

On this the 26th day of May, 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  
Dale Childers, Commissioner Precinct #3  
Armando Rodriguez, Commissioner Precinct #4  
Minutes taken by Jennifer Martin, County Clerk  
Absent:  
Greg Simmons, Commissioner Precinct #2

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:02 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 consider, discuss, and take any necessary action to appoint Timothy Benton, M.D. as Acting Local Health Authority in the absence of the appointed Local Health Authority for the Ector County Health Department (ECHD) and authorize the County Commissioners and the County Judge to sign.  
Brandy Garcia – Health Department

Commissioner Shelton made a motion to appoint Timothy Benton, M.D. as Acting Local Health Authority in the absence of the appointed Local Health Authority for the Ector County Health Department (ECHD) and authorize the County Commissioners and the County Judge to sign; a second was made by Commissioner Childers. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

2. To consider, discuss, and take any necessary action regarding a MOTRAN Presentation on I-27 and its effects on the Permian Basin and authorize the County Commissioners and the County Judge to sign.  
Debi Hays – County Judge

Dustin Fawcett, Vice-President of MOTRAN gave a presentation providing detailed information regarding HB 1079 and outlining the study and goals for SH 349 and SH 158.

A motion was made by Commissioner Childers to adopt a resolution regarding SH 349 and SH 158; Commissioner Shelton seconded the motion. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

3. To consider, discuss, and take any necessary action regarding the re-opening of the Ector County Coliseum to shows and events under the guidelines set forth by the Texas State Governor.  
Aaron Martin – Coliseum

Aaron Martin, Coliseum Director and Brandy Garcia, Health Department Director along with Dr. Jinadu addressed the court regarding plans to begin hosting events at the Ector County Coliseum in accordance with the guidelines issued by the Governor's Strike Force to Open Texas. The Court directed the Coliseum Director to create a plan for each event outlining the strategies that will be in place in order to comply with guidelines as set out by the CDC to help prevent the spread of COVID-19. The plan for each event will be reviewed and approved by the Health Department Director and/or Local Health Authority prior to each event taking place. THERE WAS NO VOTE ON THIS ITEM.

4. To consider, discuss, and take any necessary action to approve the Amended Notice of Joint Primary Runoff Election between the Democratic Party and the Republican Party from Tuesday, May 26, 2020 to Tuesday, July 14, 2020 and to approve the Amended Early Voting Schedule and authorize the County Judge and County Commissioners to sign.  
Lisa Sertuche – Elections Office

Commissioner Shelton made a motion to approve the Amended Notice of Joint Primary Runoff Election between the Democratic Party and the Republican Party from Tuesday, May 26, 2020 to Tuesday, July 14, 2020 and to approve the Amended Early Voting Schedule and authorize the County Judge and County Commissioners to sign; a second was made by Commissioner Childers. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

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

5. To consider, discuss, and take any necessary action regarding an application for grant funding pursuant to Section 601 of the Social Security Act, as added by Section 5001 of the CARES Act, and authorize the County Judge to sign all documents associated with this agenda item.  
Randy Donner – County Auditor

A motion was made by Commissioner Shelton to approve an application for grant funding pursuant to Section 601 of the Social Security Act, as added by Section 5001 of the CARES Act, and authorize the County Judge to sign all documents associated with this agenda item; Judge Hays seconded the motion.

**MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

6. To consider, discuss, and take any necessary action regarding the Vendor Food Services Agreement for the rest of this fiscal year and to discuss continuing the Vendor Food Service Agreement or preparing meals for seniors in-house for FY 2020 – 2021 and authorize the County Judge to sign.  
Donna Greaves – Senior Nutrition  
Lucy Soto – Purchasing

Commissioner Childers made a motion to approve the Vendor Food Services Agreement for the rest of this fiscal year and to discuss continuing the Vendor Food Service Agreement or preparing meals for seniors in-house for FY 2020 – 2021 and authorize the County Judge to sign; a second was made by Commissioner Shelton. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

## PERSONNEL REQUESTS

7. To consider, discuss, and take any necessary action to hire a Water Quality Specialist at a Step 2 due to having prior enforcement experience.  
Brandy Garcia – Health Department

A motion was made by Commissioner Childers to hire a Water Quality Specialist at a Step 2 due to having prior enforcement experience; Commissioner Shelton seconded the motion. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

8. To consider, discuss, and take any necessary action to hire a Buyer II position at a Step 4 due to experience.  
Lucy Soto – Purchasing

Commissioner Shelton made a motion to hire a Buyer II position at a Step 1 but the motion died due to lack of a second.

