

On this the 8th day of March, 2022, 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
Mike Gardner, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Don Stringer, 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 Simmons. Commissioner Stringer 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 approve and present a Proclamation to Harmony Home Children's Advocacy Center recognizing April as Child Abuse Prevention Month and authorize the County Judge and County Commissioners to sign.
Debi Hays – County Judge

Commissioner Simmons made a motion to approve a Proclamation to Harmony Home Children's Advocacy Center recognizing April as Child Abuse Prevention Month and authorize the County Judge and County Commissioners to sign; a second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

2. To receive an update and status report from the Ector County Library Committee.
Commissioners Court

Randy Ham addressed the court and gave a presentation on the findings of the Ivy Group Study. He also discussed the immediate need to hire a Director and reported that the Friends of the Library had offered to hire a recruiting service. Commissioner Simmons expressed his desire to hire someone local but asked that the Committee put an agenda item for recruitment services on the next agenda.

NO ACTION WAS TAKEN ON THIS ITEM

3. To consider, discuss, and take any necessary action on a resolution to host the 94th Annual West Texas County Judges and Commissioners Association Conference in 2024 and authorize the County Judge to sign.
Commissioners Court

A motion was made by Commissioner Simmons to approve a resolution to host the 94th Annual West Texas County Judges and Commissioners Association Conference in 2024 and authorize the County Judge to sign; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

4. To consider, discuss and approve repairing fence & gate damaged due to the expansion of Cottonwood Road in Gardendale, Ector County, Texas (Precinct 2) and authorize County Judge to sign all documents associated with this agenda item.
Greg Simmons – Commissioner Pct. 2

ITEM WITHDRAWN

5. To declare surplus and approve sale by auction the items on the attached list.
Lucy Soto – Purchasing

Commissioner Simmons made a motion to approve sale by auction the items on the attached list; a second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

6. To consider, discuss, and approve, reject, modify or take any necessary action regarding the purchase of a Centennial Black Topper 2000 Gallon Distributor; and authorize the County Judge to sign.
Lucy Soto – Purchasing

A motion was made by Commissioner Stringer to approve the purchase of a Centennial Black Topper 2000 Gallon Distributor; and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

7. To consider, discuss, and take any necessary action regarding options on total loss designation per Dairyland County Mutual Insurance Co of Texas regarding Unit #853 Ector County Building Maintenance – 2008 Ford F250 Pickup Truck – VIN # 1FTSX20598EA24128 – and to declare this vehicle as “Salvage Property” and dispose of said item per Section 263.151 and remove from County Inventory and authorize the County Judge to sign all documents associated with this agenda item.
Samuel Brijalba – Human Resources

Commissioner Stringer made a motion to accept the total loss designation per Dairyland County Mutual Insurance Co of Texas regarding Unit #853 Ector County Building Maintenance – 2008 Ford F250 Pickup Truck – VIN # 1FTSX20598EA24128 – and to declare this vehicle as “Salvage Property” and dispose of said item per Section 263.151 and remove from County Inventory and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Gardner.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

8. To consider, discuss, and take any necessary action to approve the Amended Notice of Joint Constitutional Amendments and the Ector County ISD Bond Election and Amended Election Day Voting Centers and authorize the County Judge to sign.
Lisa Sertuche – Elections

A motion was made by Commissioner Gardner to approve the Amended Notice of Joint Constitutional Amendments and the Ector County ISD Bond Election and Amended Election Day Voting Centers 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 Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

AWARD OF BIDS/PROPOSALS

9. To consider, discuss, approve, reject, or take any other necessary action on the extension of the On-Line Auctioneer Services; and authorize the County Judge to sign.
Lucy Soto – Purchasing

Commissioner Gardner made a motion to approve the extension of the On-Line Auctioneer Services 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 Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

10. To consider, discuss, and take any necessary action regarding Ector County's participation in the new request for proposal for Electrical Power Supply being issued by Public Power Pool (P3).
Lucy Soto – Purchasing

David Quinn addressed the court to give a presentation.

NO ACTION WAS TAKEN ON THIS ITEM

11. To award, reject, discuss, or take any necessary action regarding the cellphone and mobile device services to Verizon Wireless; and authorize the County Judge to sign.
Lucy Soto – Purchasing

A motion was made by Commissioner Simmons to approve the cellphone and mobile device services to Verizon Wireless; and authorize the County Judge to sign; Commissioner Gardner seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

CONTRACT/AGREEMENTS/GRANTS

12. To consider, discuss, and take any necessary action to approve the Required Documentation of Eminent Domain Authority in Texas, authorize the County Judge's signature and authorize submission of the report to the Texas Comptroller's Office.
Debi Hays – County Judge

Commissioner Simmons made a motion to approve the Required Documentation of Eminent Domain Authority in Texas, authorize the County Judge's signature and authorize submission of the report to the Texas Comptroller's Office; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

13. To consider, discuss, and take any necessary action regarding a required resolution to apply for grant funds with the Permian Basin Regional Planning Commission for a regional solid waste grant program and authorize the County Judge to sign.
Rickey George – Environmental Enforcement

A motion was made by Commissioner Gardner to approve a required resolution to apply for grant funds with the Permian Basin Regional Planning Commission for a regional solid waste grant program and authorize the County Judge to sign; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

14. To consider, discuss, and take any necessary action to approve the rental agreement with Odessa College for Employee Service Awards Luncheon and authorize the County Judge to sign.
Pat Patton – Human Resources

