

On this the 24th day of January, 2023, 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:

Dustin Fawcett, County Judge
Mike Gardner, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Don Stringer, Commissioner Precinct #3
Billy Hall, Commissioner Precinct #4
Minutes taken by: Barbara Brownlee, Chief Deputy County Clerk

when the following proceedings were had to-wit:

County Judge Dustin Fawcett 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 Hall 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 on MHRC Lot 35, Blk 38, Pleasant Farms Subdivision, Replat of 4th Filing (Prec. 4), and authorize the County Judge to sign all documents associated with this agenda item.
Eddie Landrum- Planning & Development

A motion was made by Commissioner Simmons to approve MHRC Lot 35, Blk 38, Pleasant Farms Subdivision, Replat of 4th Filing (Prec. 4), and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Stringer seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett
 Commissioner Gardner Commissioner Stringer
 Commissioner Simmons Commissioner Hall

2. To consider, discuss, and take any necessary action on a Replat of Lot 8 less the North 337.46 feet, Block 11, Pleasant Farms Subdivision A, Subdivision of 2.33 Acres in Section 48, Block 43, T-3-S Co., (Prec. 4), and authorize the County Judge to sign all documents associated with this agenda item.
Eddie Landrum- Planning & Development

Commissioner Hall made a motion to approve a Replat of Lot 8 less the North 337.46 feet, Block 11, Pleasant Farms Subdivision A, Subdivision of 2.33 Acres in Section 48, Block 43, T-3-S Co., (Prec. 4), 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:

Judge Fawcett
 Commissioner Gardner Commissioner Stringer
 Commissioner Simmons Commissioner Hall

3. To consider, discuss, and take any necessary action on a Replat of Tract 6, Save and Except the North 4 Acres of Tract 6 Belmont Acres A Subdivision of 18.00 acres of land, situated in

Section 1, Block 44, T-2-S, (Prec. 1), and authorize the County Judge to sign all documents associated with this agenda item.

Eddie Landrum- Planning & Development

A motion was made by Commissioner Gardner to approve a Replat of Tract 6, Save and Except the North 4 Acres of Tract 6 Belmont Acres A Subdivision of 18.00 acres of land, situated in Section 1, Block 44, T-2-S, (Prec. 1), and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

4. To consider, discuss, and take any necessary action to approve a cellular phone and monthly service for The Justice of the Peace, Prec. 3.

Bill Bowen- Justice of the Peace, Prec. #3

Commissioner Simmons made a motion to deny the request to approve a cellular phone and monthly service for The Justice of the Peace, Prec. 3 since none of the other JP Judges currently have a monthly cellular phone plan in place; a second was made by Commissioner Stringer. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

5. To consider, discuss, and take any necessary action in regards to the Sole Source List.

Lucy Soto- Purchasing

A motion was made by Commissioner Gardner to approve the Sole Source List; Commissioner Hall seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

6. To consider, discuss, and take any necessary action regarding specifications on request for qualifications for engineering services for the Greater Gardendale Water Supply Corporation (BCWSC) Water Distribution Project, and authorize the County Judge to sign all documents associated with this agenda item.

Lucy Soto- Purchasing

Commissioner Simmons made a motion to approve specifications on request for qualifications for engineering services for the Greater Gardendale Water Supply Corporation (BCWSC) Water Distribution Project, 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:

✓Judge Fawcett
✓Commissioner Gardner ✓Commissioner Stringer
✓Commissioner Simmons ✓Commissioner Hall

7. To consider, discuss, and take any necessary action in regards to the proposal specifications on Extermination of Mesquites, and authorize the County Judge to sign all documents associated with this agenda item.
Lucy Soto- Purchasing & Steven Davis- Public Works

A motion was made by Commissioner Stringer to approve the proposal specifications on Extermination of Mesquites, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Gardner seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett
✓Commissioner Gardner ✓Commissioner Stringer
✓Commissioner Simmons ✓Commissioner Hall

8. To consider, discuss, and take any necessary action in regards to the competitive sealed Proposal specifications on the construction of the Juvenile Justice Center (Proposal # 23-03-21-01; and authorize the County Judge to sign all documents associated with this agenda item.
Lucy Soto- Purchasing & Bill Carrigan- Building Maintenance

Tisha Crow approached the court with questions about the number of beds in the facility and the cost. Kevin Mann, Director of the Juvenile Center answered her questions.

Commissioner Simmons made a motion to approve the competitive sealed Proposal specifications on the construction of the Juvenile Justice Center (Proposal # 23-03-21-01; and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Hall.