A motion was made by Commissioner Childers to hire a Buyer II position at a Step 3 due to experience; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 3-1**

Voting for Motion:

|                                 |                                |
|---------------------------------|--------------------------------|
| <u>✓</u> Judge Hays             | <u>✓</u> Commissioner Childers |
| <u>✓</u> Commissioner Rodriguez |                                |

Voting Against Motion:

|                               |
|-------------------------------|
| <u>✓</u> Commissioner Shelton |
|-------------------------------|

## PUBLIC WORKS

9. To consider, discuss, and take any necessary action to reconsider the 67<sup>th</sup> Street road improvement and to permit LCA, Inc. to modify design to include the extension of the road to connect to US 385, to provide guardrail to delineate TxDOT existing equalizer culvert east of Andrews Highway, to install force main pump as necessary, approve any additional cost for roadway reconfiguration design, specifications, and bid documents as proposed by LCA, Inc. to FMLR, Engineering, Professional Services, 002-820-5301; approve construction of the road cost Sales Tax District, 005-810-5509, Improvement and Construction and authorize the County Judge to sign.  
Evans Kessey – Public Works

Commissioner Shelton made a motion to reconsider the 67<sup>th</sup> Street road improvement and to permit LCA, Inc. to modify design to include the extension of the road to connect to US 385, to provide guardrail to delineate TxDOT existing equalizer culvert east of Andrews Highway, to install force main pump as necessary, approve any additional cost for roadway reconfiguration design, specifications, and bid documents as proposed by LCA, Inc. to FMLR, Engineering, Professional Services, 002-820-5301; approve construction of the road cost Sales Tax District, 005-810-5509, Improvement and Construction and authorize the County Judge to sign; a second was made by Commissioner Childers. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

10. To consider, discuss, and take any necessary action to improve the section of Redondo Avenue between 16<sup>th</sup> Street and University Blvd and to engage LCA to provide all necessary topographical survey, engineering design and drainage analysis for the project's preliminary assessment and preparation of specifications and bid documents for a fee not to exceed \$68,250; to consider and approve the survey and engineering design fee from FMLR, Engineering, Professional Services, 002-820-5301 and authorize the County Judge to sign.

Evans Kessey – Public Works

A motion was made by Commissioner Childers to improve the section of Redondo Avenue between 16<sup>th</sup> Street and University Blvd and to engage LCA to provide all necessary topographical survey, engineering design and drainage analysis for the project's preliminary assessment and preparation of specifications and bid documents for a fee not to exceed \$68,250; to consider and approve the survey and engineering design fee from FMLR, Engineering, Professional Services, 002-820-5301 and authorize the County Judge to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

## **BUDGET/FINANCIAL**

11. To consider, discuss, and approve a budget amendment to General Fund, Jail, Contract Services, 001-420-5309 from General Fund, Unreserved Fund Balance, 001-3310 for \$1,750,000.

Randy Donner – County Auditor

Commissioner Childers made a motion to approve a budget amendment to General Fund, Jail, Contract Services, 001-420-5309 from General Fund, Unreserved Fund Balance, 001-3310 for \$1,750,000; a second was made by Commissioner Shelton. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

12. To consider, discuss, and take any necessary action regarding the Ector County Monthly Treasurer's Report for March 2020 and authorize the County Commissioners and County Judge to sign.

Cleopatra Callaway – County Treasurer

A motion was made by Commissioner Childers to approve the Ector County Monthly Treasurer's Report for March 2020 and authorize the County Commissioners and County Judge to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

13. To consider and approve the Accounts Payable Fund Requirements Report for May 26, 2020 to review County financial statements and reports.

Randy Donner – County Auditor

Commissioner Childers made a motion to approve the Accounts Payable Fund Requirements Report for May 26, 2020 to review County financial statements and reports; a second was made by Commissioner Shelton.

**MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

14. To consider, discuss, and take any necessary action to discuss any and all issues related to COVID-19.  
Debi Hays – County Judge

NO ACTION WAS TAKEN ON THIS ITEM

15. To consider and discuss budget goals for 2020-2021 Budget, and long range planning and to conduct a review of the 2019-2020 Budget for all Ector County Elected Officials and County Departments including any adjustments incident thereto.  
Debi Hays – County Judge

NO ACTION WAS TAKEN ON THIS ITEM

Commissioner Childers made a motion to adjourn into Executive Session; Commissioner Shelton seconded the motion. **MOTION PASSED. 4-0**

Voting for Motion:

|                               |                                 |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

A motion was made by Commissioner Childers to reconvene with a second by Commissioner Shelton.

**MOTION PASSED. 4-0**

Voting for Motion:

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|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays           | <u>✓</u> Commissioner Childers  |
| <u>✓</u> Commissioner Shelton | <u>✓</u> Commissioner Rodriguez |

## **EXECUTIVE SESSION**

16. 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

17. 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

18. 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

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

NO ACTION WAS TAKEN ON THIS ITEM

12:37 P.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. 4-0**

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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 May 26, 2020.



Jennifer Martin  
JENNIFER MARTIN, COUNTY CLERK  
ECTOR COUNTY, TEXAS