

On this the 21<sup>st</sup> day of December, 2017, 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. 8<sup>th</sup> St., Odessa, Texas with the following members present:

Ron Eckert, 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 Linda Haney, County Clerk

when the following proceedings were had to-wit:

County Judge Ron Eckert called the meeting to order at 10:06 A. M. with a quorum of the court present.

The invocation was led by Ron Eckert, County Judge.

Commissioner Dale 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 review, consider, discuss, approve, reject, and take any necessary action regarding a request from Adriana Prieto from Odessa Roller Rink (818 E. 8<sup>th</sup> St., Odessa, Texas) to utilize the west side parking lot of the Ector County Administration Building on Saturday, December 30, 2017, to park food trucks for a company event, authorizing the County Judge, County Commissioners, and other county officials and employees to sign all documents associated with this agenda item.  
Eddy Shelton – Commissioner Pct. 1

Commissioner Shelton made a motion to approve a request from Adriana Prieto from Odessa Roller Rink (818 E. 8<sup>th</sup> St., Odessa, Texas) to utilize the west side parking lot of the Ector County Administration Building on Saturday, December 30, 2017, to park food trucks for a company event, authorizing the County Judge, County Commissioners, and other county officials and employees to sign all documents associated with this agenda item; Commissioner Childers seconded the motion. **MOTION PASSED. 4-1**

Voting for Motion:

<u>✓</u> Judge Eckert	<u>✓</u> Commissioner Shelton
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Childers

Voting against Motion:

✓ Commissioner Rodriguez

2. To review, receive, consider, discuss and take any necessary action on a presentation from Building Maintenance regarding the new work order system, covering the period of October 2017 through November 2017, authorizing the County Judge and other county officials and employees to sign all documents associated with this agenda item.  
Charles Pierce – Building Maintenance

Charles Pierce, Maintenance Foreman with the Building Maintenance Department gave a power point presentation of the new work order system for the period of October, 2017 through November, 2017. The presentation provided information on various county buildings with associated cost for labor and materials. No court action was required on the item.

3. To consider, discuss, approve, and take any necessary action to allow Scott Layh, Judge of County Court at Law No. 2, to purchase a Surface Pro issued to him by Ector County, authorizing the County Judge, County Commissioners, and other county officials and employees to sign all documents associated with this agenda item.  
M. Scott Layh – County Court at Law No. 2

Item #3 was withdrawn.

4. To review, consider, discuss, accept, and take any other action regarding the resignation of Scott Layh, Judge of County Court at Law No. 2, effective December 30, 2017, and to express gratitude to him for his years of service and dedication to Ector County, authorizing the County Judge, County Commissioners, and other county officials and employees to sign all documents associated with this agenda item.  
Ron Eckert – County Judge

Commissioner Shelton made a motion to accept the resignation of Scott Layh, Judge of the County Court at Law No. 2 effective December 30, 2017; Commissioner Rodriguez seconded the motion.

**MOTION PASSED. 5-0**

Voting for Motion:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Judge Eckert          |  |
| <input checked="" type="checkbox"/> Commissioner Shelton  | <input checked="" type="checkbox"/> Commissioner Simmons   |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

**CONTRACTS/AGREEMENT/GRANTS**

5. To review, consider, approve, reject, discuss, or take any other action regarding the proposed AIA Agreement Document A101-2007, between Ector County, as Owner, and Cooper Construction Company, Inc., as Contractor, for the Law Enforcement Center – Additions and Renovations, authorizing the County Judge and other county officials and employees to sign said agreement and all other documents associated with this agenda item.  
Kenneth Lind – Purchasing

A motion was made by Commissioner Shelton with a second by Commissioner Childers to approve the AIA Agreement Document A101-2007, between Ector County, as Owner, and Cooper Construction Company, Inc., as Contractor, for the Law Enforcement Center – Additions and Renovations, authorizing the County Judge and other county officials and employees to sign said agreement and all other documents associated with this agenda item. **MOTION PASSED. 5-0**

Voting for Motion:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Judge Eckert          |  |
| <input checked="" type="checkbox"/> Commissioner Shelton  | <input checked="" type="checkbox"/> Commissioner Simmons   |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

6. To consider, discuss, and take any necessary action to approve the 2018 Indigent Defense Formula Grant, authorizing the County Judge, County Commissioners, and other county officials and employees to sign, complete, and submit the resolution and all other documents associated with this agenda item.  
Randy Ragsdale – Auditor’s Office

Commissioner Childers made a motion for approval of the 2018 Indigent Defense Formula Grant, authorizing the County Judge, County Commissioners, and other county officials and employees to sign, complete, and submit the resolution and all other documents associated with this agenda item; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Judge Eckert          |  |
| <input checked="" type="checkbox"/> Commissioner Shelton  | <input checked="" type="checkbox"/> Commissioner Simmons   |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

