

On this 12<sup>th</sup> day of February, 2019 at 10:00 a.m., came to be held a REGULAR meeting of the Ector County Commissioner's Court in the Commissioners' Courtroom, Ector County Administration Building Annex, Room 120, 1010 East 8th Street, 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 10:11 A.M. with a quorum of the court present.

The invocation was led by Commissioner Simmons.

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 request from Permian Bass Club to do a Free Fish Fry on April 6, 2019 at the Northside Senior Center.  
Donna Greaves – Senior Centers

A motion was made by Commissioner Simmons to approve a request from Permian Bass Club to do a Free Fish Fry on April 6, 2019 at the Northside Senior Center; Commissioner Childers seconded the motion.

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

Voting for Motion:

<input checked="" type="checkbox"/> Judge Hays	
<input checked="" type="checkbox"/> Commissioner Shelton	<input checked="" type="checkbox"/> Commissioner Simmons
<input checked="" type="checkbox"/> Commissioner Childers	<input checked="" type="checkbox"/> Commissioner Rodriguez

2. To accept donation of K-9 from Albuquerque Police Department for the Ector County Sheriff's Office.  
Mike Griffis – Sheriff

Commissioner Childers made a motion to accept donation of a K-9 from Albuquerque Police Department for the Ector County Sheriff's Office; A second was made by Commissioner Simmons.

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

Voting for Motion:

<input checked="" type="checkbox"/> Judge Hays	
<input checked="" type="checkbox"/> Commissioner Shelton	<input checked="" type="checkbox"/> Commissioner Simmons
<input checked="" type="checkbox"/> Commissioner Childers	<input checked="" type="checkbox"/> Commissioner Rodriguez

3. To approve retirement of K-9 Axel to Lt. Dickson.  
Mike Griffis – Sheriff

A motion was made Commissioner Shelton to approve retirement of K-9 Axel to Lt. Dickson and to remove from the inventory; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

4. To consider, discuss, and take any necessary action regarding Transfer of Title – Unit #905 Sheriff's Office Vehicle – 2009 Chevrolet Impala Police 4 DR sedan – VIN# 2G1WS57M491273219 – settlement of auto claim – Travelers Insurance and authorize the County Judge to sign.  
Sam Brijalba – Human Resources

Commissioner Shelton made a motion to approve the Transfer of Title – Unit #905 Sheriff's Office Vehicle – 2009 Chevrolet Impala Police 4 DR sedan – VIN# 2G1WS57M491273219 – settlement of auto claim – Travelers Insurance, to remove from inventory and authorize the County Judge to sign; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

5. To consider, discuss, and take any necessary action to authorize the acceptance of insurance proceeds from Travelers – St. Paul and Marine in the amount of \$3,417.50 per Total Loss Declaration by Travelers of unit #952 Sheriff's Office Vehicle: 2011 Chevrolet Impala LS (Fleet), VIN #: 2G1WD5EM9B1211530 and authorize the County Judge to sign.  
Sam Brijalba – Human Resources

A motion to table this item was made by Commissioner Simmons; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

6. To consider, discuss, and take any necessary action regarding a request to hire Randy Hollar to do on-site training for Incode Software and to pay from existing professional services account.  
Patricia Patton – Human Resources

Commissioner Childers made a motion to approve a request to hire Randy Hollar to do on-site training for Incode Software and to pay from existing professional services account; A second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

7. To consider, discuss, and take any necessary action to approve the Joint Resolution with Ector County Independent School District, Ector County Hospital District and Odessa College to be held May 4, 2019 and authorizing the County Judge and County Commissioners to sign.  
Lisa Sertuche – Elections

A motion was made by Commissioner Simmons to approve the Joint Resolution with Ector County Independent School District, Ector County Hospital District and Odessa College to be held May 4, 2019 and authorizing the County Judge and County Commissioners to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

8. To consider, discuss, and take any necessary action to approve Notice of Election, the names of the Early Voting Clerks and vote centers for the upcoming Joint Election, Ector County Independent School District, Ector County Hospital District and Odessa College.  
Lisa Sertuche – Elections

Commissioner Simmons made a motion to approve Notice of Election, the names of the Early Voting Clerks and vote centers for the upcoming Joint Election, Ector County Independent School District, Ector County Hospital District and Odessa College; A second was made by Commissioner Shelton.

**MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

9. To consider, discuss, and take any necessary action to approve the purchase of a SCAG Mower for the Airport and to approve or reject a line item transfer to Equipment Services Fund, Motor Vehicle Equipment, 051-770-5505, from Unreserved Fund Balance for \$5,200.  
Evans Kessey – Equipment Services  
David Peck – Project Manager

A motion was made by Commissioner Simmons to approve the purchase of a SCAG Mower for the Airport and to approve or reject a line item transfer to Equipment Services Fund, Motor Vehicle Equipment, 051-770-5505, from Unreserved Fund Balance for \$5,200; Commissioner Shelton seconded the motion.

**MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

10. To consider, discuss, review, and take any necessary action to approve or reject the proposed Road Improvement Project list for RFQ for 2019.  
Evans Kessey – Road Maintenance

Commissioner Simmons made a motion to approve or reject the proposed Road Improvement Project list for RFQ for 2019; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

## AWARDS OF BIDS/PROPOSALS

11. To consider, discuss, award, reject, or take any necessary action regarding Jury Summons Services.  
Lucy Soto – Purchasing

A motion to award jury summons services to Questmark was made by Commissioner Simmons; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

12. To consider, discuss, award, reject, and take any necessary action regarding the purchase of Truck – 2019 Ford F-150 Raptor with Rigups; approve a budget amendment, for an amount of \$25,158 from Equipment Services Fund, Motor Vehicle Repairs and Maintenance, 051-770-5251, to Equipment Services Fund, Motor Vehicle Equipment, 051-770-5505, and authorize the County Judge to sign.  
Kenneth Lind – Purchasing  
Evans Kessey – Highways & Streets  
Rickey George – Environmental Enforcement

Rickey George, Environmental Enforcement, addressed the court to request that the bid for the Ford Raptors be rejected and to authorize a less expensive vehicle which would be Ford F-250 Super Duty 4-Wheel Drive trucks from Siddon-Martin Emergency Group.

Kris Crow addressed the court to express concerns with the costs for particular trucks. Mr. Crow researched the prices and was convinced that the county could get a lower quote. He also expressed concerns about the need for heavy-duty suspension and recommended a Chevrolet half-ton, 4-wheel drive truck. Mr. Crow suggested going with a different truck and presented a quote from Tim Brown, Fleet Services Manager of James Wood Motors in Decatur, Denton and Cleburne.

Aubrey Mayberry addressed the court. Mr. Mayberry stated that he was extremely concerned with the cost for the trucks and stated that the F-250 was for hauling and wanted to know why the Environmental Officers would need an F-250 rather than the Chevrolet half-ton.

Rickey George explained that the officers do haul a trailer that carries their off-road vehicle that it is used on a regular basis to investigate sites.

Commissioner Shelton made a motion to award the bid for the Ford F-250 as presented and to approve a budget amendment for \$12,577; Commissioner Childers seconded the motion. **MOTION WITHDRAWN**

A motion to table the item until a bid is received from the buy board for the GM product was made by Commissioner Shelton; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

13. To consider, discuss, approve, reject, modify, and take any necessary action on the following bid specification: Coliseum Building – Glass Door Replacement and authorize the County Judge to sign.  
Kenneth Lind – Purchasing

Commissioner Shelton made a motion to approve the following bid specification: Coliseum Building – Glass Door Replacement and authorize the County Judge to sign; Commissioner Childers seconded the motion.

**MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

14. To consider, discuss, award, reject and take any necessary action regarding the Proposal for the Third Party Medical, Prescription Drug and Dental Claims Administration Services Audit and authorize the County Judge to sign.  
Kenneth Lind – Purchasing

A motion was made by Commissioner Simmons to approve the Proposal for the Third Party Medical, Prescription Drug and Dental Claims Administration Services Audit, to award to J Graham, Inc. and authorize the County Judge to sign; A second was made by Commissioner Shelton. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

15. To consider, discuss, and take any necessary action regarding Sciens’s Proposal for Project Management Support Services for Radio System Implementation.  
Stephen White – Information Technology

Commissioner Childers made a motion to approve the Sciens’s Proposal for Project Management Support Services for Radio System Implementation; Commissioner Shelton seconded the motion.