Commissioner Simmons made a motion to approve the rental agreement with Odessa College for Employee Service Awards Luncheon and authorize the County Judge to sign; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

15. To consider, discuss, and take any necessary action to approve exempting the competitive requirement for the purchase of professional medical services and to approve contracting with Dr. Perry Marchioni for psychiatric evaluation services for L-3 requirements.
Pat Patton – Human Resources

A motion was made by Commissioner Simmons to approve exempting the competitive requirement for the purchase of professional medical services and to approve contracting with Dr. Perry Marchioni for psychiatric evaluation services for L-3 requirements; Commissioner Gardner seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

16. To consider, discuss, and take any necessary action regarding Change Order #4 for Moss Mill & Overlay PO# 38099 and authorize the County Judge to sign all documents associated with this agenda item.
Lucy Soto – Purchasing
Steven Davis – Public Works

Commissioner Gardner made a motion to approve Change Order #4 for Moss Mill & Overlay PO# 38099 and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

17. To consider, discuss, and necessary action regarding an Amendment to a contract between Tyler Technologies, Inc. and the Clerk of Ector County and authorize the County Judge to sign.
Jennifer Martin – County Clerk

A motion was made by Commissioner Simmons to approve an Amendment to a contract between Tyler Technologies, Inc. and the Clerk of Ector County and authorize the County Judge to sign; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

18. To consider, discuss, and accept LexisNexis’s migration to a secure cloud environment and authorize the County Judge to sign.
Jennifer Martin – County Clerk

Commissioner Stringer made a motion to accept LexisNexis’s migration to a secure cloud environment 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 Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

19. To consider, discuss, and approve a contract with Axon, Inc. for body cameras and subscription and authorize the County Judge to sign.
Shawn Callendar – Post Sentence Monitor

A motion was made by Commissioner Gardner to approve a contract with Axon, Inc. for body cameras and subscription and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

PERSONNEL REQUEST

20. To consider, discuss, and take any necessary action regarding overtime for Courthouse Security and all Lieutenants.
Mike Griffis – Sheriff

Commissioner Gardner made a motion to approve overtime for Courthouse Security and all Lieutenants; a second was made by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

Item #20 was addressed again after Executive Session. Commissioner Gardner amended his motion to include that Lieutenants be changed from exempt to non-exempt and that the overtime be effective March 6, 2022; Commissioner Rodriguez amended his second. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

PUBLIC WORKS

21. To consider, discuss, and take any necessary action on a Replat of Lot 12, Block 1, of the Replat of Lots 1 – 6, Block 1 Pampas Villas, Section 5, Block 41, T-1-S, T&P RY. CO. Survey, of Ector County, Texas (Precinct 2) and authorize the County Judge to sign.
Steven Davis – Public Works

A motion was made by Commissioner Simmons to approve a Replat of Lot 12, Block 1, of the Replat of Lots 1 – 6, Block 1 Pampas Villas, Section 5, Block 41, T-1-S, T&P RY. CO. Survey, of Ector County, Texas (Precinct 2) and authorize the County Judge to sign; Commissioner Stringer seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

22. To consider, discuss, and take necessary action on Basin Industrial South Subdivision being a Replat of a 78.957 acre tract located in Section 47, Block 44, T-2-S, Texas and Pacific Railroad Survey, Ector County, Texas (Precinct 4) and authorize the County Judge to sign.
Steven Davis – Public Works

Commissioner Rodriguez made a motion to approve Basin Industrial South Subdivision being a Replat of a 78.957 acre tract located in Section 47, Block 44, T-2-S, Texas and Pacific Railroad Survey, Ector County, Texas (Precinct 4) and authorize the County Judge to sign; a second was made by Commissioner Simmons.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

CONSENT AGENDA

23. To review, consider, discuss, approve, and take any necessary action regarding the following proposed Consent Agenda:
- 23a. To consider, discuss, and approve a line item transfer to General Fund, Post Sentence Monitoring, Subscriptions, 001-425-5207 from Contract Services, 001-425-5309 for \$4,720.
Randy Donner – County Auditor

A motion was made by Commissioner Simmons to approve the proposed Consent Agenda; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

BUDGET/FINANCIAL

24. To consider and approve the Accounts Payable Fund Requirements Report for March 8, 2022 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 8, 2022 to review County financial statements and reports; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

Commissioner Stringer made a motion to adjourn into Executive Session; Commissioner Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

A motion to reconvene was made by Commissioner Gardner with a second by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

EXECUTIVE SESSION

25. To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.
Debi Hays - County Judge

Commissioner Simmons made a motion to approve the settlement of Coliseum contract dispute as discussed with legal counsel; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

26. 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

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

A motion was made by Commissioner Simmons to authorize Pat Patton to move forward with offering the individual the Human Resources Director position at the salary discussed in Executive Session; Commissioner Gardner seconded the motion. **MOTION PASSED. 4-1**

Voting for Motion:

Judge Hays
 Commissioner Gardner Commissioner Stringer
 Commissioner Simmons

Voting Against Motion:

Commissioner Rodriguez

12:26 P.M.

With no further business to discuss, Commissioner Simmons made a motion with a second by Commissioner Stringer 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 March 8, 2022.



Jennifer Martin
JENNIFER MARTIN, COUNTY CLERK
ECTOR COUNTY, TEXAS