7. To consider, discuss, and take any necessary action to approve and accept a grant from the Friends of Ector County Library in the amount of \$23,100.00 for the support of the library programming, authorizing the County Judge, County Commissioners, and other county officials and employees to complete, sign, and submit all documents associated with this agenda item.  
Rebecca Taylor – Library

A motion was made by Commissioner Simmons with a second by Commissioner Shelton to accept a grant from the Friends of Ector County Library in the amount of \$23,100.00 for the support of the library programming, authorizing the County Judge, County Commissioners, and other county officials and employees to complete, sign, and submit all documents associated with this agenda item accept

**MOTION PASSED. 5-0**

Voting for Motion:

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

**PERSONNEL REQUESTS**

8. To consider, review, discuss, approve, reject, and take any necessary action regarding a proposal to set starting pay for TVFC/Immunization Program Specialist and Outreach Coordinator at \$16.07/hr., authorizing the County Judge, County Commissioners, and other county officials to sign all documents associated with this agenda item.  
Gino Solla – Health Department

Commissioner Childers made a motion for approval to set starting pay for TVFC/Immunization Program Specialist and Outreach Coordinator at \$16.07/hr., authorizing the County Judge, County Commissioners, and other county officials to sign all documents associated with this agenda item; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

9. To consider, review, discuss, approve, reject, and take any necessary action regarding a proposal to set starting pay for Environmental Section Chief Sanitarian at \$22.34/hr., authorizing the County Judge, County Commissioners, and other county officials to sign all documents associated with this agenda item.  
Gino Solla – Health Department

Item #9 was withdrawn.

10. To consider, discuss, and take any necessary action regarding a request to hire a Welder at a Step 5 due to previous experience, authorizing the County Judge, County Commissioners, and other county officials and employees to sign all documents associated with this agenda item.  
Evans Kessey – Road Maintenance

Commissioner Simmons made a motion for approval to hire a Welder at a Step 5 due to previous experience, authorizing the County Judge, County Commissioners, and other county officials and employees to sign all documents associated with this agenda item; Commissioner Childers seconded the motion.

**MOTION PASSED. 5-0**

Voting for Motion:

- ✓ Judge Eckert

✓ Commissioner Shelton  
✓ Commissioner Childers

✓ Commissioner Simmons  
✓ Commissioner Rodriguez

## LITIGATION MATTERS

11. To consider, discuss, and take any necessary action regarding the following pending lawsuit: *Christopher Lynn Douglas v. Ector County, C.O. Gonzales, Sgt. FNU Martinez*, Civil Action No. MO: 17-CV-208-RAJ-DC, in the United States District Court Western District of Texas Midland-Odessa Division (Executive Session may first be held to deliberate regarding legal matters associated with this case as per agenda item 17 below, incorporated by reference herein, in accordance with Title 5, Chapter 551, Section 551.071 of the Texas Government Code; if executive session is held, no action will be taken in executive session and any action actually taken on this agenda item 11 will instead be taken in open session, following executive session, once business for open session has resumed).

Ron Eckert– County Judge

A motion was made by Commissioner Simmons with a second by Commissioner Shelton to assign the matter to outside counsel Denis Dennis and his law firm to represent the county in this cause of action.

### **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Eckert

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

## CONSENT AGENDA

12. To review, consider, discuss, approve, and take any necessary action regarding the following Consent Agenda:
- a. To consider, discuss, approve, and take any necessary action regarding a proposed line item transfer to Jail Expansion Project, Advertising Expense, 047-420-5403 from Improvement and Construction, 047-420-5509 in the amount of \$262, authorizing the County Judge and other county officials and employees to sign all documents associated with this agenda item.  
David R. Austin – County Auditor

Commissioner Shelton made a motion for approval of a line item transfer to Jail Expansion Project, Advertising Expense, 047-420-5403 from Improvement and Construction, 047-420-5509 in the amount of \$262, authorizing the County Judge and other county officials and employees to sign all documents associated with this agenda item; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Eckert

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

## BUDGET/FINANCIAL

13. To review, consider, discuss, approve, and take any necessary action regarding a proposed budget amendment to General Fund, Donated Revenues, 001-4171 and to General Fund, Sheriff, Uniform Supplies, 001-360-5176 for \$11,200, authorizing the County Judge and other county officials and employees to sign all documents associated with this agenda item.  
Mike Griffis – Sheriff

A motion was made by Commissioner Childers with a second by Commissioner Shelton for approval of a budget amendment to General Fund, Donated Revenues, 001-4171 and to General Fund, Sheriff, Uniform Supplies, 001-360-5176 for \$11,200, authorizing the County Judge and other county officials and employees to sign all documents associated with this agenda item. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Eckert	
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Simmons
<u>✓</u> Commissioner Childers	<u>✓</u> Commissioner Rodriguez

14. To review, consider, discuss, approve, and take any necessary action regarding a proposed budget amendment to Capital Projects Fund, Special Departmental Equipment, 045-990-5507 from Unreserved Fund Balance, 045-3310 in the amount of \$400,000, authorizing the County Judge and other county officials and employees to sign all documents associated with this agenda item.