**MOTION PASSED. 4-1**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Rodriguez

Voting against Motion:

✓ Commissioner Simmons

**CONTRACTS/AGREEMENTS/GRANTS**

16. To consider, discuss, and take any necessary action to approve the Required Documentation of Eminent Domain Authority in Texas, authorize the county Judge to sign and authorize the submission of the Form to the Texas Comptroller’s Office.  
Debi Hays – County Judge

Commissioner Simmons clarified that the form is a state required form that must be submitted to give Ector County the option to use eminent domain but that there was nothing they were looking at.

Judge Hays stated that it must be filed every year and Ector County will be fined if it is not.

Commissioner Simmons made a motion to approve the Required Documentation of Eminent Domain Authority in Texas, authorize the county Judge to sign and authorize the submission of the Form to the Texas Comptroller’s Office.

Debbie Clay addressed the court stating that in 35 years this was the first time it was put on the agenda. Ms. Clay referred to the Texas Property Code and SB 1812 of the 84<sup>th</sup> Legislature regarding transparency. She stated that the online registration/posting was necessary only if an entity was going to exercise eminent domain and questioned why Ector County was going to register if they have not in the past and were not going to exercise eminent domain.

Judge Hays responded that she had a file from Judge Redford showing that the form has been submitted by Ector County since 2013. Judge Hays requested that her Administrative Assistant gather the data to show Ms. Clay.

Clarissa Webster, Ector County District Clerk, stated that the form was to register as a governmental entity that has the right to eminent domain and is not activating any eminent domain process.

The motion to approve was **withdrawn** by Commissioner Simmons.

Judge Hays moved on with the meeting and re-addressed this item once the documentation was present.

Judge Hays stated that Ector County, the Hospital District and the School District had been submitting the form since October 1991 and the last report was filed February 2018. Judge Hays confirmed that Debbie Clay was satisfied with her answer and the documentation shown. Ms. Clay responded she was.

A motion was made by Commissioner Childers to approve the Required Documentation of Eminent Domain Authority in Texas, authorize the county Judge to sign and authorize the submission of the Form to the Texas Comptroller's Office; a second was made by Commissioner Shelton. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

17. To consider, discuss, and take any necessary action regarding an Ector County and Midland County Interlocal Agreement to share the following Texas A&M AgriLife Extension Service Staff: County Extension Agent-Agriculture and Natural Resources, County Extension Agent-4H and Youth Development, County Extension Agent-Family and Community Health, and County Extension Agent-Horticulture and authorize the County Judge to sign.  
Dale Childers – Commissioner Pct. 3

Commissioner Childers made a motion to approve an Ector County and Midland County Interlocal Agreement to share the following Texas A&M AgriLife Extension Service Staff: County Extension Agent-Agriculture and Natural Resources, County Extension Agent-4H and Youth Development, County Extension Agent-Family and Community Health, and County Extension Agent-Horticulture with the amended to change to the Midland County Judge being reflected as Terry Johnson and authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

18. To consider, discuss, approve and take any necessary action regarding a resolution and application for FY 2020 Victim Assistance Grant No. 3546601 and authorizing the County Judge and County Commissioners to sign.  
Bobby Bland – District Attorney

A motion was made by Commissioner Childers to approve a resolution and application for FY 2020 Victim Assistance Grant No. 3546601 and authorizing the County Judge and County Commissioners to sign; A second was made by Commissioner Simmons.

**MOTION PASSED. 5-0**

Voting for Motion:

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

19. To consider, discuss, and take any necessary action regarding AIA Change Order #14, for the Jail Additions and Renovations Project and authorize the County Judge to sign.  
Kenneth Lind – Purchasing

Commissioner Shelton made a motion to approve AIA Change Order #14, for the Jail Additions and Renovations Project 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

20. To consider, discuss, approve, modify, reject and take any necessary action regarding the First Amendment To Master Services Agreement to the Inmate Telecommunication Services Agreement with Securus Technologies, Inc. and authorize the County Judge to sign.  
Kenneth Lind – Purchasing

A motion was made by Commissioner Shelton to approve the First Amendment to Master Services Agreement to the Inmate Telecommunication Services Agreement with Securus Technologies, Inc. and authorize the County Judge to sign; A second was made by Commissioner Childers.

