entry system.  
Charles Pierce – Building Maintenance

A motion was made by Commissioner Simmons to replace the existing door entry system for the Sheriff Offices and Jail Administration Offices with new door entry system; A second was made by Commissioner Childers.

**MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

8. To consider, discuss, and take any necessary action to instruct the Human Resources Director on what action to take with regard to the vacancy created by the retirement of the Tax Assessor-Collector, effective February 28, 2019.  
Pat Patton – Human Resources

No action was taken until after meeting in Executive Session at which time Commissioner Simmons made a motion to post the position and to obtain a bond for Chief Deputy Lindy Wright in order for her to continue to run the office until further notice; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

#### **AWARDS OF BIDS/PROPOSALS**

9. To consider, discuss, approve, reject and take any necessary action on the following proposal specification: Coliseum – Horse Stall Barn and authorize the County Judge to sign.  
Kenneth Lind – Purchasing

A motion was made by Commissioner Childers to approve the following proposal specification: Coliseum – Horse Stall Barn 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

10. To consider, discuss, award, reject and take any necessary action regarding the following bids: a.) Liquid Asphalt Emulsions; b.) Asphalt Patching Material; c.) Graded Base Material; d.) Seal Coat Aggregate; and e.) Water, and authorize the County Judge to sign.  
Kenneth Lind – Purchasing

Commissioner Childers made a motion to approve the following bids: a.) Liquid Asphalt Emulsions; b.) Asphalt Patching Material; c.) Graded Base Material; d.) Seal Coat Aggregate; and e.) Water, and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

11. To consider, discuss, approve, reject and take any necessary action regarding the LEC Jail Additions Project with Public Power Pool for the electric rates at this facility and authorize the County Judge to sign.  
Kenneth Lind – Purchasing

A motion was made by Commissioner Rodriguez to approve the LEC Jail Additions Project with Public Power Pool for the electric rates at this facility 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 Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

12. To consider, discuss, award, reject and take any necessary action regarding the purchase of a Truck – 2019 Ford F-150 Crew Cab 4x2 SWB; approve a budget amendment for an amount of \$27,356 from Sheriff's Office, Donated Revenues, 051-4171 to Equipment Services Fund, Motor Vehicle Equipment, 051-770-5505 and authorize the County Judge to sign.  
Kenneth Lind – Purchasing  
Mike Griffis – Sheriff

Commissioner Shelton made a motion to approve the purchase of a Truck – 2019 Ford F-150 Crew Cab 4x2 SWB; approve a budget amendment for an amount of \$27,356 from Sheriff's Office, Donated Revenues, 051-4171 to Equipment Services Fund, Motor Vehicle Equipment, 051-770-5505 and authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

#### **CONTRACTS/AGREEMENTS/GRANTS**

13. To consider, discuss, approve, reject or take any necessary action regarding an agreement with Tyler Technologies, to approve a budget amendment to General Fund, County Treasurer, Office Supplies, 001-270-5171 from Unreserved Fund Balance, 001-3310 in the amount of \$1,250 and authorize the County Judge to sign.  
Cleopatra Callaway – County Treasurer

A motion was made by Commissioner Childers to approve an agreement with Tyler Technologies, to approve a budget amendment to General Fund, County Treasurer, Office Supplies, 001-270-5171 from Unreserved Fund Balance, 001-3310 in the amount of \$1,250 and authorize the County Judge to sign; A second was made by Commissioner Simmons. **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 approve a resolution for proposed grant to provide Swat Van and authorize the County Judge to sign.  
Mike Griffis – Sheriff

Commissioner Shelton made a motion to approve a resolution for proposed grant to provide Swat Van and authorize the County Judge to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

## PERSONNEL REQUESTS

15. To consider, discuss, and take any necessary action regarding a request to hire a previous employee who left as a Telecommunicator Step 6 and rehire back as a Telecommunicator at a Step 3.  
Mike Griffis – Sheriff

A motion was made by Commissioner Childers to hire a previous employee who left as a Telecommunicator Step 6 and rehire back as a Telecommunicator at a Step 3; A second was made by Commissioner Rodriguez.

### **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 to clarify the revision to 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

### **Item Tabled**

## PUBLIC WORKS

17. To consider, discuss, and take any necessary action on a Replat of a Portion of Lot 4, Block 5, Youngville Subdivision a Subdivision of Ector County, Texas and authorize the County Judge to sign.  
David Peck – Project Manager

Commissioner Shelton made a motion to approve a Replat of a Portion of Lot 4, Block 5, Youngville Subdivision a Subdivision of Ector County, Texas 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

18. To consider, discuss, and take any necessary action on Gardendale Terrace, Third Filing being 73.84 Acres out of Section 10, Block 41, T-1-S, T&P RR. Co. Survey, Ector County, Texas and authorize the County Judge to sign.  
David Peck – Project Manager

A motion was made by Commissioner Shelton to approve Gardendale Terrace, Third Filing being 73.84 Acres out of Section 10, Block 41, T-1-S, T&P RR. Co. Survey, Ector County, Texas and authorize the County Judge to sign; A second was made by Commissioner Simmons. **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 using funds from Airport Capital Improvement Fund 046-870-5509 to remove existing fence and relocate the fence at the Schlemeyer Field.  
David Peck – Projects Manager

Commissioner Shelton made a motion to use funds from Airport Capital Improvement Fund 046-870-5509 to remove existing fence and relocate the fence at the Schlemeyer Field; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

