



Ector County Commissioners' Court

January 23, 2024

10:00 AM

Commissioners' Courtroom, Ector County Administration Building Annex, 1010 E. 8th St.,
Odessa, Texas

CALL TO ORDER- JUDGE DUSTIN FAWCETT

Dustin Fawcett, County Judge
Greg Simmons, Commissioner Precinct #2
Billy Hall, Commissioner Precinct #4
Minutes taken by Jennifer Martin, County Clerk
Absent:
Mike Gardner, Commissioner Precinct #1
Don Stringer, Commissioner Precinct #3

The meeting was called to order at 10:00 a.m.

INVOCATION- COMMISSIONER BILLY HALL

The invocation was led by Commissioner Hall.

PLEDGE OF ALLEGIANCE- UNITED STATES AND TEXAS

Commissioner Simmons led the pledge of allegiance to the United States flag and the pledge of allegiance to the Texas flag.

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. Texas A&M AgriLife Annual Update, Steve Paz- County Extension AgriLife Director

To consider, discuss, and take any necessary action to receive the annual *Making a Difference in Ector County* presentation from Texas A&M AgriLife Extension Agents that will provide program area updates.

Minutes Attachments

1. Agenda Item #1.pdf

Steve Paz addressed the court to introduce the new Ag Agent, Brady Evans. The staff then went over their qualifications and achievements for the past year.

NO ACTION WAS TAKEN ON THIS ITEM

2. Harmony Home Proclamation , Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to approve a Proclamation declaring January 2024 as *Human Trafficking Awareness Month*, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #2.pdf

Commissioner Simmons made a motion to approve as presented; a second was made by Commissioner Hall. MOTION PASSED 3-0

3. Eminent Domain Authority , Shelby Rigtrup- County Judge Admin. Assistant

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 all documents associated with this agenda item, and authorize the submission of the report to the Texas Comptroller's Office.

Minutes Attachments

1. Agenda Item #3.pdf

A motion was made by Commissioner Hall to approve as presented; Commissioner Simmons seconded the motion. MOTION PASSED 3-0

4. Airport Appraisal Exemption, Lucy Soto- Purchasing Director

To consider, discuss, and take any necessary action to approve an order granting an exemption from solicitations for the appraisal of Odessa-Schlemeyer Field Airport, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; this purchase is eligible for exemption from the competitive bidding/proposal requirements of the County Purchasing Act in accordance with Local Government Section 262.024(a)(4) as a discretionary exemption.

Minutes Attachments

1. Agenda Item #4.pdf

Commissioner Simmons made a motion to approve the item as presented; a second was made by Commissioner Hall. MOTION PASSED 3-0

5. Auction Disposal List, Lucy Soto- Purchasing Director

To consider, discuss, and take any necessary action on the disposal of certain items submitted for the Ector County Auction that closed December 15th, 2023; the items on the disposal list cannot be auctioned because the hard drives and memory cannot be removed.

A motion was made by Commissioner Hall to approve as presented; Commissioner Simmons seconded the motion. MOTION PASSED 3-0

AWARD OF BIDS/PROPOSALS

6. Fire Extinguisher Services Bid Addition, Lucy Soto- Purchasing Director, Billy Carrigan- Building Maintenance Director

To consider, discuss, and take any necessary action to amend the Ector County Governmental Purchasing Group Bid Award with Midland Safety & Sales Service for fire extinguisher services to include Midland County; this bid award was approved by the Commissioners' Court on December 6, 2022, and Midland Safety has agreed to extend awarded bid pricing to Midland County.

Commissioner Simmons made a motion to approve the item as presented; a second was made by Commissioner Hall. MOTION PASSED 3-0

7. South Ector County VFD Equipment, Lucy Soto- Purchasing Director, Santiago Ortega- South Ector County VFD Captain

To consider, discuss, and take any necessary action regarding updated quotes from Metro Fire for the South Ector County Volunteer Fire Department's purchase of a Brush Truck and a Light Rescue Truck using ARPA funds, the updated quotes include the cooperative bid fee, and the purchase is being made through the National Purchasing Partners Bid Cooperative PS20225 Contract.

A motion was made by Commissioner Simmons to approve as presented; Commissioner Hall seconded the motion. MOTION PASSED 3-0

PUBLIC HEARING AND RELATED DISCUSSION AND POTENTIAL ACTION

8. Matheson Tri-Gas, Inc. , Shelby Rigtrup- County Judge Admin. Assistant

To conduct a public hearing and consider, discuss, and take any necessary action regarding an application by Matheson Tri-Gas, Inc., for tax abatement under Chapter 312 of the Texas Tax Code, for construction of an Air Separation Unit (ASU) plant to increase their current production of gaseous oxygen, liquid nitrogen, and liquid argon on property consisting of a 4.056 acre tract lying within and being part of Section 3, Block 15, Public School Survey, Abstract 484, Ector County, Texas; and to take any necessary action regarding approval of a tax abatement agreement with Matheson Tri-Gas, Inc., under Chapter 312 of the Texas Tax Code, and adoption of a resolution for said agreement, and authorize the County Judge, County Commissioners, and/or County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #8.pdf

The public hearing started at 10:19 a.m.

Tony Shum addressed the court to thank the court for their consideration regarding the project and also discussed the benefits of its approval.

The public hearing was closed at 10:21 a.m.

