

On this the 9th day of July, 2019, 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  
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 10:04 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 regarding a resolution authorizing the creation of the Ector County Public Facility Corporation pursuant to Chapter 303 of the Texas Local Government Code to act on behalf of Ector County, Texas; approving the Certificate of Formation and Bylaws related thereto; and authorize the County Judge and County Commissioners to sign.  
Debi Hays – County Judge

The following people addressed the court to provide information concerning the creation of the Ector County Public Facility Corporation:

Bill Fowler, Attorney at Law and Board Member of Odessa Housing Finance Corporation  
Jill Miller, Director of Odessa Housing Finance Corporation  
Tommy Irvin – Ector County Utility District

Commissioner Simmons made a motion to table the item until the next Commissioner Court meeting; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

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

2. To consider, discuss, and take any necessary action to approve a resolution for the August Unified Transportation Plan (UTP) revision and ratify the County Judge and County Commissioners signature.  
Debi Hays – County Judge

A motion was made by Commissioner Childers to approve a resolution for the August Unified Transportation Plan (UTP) revision and ratify the County Judge and County Commissioners signature; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

3. To accept a donation of \$100,000.00 from Bustin for Badges for the Ector County Sheriff's Office.  
Mike Griffis – Sheriff

Commissioner Simmons made a motion to accept a donation of \$100,000.00 from Bustin for Badges for the Ector County Sheriff's Office; A second was made by Commissioner Shelton. **MOTION PASSED. 5-0**

Voting for Motion:

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

4. To accept a donation of \$200.00 from Quinton Kelley for the Ector County Sheriff's Office.  
Mike Griffis – Sheriff

A motion was made by Commissioner Simmons to accept a donation of \$200.00 from Quinton Kelley for the Ector County Sheriff's Office; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

5. To accept a donation of a White's VX3 Spectra Series Metal Detector from Royce Underwood for the Ector County Sheriff's Office.  
Mike Griffis – Sheriff

Commissioner Simmons made a motion to accept a donation of a White's VX3 Spectra Series Metal Detector from Royce Underwood for the Ector County Sheriff's Office; A second was made by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

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

6. To consider, discuss, and take any necessary action to purchase 2 ovens in the amount of \$5,944.66 for the Ector County Youth Center.  
Charles Pierce – Building Maintenance

A motion was made by Commissioner Shelton to purchase 2 ovens in the amount of \$5,944.66 for the Ector County Youth Center; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

7. To consider, discuss, approve, reject, and take any necessary action on a purchase of Scag Bagger Mower for Building Maintenance Department, and to approve or reject the purchase of such item from Equipment Services Fund expenditure line item, Motor Vehicle Equipment, 051-770-5505 in the amount of \$2,099 and authorize the County Judge to sign.  
Evans Kessey – Equipment Services

ITEM WITHDRAWN

8. To consider, discuss, approve, reject, and take any necessary action regarding a request from the Entrench Civil Contractors, Inc. to close a section of N. Canyon Avenue along 16<sup>th</sup> Street in Precinct 1 for Ocotillo Park Waterline Installation.  
Evans Kessey – Highways & Streets

Commissioner Shelton made a motion to approve a request from the Entrench Civil Contractors, Inc. to close a section of N. Canyon Avenue along 16<sup>th</sup> Street in Precinct 1 for Ocotillo Park Waterline Installation; A second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

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

## **AWARD OF BIDS/PROPOSALS**

9. To consider, discuss, approve, reject, modify, or take any necessary action on the following bid specification: Highways & Streets – Metal Shed Covers for Equipment Option #2; and authorize the County Judge to sign.  
Kenneth Lind – Purchasing  
Evans Kessey – Highways & Streets

A motion was made by Commissioner Simmons to approve the bid specification: Highways & Streets – Metal Shed Covers for Equipment Option #2; and authorize the County Judge to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

## **CONTRACTS/AGREEMENTS/GRANTS**

10. To consider, discuss, and take any necessary action to extend the termination date of the Flexible Benefits Plan Document and Summary Plan description of the Cafeteria Plan being administered by American Fidelity Assurance Company on behalf of Ector County in compliance with IRS Code Section 125 to September 30, 2019 and authorize the County Judge to sign.  
Pat Patton – Human Resources

Commissioner Childers made a motion to to extend the termination date of the Flexible Benefits Plan Document and Summary Plan description of the Cafeteria Plan being administered by American Fidelity Assurance Company on behalf of Ector County in compliance with IRS Code Section 125 to September 30, 2019 and authorize the County Judge to sign; A second was made by Commissioner Shelton.

**MOTION PASSED. 5-0**

Voting for Motion:

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

11. To consider, discuss, and take any necessary action to extend the termination date for the Subscription Agreement between Ector County and American Fidelity Assurance Company until September 30, 2019 and authorize the County Judge to sign.  
Pat Patton – Human Resources

A motion was made by Commissioner Simmons to extend the termination date for the Subscription Agreement between Ector County and American Fidelity Assurance Company until September 30, 2019 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

12. To consider, discuss, and take any necessary action regarding a request to reclassify two Senior Deputies.  
Jennifer Martin – County Clerk

Commissioner Simmons made a motion to deny a request to reclassify two Senior Deputies and address the request during the 2019-2020 budget planning process; A second was made by Commissioner Childers.

**MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays  
✓ Commissioner Shelton                      ✓ Commissioner Childers  
✓ Commissioner Simmons                      ✓ Commissioner Rodriguez

## POLICIES/PROCEDURES

13. To consider, discuss, and take any necessary action to allow any Ector County employee, who opts out of county-provided health and dental insurance, to receive a monthly stipend, as well as participate in the Employee Wellness Center, provided the employee takes an annual Health Risk Assessment (HRA) within 60 days of opting out.  
Dale Childers – Commissioner Pct. 3

A motion was made by Commissioner Simmons to table the item; Commissioner Childers seconded the motion. **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 implement a Jailer Sign-on Bonus Promotion Program, effective October 1, 2019 and adopt a Repayment Agreement if the employee terminated with Ector County in less than one year from date of hire.  
Dale Childers – Commissioner Pct. 3

After discussion, Commissioner Simmons made a motion to table the item until the next Commissioner Court meeting; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays  
✓ Commissioner Shelton                      ✓ Commissioner Childers  
✓ Commissioner Simmons                      ✓ Commissioner Rodriguez

## **PUBLIC WORKS**

15. To consider, discuss, and take any necessary action for proposed Subdivision Gardendale Industrial being a 20.665 acre tract of land situated in Section 5, Block 41, T-1-S, T&P RR Ector County, Texas and authorize the County Judge to sign.  
David Peck – Projects Manager

A motion was made by Commissioner Shelton to approve the proposed Subdivision Gardendale Industrial being a 20.665 acre tract of land situated in Section 5, Block 41, T-1-S, T&P RR Ector County, Texas 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

## **CONSENT AGENDA**

16. To review, consider, discuss, approve, and take any necessary action regarding the following proposed Consent Agenda:
- a. To consider and approve a line item transfer to FMLR fund, Road Maintenance, Department Furniture and Equipment, 002-810-5199 for \$990 from Road Maintenance, Shop Supplies, 002-810-5191.  
Evans Kessey – Road Maintenance

Commissioner Childers made a motion to approve a line item transfer to FMLR fund, Road Maintenance, Department Furniture and Equipment, 002-810-5199 for \$990 from Road Maintenance, Shop Supplies, 002-810-5191; A second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays  
✓ Commissioner Shelton                      ✓ Commissioner Childers  
✓ Commissioner Simmons                      ✓ Commissioner Rodriguez

## **BUDGET/FINANCIAL**

17. To consider and approve a budget amendment to Coliseum Capital Improvement Fund, Stall Barn, Professional Services, 043-861-5307 for \$140,596 and to Stall Barn, New Building, 043-861-5503 for \$3,738,000 from Coliseum Capital Improvement Fund, Unreserved Fund Balance, 043-3310 for \$3,878,596.  
Randy Donner – County Auditor

A motion was made by Commissioner Simmons to approve a budget amendment to Coliseum Capital Improvement Fund, Stall Barn, Professional Services, 043-861-5307 for \$140,596 and to Stall Barn, New Building, 043-861-5503 for \$3,738,000 from Coliseum Capital Improvement Fund, Unreserved Fund Balance, 043-3310 for \$3,878,596; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays  
✓ Commissioner Shelton                      ✓ Commissioner Childers  
✓ Commissioner Simmons                      ✓ Commissioner Rodriguez

18. To consider and approve the Accounts Payable Fund Requirements Report for July 9, 2019 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 July 9, 2019 to review County financial statements and reports; A second was made by Commissioner Shelton.

**MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays  
✓ Commissioner Shelton  
✓ Commissioner Simmons

✓ Commissioner Childers  
✓ Commissioner Rodriguez

Commissioner Childers made a motion to recess into Executive Session; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays  
✓ Commissioner Shelton  
✓ Commissioner Simmons

✓ Commissioner Childers  
✓ Commissioner Rodriguez

Commissioner Childers made a motion to reconvene with a second by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays  
✓ Commissioner Shelton  
✓ Commissioner Simmons

✓ Commissioner Childers  
✓ Commissioner Rodriguez

**EXECUTIVE SESSION**

19. 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

20. 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

21. 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 Human Resources to proceed as discussed in Executive Session regarding the vacancy at the Health Department; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays  
✓ Commissioner Shelton  
✓ Commissioner Simmons

✓ Commissioner Childers  
✓ Commissioner Rodriguez

11:38 A.M

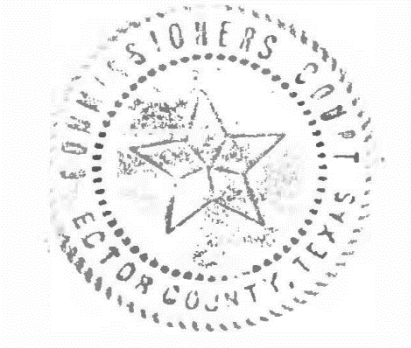
With no further business to discuss, Commissioner Childers made a motion with a second by Commissioner Simmons to adjourn to the call of the chair. **MOTION PASSED. 5-0**

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THE STATE OF TEXAS

COUNTY OF ECTOR

I, Jennifer Martin, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting of December 11, 2019.



Jennifer Martin  
JENNIFER MARTIN, COUNTY CLERK  
ECTOR COUNTY, TEXAS