**MOTION PASSED. 5-0**

Voting for Motion:

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

21. To consider, discuss, and take any necessary action regarding an Interlocal Cooperation Contract between Department of Public Safety (DPS) and Ector County and authorize the County Judge to sign.  
Kenneth Lind – Purchasing

Commissioner Simmons made a motion to approve an Interlocal Cooperation Contract between Department of Public Safety (DPS) and Ector County 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

22. To consider, discuss or take any necessary action regarding an application for FY 2020 – FY 2021, with the Texas Department of State Health Services for the purpose of Local Public Health Services (Triple O) funds for the purpose of providing Public Health Education to Ector County Citizens and authorize the County Judge to sign.  
Gino Solla – Health Department

A motion was made by Commissioner Childers to approve an application for FY 2020 – FY 2021, with the Texas Department of State Health Services for the purpose of Local Public Health Services (Triple O) funds for the purpose of providing Public Health Education to Ector County Citizens and authorize the County Judge to sign; A second was made Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

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

23. To consider, discuss, and take any necessary action regarding a proposed InterLocal Application for Immunization Program Funds for fiscal year 2019-2020, and to enter into a Contract with the Texas Department of State Health Services (DSHS) for the purpose of providing immunization services in Ector County and authorize the County Judge to sign.  
Gino Solla – Health Department

Commissioner Childers made a motion to approve a proposed InterLocal Application for Immunization Program Funds for fiscal year 2019-2020, and to enter into a Contract with the Texas Department of State Health Services (DSHS) for the purpose of providing immunization services in Ector County and authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

24. To consider, discuss, and take any necessary action to approve the completion and submission of the application for Epidemiology Program Funds for fiscal year 2019-2021 and authorize the County Judge to sign.  
Gino Solla – Health Department

A motion was made by Commissioner Childers to approve the completion and submission of the application for Epidemiology Program Funds for fiscal year 2019-2021 and authorize the County Judge to sign; A second was made Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

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

25. To consider, discuss, approve and take any necessary action regarding a proposed amendment to the End User License Agreement and Professional Services Agreement between Ector County and Tyler Technologies, Inc. to add 7 additional users for Odyssey Online-Licensed Software to be used by the City of Odessa and authorize the County Judge to sign.  
Stephen White – Information Technology



Commissioner Childers made a motion to approve a proposed amendment to the End User License Agreement and Professional Services Agreement between Ector County and Tyler Technologies, Inc. to add 7 additional users for Odyssey Online-Licensed Software to be used by the City of Odessa and authorize the County Judge to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

26. To consider, discuss, and take any necessary action regarding a proposed change in the Interlocal Agreement between the City of Odessa and Ector County for the purpose of issuing 7 additional licenses for the City of Odessa Police Department to access the County Odyssey Integrated Courts and Justice System and authorize the County Judge to sign.

Stephen White – Information Technology

A motion was made by Commissioner Childers to approve a proposed change in the Interlocal Agreement between the City of Odessa and Ector County for the purpose of issuing 7 additional licenses for the City of Odessa Police Department to access the County Odyssey Integrated Courts and Justice System and authorize the County Judge to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

27. To consider, discuss, and take any necessary action regarding approval for a Service Agreement with Southwest Solutions Group for Preventive Maintenance, Labor and Discounted Parts for the County Clerk's Lektriever and authorize the County Judge to sign.

Jennifer Martin – County Clerk

Commissioner Simmons made a motion to approve a Service Agreement with Southwest Solutions Group for Preventive Maintenance, Labor and Discounted Parts for the County Clerk's Lektriever and authorize the County Judge to sign; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

## **INFORMATION TECHNOLOGY**

28. To consider, discuss, and take any necessary action regarding a case study with Momentum Telecom and authorize the County Judge to sign.

Mario Ornelas – Information Technology

A motion was made by Commissioner Simmons to approve a case study with Momentum Telecom and authorize the County Judge to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

## PERSONNEL REQUESTS

29. To consider, discuss, and take any necessary action regarding a request to hire a para-legal at a 108-03.

Dusty Gallivan – County Attorney

Commissioner Childers made a motion to approve a request to hire a para-legal at a 108-03; A second was made Commissioner Shelton. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

30. To consider, discuss and take any necessary action regarding a request to hire a Deputy Clerk at a Step 2 due to experience.