David R. Austin – County Auditor

Commissioner Shelton made a motion for approval of a budget amendment to Capital Projects Fund, Special Departmental Equipment, 045-990-5507 from Unreserved Fund Balance, 045-3310 in the amount of \$400,000, authorizing the County Judge and other county officials and employees to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Eckert	
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Simmons
<u>✓</u> Commissioner Childers	<u>✓</u> Commissioner Rodriguez

15. To review, consider, discuss, and approve the Accounts Payable Fund Requirements Report for December 21, 2017, and to review, consider, discuss, and approve County financial statements and reports, authorizing the County Judge and other county officials and employees to sign all documents associated with this agenda item.

David R. Austin – County Auditor

Commissioner Childers made a motion for approval of the Accounts Payable Fund Requirements Report for December 21, 2017, to review County financial statements and reports, and to authorize the County Judge to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion.

**MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Eckert	
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Simmons
<u>✓</u> Commissioner Childers	<u>✓</u> Commissioner Rodriguez

### **10:30 A.M.**

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

### **11:40 A.M.**

A motion was made by Commissioner Childers with a second by Commissioner Simmons to resume the meeting in Open Session. **MOTION PASSED. 5-0**

## EXECUTIVE SESSION

16. To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.  
Ron Eckert – County Judge

No action taken on Item #16.

17. To consider and discuss legal matters regarding the following pending lawsuit: *Christopher Lynn Douglas v. Ector County, C.O. Gonzales, Sgt. FNU Martinez*; Civil Action No. MO:17-CV-208-RAJ-DC, in the United States District Court Western District of Texas Midland-Odessa Division, pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.  
Ron Eckert – County Judge

Action on this item was taken in General Session; refer to Agenda Item #11.

18. To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.  
Ron Eckert – County Judge

No action on Item #18.

19. To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.  
Ron Eckert – County Judge

Commissioner Simmons made a motion to appoint Anna Marie Torres as the Interim Cemetery Director beginning January 1, 2018 and to authorize the Human Resources to post and advertise for the permanent position of Cemetery Director; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**  
Voting for Motion:

Judge Eckert  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

20. To consider and discuss personnel matters, including the conducting of interviews with applicants for the Veterans Service Officer position, the review, consideration, and discussion of resumes and applications submitted by applicants for the Veterans Service Officer position as well as the respective qualifications of the applicants, and the filling of the vacant Veterans Service Officer position resulting from the retirement of the previous Veterans Service Officer, pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.  
Patricia Patton – Human Resources

A motion was made by Commissioner Simmons with a second by Commissioner Rodriguez to offer vacant Veterans Service Officer position to Sunshine Thompson, a current part-time employee and that she be transferred to full-time status starting January 1, 2018 at the posted salary, Step 1. **MOTION PASSED. 5-0**  
Voting for Motion:

Judge Eckert  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

**11:46 A.M**

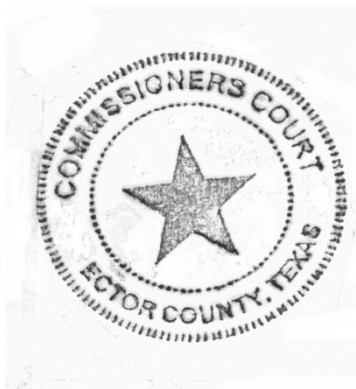
With no further business to discuss, Commissioner Childers made a motion with a second by Commissioner Simmons to adjourn to the call of the chair. **MOTION PASSED. 5-0**

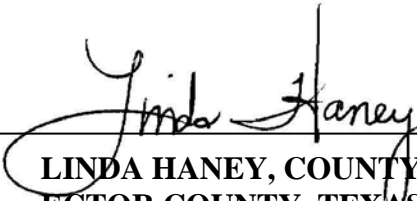
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**THE STATE OF TEXAS**

**COUNTY OF ECTOR**

**I, Linda Haney, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting of December 21, 2017.**



  
LINDA HANEY, COUNTY CLERK  
ECTOR COUNTY, TEXAS