## CONSENT AGENDA

20. To review, consider, discuss, approve, and take any necessary action regarding the following proposed Consent Agenda:
- a. To consider, discuss, approve, and take any necessary action regarding a proposed line item transfer to FMLR Fund, Engineering Department, Department Furniture and Equipment, 002-820-5199, in the amount of \$4,000 from FMLR Fund, Engineering Department, Special Departmental Equipment, 002-830-5507 in the amount of \$4000.  
Evans Kessey – Engineering
  - b. To consider, discuss, approve, and take any necessary action regarding a proposed line item transfer to FMLR Fund, Traffic Operations Department, Special Departmental Equipment, 002-830-5507 in the amount of \$16,500 from FMLR Fund, Traffic Operations Department, Sign Materials & Supplies, 002-830-5245 for the acquisition of Sign Printing Equipment.  
Evans Kessey – Traffic Operations
  - c. To consider, discuss, approve, and take any necessary action regarding a proposed line item transfer to FMLR Fund, Engineering Department, Educational Travel, 002-820-5161 in the amount of \$3,000 from Road Department, Safety Training & Supplies, 002-810-5401 in the amount of \$1,000 and Educational Travel, 002-810-5161 in the amount of \$1,000 and from Traffic Operations Department, Educational Travel, 002-830-5161 in the amount of \$1,000.  
Evans Kessey – Highways & Streets

A motion was made by Commissioner Simmons to approve the following proposed Consent Agenda:

- a. To consider, discuss, approve, and take any necessary action regarding a proposed line item transfer to FMLR Fund, Engineering Department, Department Furniture and Equipment, 002-820-5199, in the amount of \$4,000 from FMLR Fund, Engineering Department, Special Departmental Equipment, 002-830-5507 in the amount of \$4000.  
Evans Kessey – Engineering
- b. To consider, discuss, approve, and take any necessary action regarding a proposed line item transfer to FMLR Fund, Traffic Operations Department, Special Departmental Equipment, 002-830-5507 in the amount of \$16,500 from FMLR Fund, Traffic Operations Department, Sign Materials & Supplies, 002-830-5245 for the acquisition of Sign Printing Equipment.  
Evans Kessey – Traffic Operations

- c. To consider, discuss, approve, and take any necessary action regarding a proposed line item transfer to FMLR Fund, Engineering Department, Educational Travel, 002-820-5161 in the amount of \$3,000 from Road Department, Safety Training & Supplies, 002-810-5401 in the amount of \$1,000 and Educational Travel, 002-810-5161 in the amount of \$1,000 and from Traffic Operations Department, Educational Travel, 002-830-5161 in the amount of \$1,000.  
Evans Kessey – Highways & Streets;

Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

## **BUDGET/FINANCIAL**

21. To consider, discuss, and take any necessary action regarding a budget amendment to Coliseum Fund, Building Materials 41-860-5241 from Unreserved Fund Balance 41-3310 in the amount of \$23,000 for a HVAC locker room renovation and authorize the County Judge to sign.  
Aaron Martin – Coliseum

Commissioner Simmons made a motion to approve a budget amendment to Coliseum Fund, Building Materials 41-860-5241 from Unreserved Fund Balance 41-3310 in the amount of \$23,000 for a HVAC locker room renovation 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

22. To consider, discuss, approve, and take any necessary action regarding a budget amendment from Unreserved Fund Balance, 001-3310 in the amount of \$37,018 to Non Departmental Other, Retirement, 001-950-5123 and authorize the County Judge to sign.  
Patricia Patton – Human Resources

A motion was made by Commissioner Simmons to discuss in Executive Session; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

Commissioner Simmons made a motion to approve as presented in Executive Session; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

23. To consider, discuss, and take any necessary action regarding a budget amendment to General Fund, Non Departmental Other, Professional Services, 001-950-5307 from Unreserved Fund Balance, 001-3310 in the amount of \$262,912.  
David R. Austin – County Auditor

A motion was made by Commissioner Childers to approve a budget amendment to General Fund, Non Departmental Other, Professional Services, 001-950-5307 from Unreserved Fund Balance, 001- 3310 in the amount of \$262,912; 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

24. To consider, discuss, and take any necessary action regarding a budget amendment to Airport Capital Improvement Fund, Grantee Contribution, 046-870-5398 from Unreserved Fund Balance, 046-3310 in the amount of \$90,380.

David R. Austin – County Auditor

Commissioner Childers made a motion to approve a budget amendment to Airport Capital Improvement Fund, Grantee Contribution, 046-870-5398 from Unreserved Fund Balance, 046-3310 in the amount of \$90,380; A second was made by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

25. To consider, discuss, and take any necessary action regarding Stifel Financial Corporation as an investment broker for County investments.

David R. Austin – County Auditor

A motion was made by Commissioner Simmons to approve Stifel Financial Corporation as an investment broker for County investments; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

26. To review, consider, discuss, approve, and take any necessary action regarding the Accounts Payable Fund Requirements Report for February 26, 2019, to review County financial statements and reports, and to authorize the County Judge to sign all documents associated with this agenda item.

David R. Austin – County Auditor

Commissioner Childers made a motion to approve the Accounts Payable Fund Requirements Report for February 26, 2019, to review County financial statements and reports, and to authorize the County Judge to sign all documents associated with this agenda item; A second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

**MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez



Commissioner Childers made a motion to adjourn into Executive Session; Commissioner Simmons seconded the motion. **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

**NO ACTION TAKEN**

- 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**

- 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**

**11:48 A.M.**

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

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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 February 26, 2019.

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JENNIFER MARTIN, COUNTY CLERK  
ECTOR COUNTY, TEXAS