MOTION PASSED 4-1

Voting for Motion:

✓Commissioner Gardner ✓Commissioner Stringer
✓Commissioner Simmons ✓Commissioner Hall

Voting Against Motion:

✓Judge Fawcett

9. To consider, discuss, and take any necessary action to declare surplus and approve the sale by auction of assets and other items listed in the documents associated with this agenda item.
Lucy Soto- Purchasing

A motion was made by Commissioner Simmons to approve the surplus and approve the sale by auction of assets and other items listed in the documents associated with this agenda item; Commissioner Gardner seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett
✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

10. To consider, discuss, and take any necessary action regarding a lease agreement between Ector County and U.S. Congressman August Pfluger's Office, and authorize the County Judge to sign all documents associated with this agenda item.
Dustin Fawcett- County Judge

Commissioner Stringer made a motion to discuss this item in Executive Session; a second was made by Commissioner Simmons. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

11. To consider, discuss, and take any necessary action to approve a resolution in support of hosting the 96th Annual County Judges and Commissioners Association Conference on April 22nd-25th, 2025, to pledge \$10,000 in support of hosting the conference, and to authorize the County Judge, County Clerk, and County Commissioners' to sign all documents associated with this agenda item.
Debbie Clay- Commissioners' Court

Commissioner Simmons told Randy Donner to be sure to add this item to the budget for the corresponding year. Randy Donner agreed.

Commissioner Simmons made a motion to approve a resolution in support of hosting the 96th Annual County Judges and Commissioners Association Conference on April 22nd-25th, 2025, to pledge \$10,000 in support of hosting the conference, and to authorize the County Judge, County Clerk, and County Commissioners' to sign all documents associated with this agenda item; a second was made by Commissioner Hall. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

12. To consider, discuss, and take any necessary action to appoint Judge Dustin Fawcett to the Policy Board for the Permian Basin Metropolitan planning organization.
Commissioners' Court

A motion was made by Commissioner Simmons to table this item; Commissioner Stringer seconded the motion. **MOTION PASSED 4-1**

Voting for Motion:

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

Voting Against Motion:

✓Judge Fawcett

13. To consider, discuss, and take any necessary action to approve a resolution appointing Mike Gardner, Prec. 1, to the Policy Board for the Permian Basin Metropolitan Planning Organization, and authorize the County Judge, County Clerk, and County Commissioners to sign all documents associated with this agenda item.

Mike Gardner- Commissioners' Court

Commissioner Stringer made a motion to approve a resolution appointing Mike Gardner, Prec. 1, to the Policy Board for the Permian Basin Metropolitan Planning Organization, and authorize the County Judge, County Clerk, and County Commissioners to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. **MOTION PASSED 4-1**

Voting for Motion:

Commissioner Gardner Commissioner Stringer
 Commissioner Simmons Commissioner Hall

Voting Against Motion:

Judge Fawcett

14. To consider, discuss, and take any necessary action to appoint Judge Dustin Fawcett to the MOTRAN Board (Midland-Odessa Transportation Alliance, Inc.).
Commissioners' Court

A motion was made by Commissioner Simmons to appoint Commissioner Gardner and Judge Fawcett to the MOTRAN Board (Midland-Odessa Transportation Alliance, Inc.); Commissioner Hall seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett
 Commissioner Gardner Commissioner Stringer
 Commissioner Simmons Commissioner Hall

15. To consider, discuss, and take any necessary action to appoint Judge Dustin Fawcett to the Odessa Partnership Board.
Commissioners' Court

Commissioner Hall made a motion to appoint Judge Dustin Fawcett to the Odessa Partnership Board; a second was made by Commissioner Simmons. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett
 Commissioner Gardner Commissioner Stringer
 Commissioner Simmons Commissioner Hall

CONTRACTS/AGREEMENTS/GRANTS

16. To consider, discuss, and take any necessary action to approve an Interlocal Cooperation Contract authorized by Texas Government Code, Chapter 791 and Texas Local Government Code, Chapter 262 with Presidio County, to receive planning and needs assessment services

from the Texas Department of Agriculture through the Colonia Fund: Planning & Needs Assessment Program.
Dustin Fawcett- County Judge

A motion was made by Commissioner Simmons to approve an Interlocal Cooperation Contract authorized by Texas Government Code, Chapter 791 and Texas Local Government Code, Chapter 262 with Presidio County, to receive planning and needs assessment services from the Texas Department of Agriculture through the Colonia Fund: Planning & Needs assessment Program; Commissioner Gardner seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett
 Commissioner Gardner Commissioner Stringer
 Commissioner Simmons Commissioner Hall