Jennifer Martin – County Clerk

A motion was made by Commissioner Childers to approve a request to hire a Deputy Clerk at a Step 2 due to experience; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 4-1**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Rodriguez

Voting against Motion:

Commissioner Simmons

31. To consider, discuss, approve, reject, and take any necessary action regarding pay increase at Step 2 for Administrative Assistant effective February 1, 2019 and authorize the County Judge to sign.

Mike Griffis – Sheriff

Commissioner Shelton made a motion to approve a pay increase at Step 2 for Administrative Assistant effective February 1, 2019 and authorize the County Judge to sign; A second was made by Commissioner Childers. **MOTION PASSED. 4-1**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Rodriguez

Voting against Motion:

Commissioner Simmons

32. To consider, discuss, approve, reject, and take any necessary action regarding a request to set starting pay for Charge Nurse at Step 8.

Mike Griffis – Sheriff

A motion was made by Commissioner Childers to approve a a request to set starting pay for Charge Nurse at Step 8; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Simmons

Commissioner Childers

Commissioner Rodriguez

33. To consider, discuss, and take any necessary action to approve psychiatrist position in compliance with the Sandra Bland Act and in conjunction with PermiaCare due to the jail based Mental Health and Continuity of Care Services Grant being awarded.  
Mike Griffis – Sheriff

Commissioner Simmons made a motion to approve psychiatrist position in compliance with the Sandra Bland Act and in conjunction with PermiaCare due to the jail based Mental Health and Continuity of Care Services Grant being awarded; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**  
Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

34. To consider, discuss, and take any necessary action regarding pay increase at Step 2 for Road Maintenance Technician II, effective January 28, 2019.  
Evans Kessey – Road Maintenance

A motion was made by Commissioner Shelton to approve a pay increase at Step 2 for Road Maintenance Technician II, effective January 28, 2019; Commissioner Rodriguez seconded the motion.

**MOTION FAILED. 2-3**

Voting for Motion:

Commissioner Shelton                       Commissioner Rodriguez

Voting against Motion:

Judge Hays  
 Commissioner Simmons                       Commissioner Childers

## **POLICIES/PROCEDURES**

35. To consider, discuss, and take any necessary action to approve revision to Ector County Employee Handbook, Section 5.17 Possession of Guns by county employees on county premises.  
Patricia Patton – Human Resources

Pat Patton, Human Resources Director, addressed the court and went over the current county policy regarding employees who hold a license to carry. Ms. Patton stated that she was proposing adding the following line to the employee handbook due to a request from an employee to open carry:

“No employee shall be allowed to open carry while conducting county business unless they are licensed peace officers whose commission is carried by Ector County.”

Ms. Patton went on to explain that a person who has a concealed handgun license may carry with authorization by the County Judge and must give a copy of the license to the County Judge for approval. She explained that others may view open carry as a means of intimidation.

Aubrey Mayberry, 4207 Dakota Ave., Odessa, Texas 79762, addressed the court. He asked the court if a peace officer is open carrying a pistol is he doing it for intimidation purposes? Ms. Patton responded that the gun is a tool of his trade so the same does not apply. Mr. Aubrey explained that he is very adamant about the topic and believes that open carry is not used for intimidation but as deterrent against crime and there is nothing different from conceal carry and open carry other than that the weapon is visible. His opinion is that if an employee can conceal carry they should be able to open carry and that Ector County should not be passing any rules or policies against firearms in this manner.

Gino Solla, Health Department Director, addressed the court due to the issue arising in his department. He stated that he felt conflicted because he knew that approval could be given by the County Judge for conceal carry but wanted strict guidelines for open carry because he knows the issue can be very controversial.

Clarissa Webster, District Clerk, addressed the court. Stated she supports the Second Amendment, however, she would not be in favor of open carry in the courthouse due to very crowded situations on many occasions. She is in favor of conceal carry but does not encourage open carry with the chain gangs walking down the halls of the courthouse beside long lines of people who are present for passports, jury duty, etc. Ms. Webster stated that she supports the open carry policy as it is written.

Judge Hays asked Sheriff Griffis what his thoughts were. The Sheriff responded that the courthouse is a secure setting and sees no need to open carry at the courthouse. He also stated that he agrees with Ms. Webster concerning the courthouse. He stated that most restaurants have signs so the Health Department employee would not be able to carry the gun in there anyway.