CONSENT AGENDA

17. To consider, discuss, and take any necessary action to approve a line item transfer to General Fund, Library, Professional Dues/Fees, 001-690-5302 from New Books, 001-690-5201 for \$740, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.
Randy Donner- County Auditor

Commissioner Hall made a motion to approve a line item transfer to General Fund, Library, Professional Dues/Fees, 001-690-5302 from New Books, 001-690-5201 for \$740, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett
 Commissioner Gardner Commissioner Stringer
 Commissioner Simmons Commissioner Hall

18. To consider, discuss, and take any necessary action to approve a line item transfer to General Fund, Justice of the Peace Prec. 1, Professional Dues and Fees, 001-201-5302 from Office Supplies, 001 -201 -5 I 7 I for \$ 10, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.
Terry Lange- Justice of the Peace, Prec. #1

A motion was made by Commissioner Simmons to approve a line item transfer to General Fund, Justice of the Peace Prec. 1, Professional Dues and Fees, 001-201-5302 from Office Supplies, 001 -201 -5 I 7 I for \$ 10, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett
 Commissioner Gardner Commissioner Stringer
 Commissioner Simmons Commissioner Hall

19. To consider, discuss, and take any necessary action to approve a line item transfer to Self-Funded Liability Insurance Fund, Public officials Liability, 032-960-5366 from County Legal Fees, 032-960-5334 for \$466, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Randy Donner- County Auditor

Commissioner Simmons made a motion to approve a line item transfer to Self-Funded Liability Insurance Fund, Public officials Liability, 032-960-5366 from County Legal Fees, 032-960-5334 for \$466, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Gardner. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett

Commissioner Gardner Commissioner Stringer

Commissioner Simmons Commissioner Hall

20. To consider, discuss, and take any necessary action to receive a presentation from Jennifer Edwards at Johnson Controls, Inc. regarding Year I Measurement & Verification Services. Lucy Soto- Purchasing & Billy Carrigan- Building Maintenance

A motion was made by Commissioner Simmons to table this item due to the absence of Jennifer Edwards; Commissioner Hall seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett

Commissioner Gardner Commissioner Stringer

Commissioner Simmons Commissioner Hall

21. To consider, discuss, and take any necessary action regarding the cancellation of the Measurement and Verification Services from Johnson Controls included under the Performance Contract and to make that cancellation retroactive effective November 1 2022, and authorize the county Judge to sign all documents associated with this agenda item. Lucy Soto- Purchasing & Billy Carrigan- Building Maintenance

Commissioner Simmons made a motion to table this item due to the absence of Jennifer Edwards; a second was made by Commissioner Hall. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett

Commissioner Gardner Commissioner Stringer

Commissioner Simmons Commissioner Hall

22. To consider, discuss, and take any necessary action to approve a five year contract with NAHLOdessa Jackalopes Hockey Organization, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item. Aaron Martin- Coliseum

A motion was made by Commissioner Stringer to approve a five year contract with NAHLOdessa Jackalopes Hockey Organization, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett

Commissioner Gardner Commissioner Stringer

Commissioner Simmons Commissioner Hall

23. To consider, discuss, and take any necessary action to approve a five year contract with Jack Shack Entertainment Concessions Organization, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.
Aaron Martin- Coliseum

Commissioner Simmons made a motion to approve a five year contract with Jack Shack Entertainment Concessions Organization, and to add a line in the contract for all proceeds from the concessions to go into one account to better keep track of the funds. There was to be a six month time frame to have this done and to authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Stringer. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett

Commissioner Gardner Commissioner Stringer

Commissioner Simmons Commissioner Hall

BUDGET/FINANCIAL

24. To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, Justice of the Peace, Prec. 3, Departmental Furniture & Equipment, 001-203-5199 from Unreserved Fund Balance, 001-3310 for \$2,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.
Bill Bowen- Justice of the Peace, Prec. #3

A motion was made by Commissioner Simmons to approve a budget amendment to General Fund, Justice of the Peace, Prec. 3, Departmental Furniture & Equipment, 001-203-5199 from Unreserved Fund Balance, 001-3310 for \$2,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Gardner seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett

Commissioner Gardner Commissioner Stringer

Commissioner Simmons Commissioner Hall

25. To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, Library, Library Supplies, 001-690-5185, and to donated revenues, 001-4171 for \$15,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.
Howard Marks- County Library

Commissioner Hall made a motion to approve a budget amendment to General Fund, Library, Library Supplies, 001-690-5185, and to donated revenues, 001-4171 for \$15,000, and authorize the County Judge

and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

26. To consider, discuss, and take any necessary action to approve a budget amendment to the Coliseum Capital Improvement Fund, Contract Services, 043-860-5309 from Unreserved Fund Balance, 043-3310 for \$240,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Aaron Martin- Coliseum

A motion was made by Commissioner Simmons to pay \$80,000 to cover the amount currently due and to authorize Aaron Martin and the IT department to renegotiate the contract for a lower rate; Commissioner Gardner seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

27. To consider, discuss, and take any necessary action to approve a budget amendment to Sales Tax Fund, Animal Control, Animal Supplies & Expense, 005-361-5198, and to donated revenues, 005-417 for \$ 1,751, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Randy Donner- County Auditor

Commissioner Hall made a motion to approve a budget amendment to Sales Tax Fund, Animal Control, Animal Supplies & Expense, 005-361-5198, and to donated revenues, 005-417 for \$ 1,751, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

28. To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, Non Departmental Health & Welfare, Indigent Burials, 001-520-5396 from Unreserved Fund Balance, 001-3310 for \$ 15,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Randy Donner- County Auditor

A motion was made by Commissioner Hall to approve a budget amendment to General Fund, Non Departmental Health & Welfare, Indigent Burials, 001-520-5396 from Unreserved Fund Balance, 001-3310 for \$ 15,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

29. To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, County Judge, Office Supplies, 001-010-5171 for \$500, to Educational Travel, 001-010-5161 for \$3,100 from Unreserved Fund Balance for \$3,600, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.
Dustin Fawcett- County Judge

Commissioner Simmons made a motion to approve a budget amendment to General Fund, County Judge, Office Supplies, 001-010-5171 for \$500, to Educational Travel, 001-010-5161 for \$3,100 from Unreserved Fund Balance for \$3,600, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Gardner. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

30. To consider, discuss, and take any necessary action to approve the Accounts Payable Fund Requirements Report for January 24th, 2023, and review County financial statements and reports.
Randy Donner - County Auditor

A motion was made by Commissioner Gardner to approve the Accounts Payable Fund Requirements Report for January 24th, 2023, and review County financial statements and reports; Commissioner Simmons seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

Commissioner Simmons made a motion to adjourn into Executive Session with a second by Commissioner Stringer. **MOTION PASSED 5-0**

Voting for Motion:

✓Judge Fawcett

✓Commissioner Gardner ✓Commissioner Stringer

✓Commissioner Simmons ✓Commissioner Hall

EXECUTIVE SESSION

- 31 . To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551 .071, Texas Government Code.
Dustin Fawcett- County Judge

NO ACTION TAKEN

32. To consider and discuss real estate/transactions pursuant to Title 5, Chapter 551, Section 55L072, Texas Government Code.

Dustin Fawcett- County Judge

NO ACTION TAKEN

33. To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 55I.074, Texas Government Code.

Dustin Fawcett- County Judge

NO ACTION TAKEN

10. To consider, discuss, and take any necessary action regarding a lease agreement between Ector County and U.S. Congressman August Pfluger's Office, and authorize the County Judge to sign all documents associated with this agenda item.

Dustin Fawcett- County Judge

Commissioner Gardner made a motion to reconvene after Executive Session and a second was made by Commissioner Simmons. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett

Commissioner Gardner Commissioner Stringer

Commissioner Simmons Commissioner Hall

10. To consider, discuss, and take any necessary action regarding a lease agreement between Ector County and U.S. Congressman August Pfluger's Office, and authorize the County Judge to sign all documents associated with this agenda item.

Dustin Fawcett- County Judge

A motion was made by Commissioner Stringer to approve the lease agreement between Ector County and U.S. Congressman August Pfluger's Office with the changes discussed in Executive Session; and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. **MOTION PASSED 5-0**

Voting for Motion:

Judge Fawcett

Commissioner Gardner Commissioner Stringer

Commissioner Simmons Commissioner Hall

12:35 P.M.

With no further business to discuss, Commissioner Stringer made a motion with a second by Commissioner Hall to adjourn to the call of the chair. **MOTION PASSED 5-0**

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Barbara Brownlee, Chief Deputy, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting of January 24, 2023


BARBARA BROWNLEE, CHIEF DEPUTY
ECTOR COUNTY, TEXAS