Dusty Gallivan, County Attorney, stated that the policy was worded in this way was because Ector County has a duty to protect the citizens it serves and if a county employee goes to a restaurant to inspect their grill with a gun on their hip that it may make some people nervous. This was recommended to eliminate those issues. Ector County is not disallowing a person to conceal carry if it is allowed in the establishment. The policy only states that a county employee, on county business is not allowed to open carry unless they are a licensed peace officer.

Commissioner Simmons stated that he hated to restrict a person's right after the state has given them that right but at the same time, his rationale would be if the employee's duty for Ector County does not require a weapon then Ector County does not want to send them out with a weapon implying that it is part of their job.

Commissioner Rodriguez made a motion to approve the revision to Ector County Employee Handbook, Section 5.17 Possession of Guns by county employees on county premises as presented; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

36. To consider, discuss, review and take any necessary action to approve or reject the proposed Driving Essential Duty Form as a supplemental form for Elected Officials and Department Heads to include with the other employment paperwork for Human Resources in response to internal controls and procedures of the fleet card fuel program.  
Evans Kessey – Equipment Services

A motion was made by Commissioner Rodriguez to approve the proposed Driving Essential Duty Form as a supplemental form for Elected Officials and Department Heads to include with the other employment paperwork for Human Resources in response to internal controls and procedures of the fleet card fuel program; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

37. To consider, discuss, review, and take any necessary action to approve or reject the proposed revisions to the Ector County Fleet Fuel Card Policy.  
Evans Kessey – Equipment Services

Commissioner Simmons made a motion to approve the proposed revisions to the Ector County Fleet Fuel Card Policy; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

## **PUBLIC WORKS**

38. To consider, discuss, review, and take any necessary action to approve or reject the proposed improvement to 16<sup>th</sup> Street and Knox Avenue Intersection as part of the 2019 Road Improvement Project, and approve or reject project cost to account expenditure line item, Road Department, Road Maintenance, 002-810-5241, and authorize the County Judge to sign.  
Evans Kessey – Road Maintenance

A motion was made by Commissioner Simmons to approve the proposed improvement to 16<sup>th</sup> Street and Knox Avenue Intersection as part of the 2019 Road Improvement Project, and approve or reject project cost to account expenditure line item, Road Department, Road Maintenance, 002-810-5241, and authorize the County Judge to sign; A second was made Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

39. To consider, discuss, and take any necessary action on Birdwell MHRC plans for AWT Logistics Lots 3 & 4, Block 1, Logistics Subdivision Ector County, Texas and authorize the County Judge to sign.  
David Peck – Projects Manager

Commissioner Simmons made a motion to approve Birdwell MHRC plans for AWT Logistics Lots 3 & 4, Block 1, Logistics Subdivision 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

40. To consider, discuss, and take any necessary action on Olivas MHRC plans Ranchette Addition Lot 1, Block 1, Ranchette Addition, Lot 1, Block 1, Ector County, Texas and authorize the County Judge to sign.  
David Peck – Projects Manager

A motion was made by Commissioner Simmons to approve Olivas MHRC plans Ranchette Addition Lot 1, Block 1, Ranchette Addition, Lot 1, Block 1, Ector County, Texas and authorize the County Judge to sign; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

## CONSENT AGENDA

41. To review, consider, discuss, approve, and take any necessary action regarding the following proposed Consent Agenda:
- a. To consider, discuss, approve, and take any necessary action regarding a proposed line item transfer to FMLR Fund, Road Department, Telephone Allowance, 002-810-5151 in the amount of \$203 and to Traffic Department, Telephone Allowance, 002-830-5151 in the amount of \$25 from Road Department, Shop Supplies, 002-810-5191 in the amount of \$203 and from Traffic Department, Software Maintenance Contracts, 002-830-5283 in the amount of \$25.  
Evans Kessey – Highways & Streets
  - b. To consider and approve a line item transfer to General Fund, Animal Control, Educational Travel, 001-361-5161 from General Fund, Animal Control, Animal Supplies & Expense, 001-361-5198 for \$1,500.  
Mike Griffis – Sheriff

Commissioner Childers made a motion to approve the following proposed Consent Agenda; Commissioner Shelton seconded the motion.

- a. To consider, discuss, approve, and take any necessary action regarding a proposed line item transfer to FMLR Fund, Road Department, Telephone Allowance, 002-810-5151 in the amount of \$203 and to Traffic Department, Telephone Allowance, 002-830-5151 in the amount of \$25 from Road Department, Shop Supplies, 002-810-5191 in the amount of \$203 and from Traffic Department, Software Maintenance Contracts, 002-830-5283 in the amount of \$25.  
Evans Kessey – Highways & Streets
- b. To consider and approve a line item transfer to General Fund, Animal Control, Educational Travel, 001-361-5161 from General Fund, Animal Control, Animal Supplies & Expense, 001-361-5198 for \$1,500.  
Mike Griffis – Sheriff

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

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

### **BUDGET/FINANCIAL**

42. To consider, discuss, and take any necessary action regarding a budget amendment to Coliseum Fund, County Advertising 41-860-5403 from Unreserved Fund Balance 41-3310 in the amount of \$6,000 for a one year extension to Ector County's full block listing on the "My Odessa" Mobile App and authorize the County Judge to sign.  
Aaron Martin – Coliseum

A motion was made by Commissioner Childers to approve a budget amendment to Coliseum Fund, County Advertising 41-860-5403 from Unreserved Fund Balance 41-3310 in the amount of \$6,000 for a one year extension to Ector County's full block listing on the "My Odessa" Mobile App and authorize the County Judge to sign; A second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

43. To consider, discuss, and take any necessary action on a budget amendment to Professional Dues and Fees 001-5-025-5302 from Telephone 001-5-025-5351 in the amount of \$100.  
David Peck – Projects Manager

Commissioner Childers made a motion to approve a budget amendment to Professional Dues and Fees 001-5-025-5302 from Telephone 001-5-025-5351 in the amount of \$100; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

44. To consider and approve a budget amendment to General Fund, County Judge, educational Travel, 001-010-5161 from General Fund, Unreserved Fund Balance, 001-3310, for \$1,250.  
Debi Hays – County Judge

A motion was made by Commissioner Simmons to approve a budget amendment to General Fund, County Judge, educational Travel, 001-010-5161 from General Fund, Unreserved Fund Balance, 001-3310, for \$1,250; A second was made by Commissioner Childers. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

45. To consider and approve a budget amendment to 2015 Capital Projects Fund, Special Departmental Equipment, 045-990-5507 and to 2015 Capital Projects Fund, Interest Earnings, 045-4161 for \$1,284.  
David Austin – Auditor

Commissioner Childers made a motion to approve a budget amendment to 2015 Capital Projects Fund, Special Departmental Equipment, 045-990-5507 and to 2015 Capital Projects Fund, Interest Earnings, 045-4161 for \$1,284; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

46. To consider, discuss, approve, reject and take any necessary action regarding the Ector County Investment Report for the quarter ending December 31, 2018.  
David Austin – Auditor  
Cleopatra Callaway – Treasurer

A motion was made by Commissioner Simmons to approve the Ector County Investment Report for the quarter ending December 31, 2018; A second was made by Commissioner Childers.  
**MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

47. To review, consider, discuss, approve, and take any necessary action regarding the Accounts Payable Fund Requirements Report for February 12, 2019, to review County financial statements and reports, and to authorize the County Judge to sign all documents associated with this agenda item.  
David R. Austin – Auditor

Commissioner Childers made a motion to approve the Accounts Payable Fund Requirements Report for February 12, 2019, to review County financial statements and reports, and to authorize the County Judge to sign all documents associated with this agenda item; Commissioner Shelton seconded the motion.

**MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

A motion was made by Commissioner Shelton to adjourn into Executive Session with a second by Commissioner Simmons at 12:01 P.M. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

## **EXECUTIVE SESSION**

48. 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 refer the Flores case to outside counsel, Dennis Dennis; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

49. 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

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

NO ACTION TAKEN



11:48 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

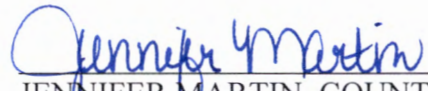
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THE STATE OF TEXAS

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 February 12, 2019.



  
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JENNIFER MARTIN, COUNTY CLERK  
ECTOR COUNTY, TEXAS