Commissioner Hall made a motion to approve the item as presented; a second was made by Commissioner Simmons. MOTION PASSED 3-0

9. Nacero TX 1 LLC, Shelby Rigtrup- County Judge Admin. Assistant

To conduct a public hearing and consider, discuss, and take any necessary action regarding a proposed First Amendment to the Enterprise Zone Tax Abatement Agreement for property tax abatement under Chapter 312 of the Texas Tax Code dated July 13th, 2021, by and between Ector County, Texas, and Nacero TX 1 LLC, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #9.pdf

The public hearing started at 10:21 a.m.

Wes Burnett, representing Nacero, addressed the court to explain their request.

The public hearing closed at 10:22 a.m.

A motion was made by Commissioner Simmons to approve the item as presented; Commissioner Hall seconded the motion. MOTION PASSED 3-0

CONTRACTS/AGREEMENTS/GRANTS

10. Election/Voting, Lisa Sertuche- Elections Director

To consider, discuss, and take any necessary action to approve the Notice of the General Primary Joint Election, the Early Voting Schedule, the Election Day Vote Centers, and the Early Voting Clerks and Election Day co-judges and clerks.

Minutes Attachments

1. Agenda Item #10.pdf

Commissioner Hall made a motion to approve as presented; a second was made by Commissioner Simmons. MOTION PASSED 3-0

11. Passport Department New ID Photo Booth, Howard Marks- Library Director

To consider, discuss, and take any necessary action regarding implementing a new passport and visa photo ID booth at the Ector County Library and the approval of the *Revenue Shared Agreement*

with DNP Imagingcomm America Corporation, and authorize the County Judge to sign all documents associated with this agenda item; this agreement includes shipping, delivery, repair and maintenance, and meets all government requirements and standards.

Minutes Attachments

1. Agenda Item #11.pdf

A motion was made by Commissioner Simmons to approve the item as presented; Commissioner Hall seconded the motion. MOTION PASSED 3-0

12. VOCA Grant, Misty Hull- District Attorney Admin. Assistant

To consider, discuss, and take any necessary action to approve the Resolution for the VOCA Grant #4863102 with the Office of the Governor for District Attorney Victim Services, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #12.pdf

Commissioner Simmons made a motion to approve the item as presented; a second was made by Commissioner Hall. MOTION PASSED 3-0

13. IDCU/COVID Grant Extension, Eunice Ibarra- Health Department

To consider, discuss, and take any necessary action regarding an amendment to extend Contract No. HHS001057600018 with the Department of State Health Services (DSHS) and Ector County through July 31st, 2026, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #13.pdf

A motion was made by Commissioner Hall to approve as presented; Commissioner Simmons seconded the motion. MOTION PASSED 3-0

14. RAISE Grant Application Exemption , John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to approve an order granting an exemption from solicitations for the engagement of services including the assistance for the preparation and completion of a RAISE Grant application for Ector County, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; this engagement is eligible for exemption from the competitive bidding/proposal requirements of the County Purchasing Act in accordance with Local Government Code Section 262.024(a)(4) as a discretionary exemption.

Minutes Attachments

1. Agenda Item #14.pdf

Commissioner Simmons made a motion to approve as presented; a second was made by Commissioner Hall. MOTION PASSED 3-0

15. FY 2025 Bullet-Resistant Shield Grant Program Application, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action to approve the *FY2025 Bullet-Resistant Shield Grant Program* application for the Ector County Sheriff's Office; this grant would be applied for 70 shields for officers.

A motion was made by Commissioner Hall to approve the item as presented; Commissioner Simmons seconded the motion. MOTION PASSED 3-0

16. Planning and Development GIS Servers, Lucy Soto- Purchasing Director, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action on the specifications for GIS Servers for the Planning and Development Department; the specifications have been reviewed by both the IT and Planning and Development departments and are ready to be posted.

Commissioner Simmons made a motion to approve the item as presented; a second was made by Commissioner Hall. MOTION PASSED 3-0

PERSONNEL REQUESTS

17. Constable Appointment , Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to appoint Jonathan Campbell as constable for Precinct #4.

A motion was made by Commissioner Simmons to appoint Jonathan Campbell as Constable for Precinct #4; Commissioner Hall seconded the motion. MOTION PASSED 3-0

PLANNING AND DEVELOPMENT

18. Non-compliance Notice Form, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action to approve the *Ector County Non-compliance Notice* form for the Planning and Development Department.

Commissioner Simmons made a motion to approve the agenda item as presented; a second was made by Commissioner Hall. MOTION PASSED 3-0

19. MHRC Application: A&B Transport, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action to approve an MHRC application for A&B Transport at 3708 N Moss Ave., Odessa, Texas 79764, Precinct #1, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #19.pdf

A motion was made by Commissioner Hall to approve the item as presented; Commissioner Simmons seconded the motion. MOTION PASSED 3-0

CONSENT AGENDA

20. Proposed Consent Agenda, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action regarding the following proposed Consent Agenda:

20a.) Line Item Transfer-County Clerk:

To consider, discuss, and take any necessary action to approve a line-item transfer to County Clerk Records Management Fund, Professional Dues and Fees, 015-160-5302 from Office Supplies, 015-160-5171 for \$50.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #20.pdf

Commissioner Simmons made a motion to approve the Consent Agenda; a second was made by Commissioner Hall. MOTION PASSED 3-0

BUDGET/FINANCIAL

21. Radio Tower Beacon Light Approval, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action to approve the labor to remove and replace the radio tower beacon light, and authorize the County Judge to sign all documents associated with this agenda item; the total price for this is \$8,506.86 and would be taken out of account #001-5-360-5407.

Minutes Attachments

1. Agenda Item #21.pdf

A motion was made by Commissioner Simmons to approve the labor and the light to be replaced; Commissioner Hall seconded the motion. MOTION PASSED 3-0

22. Tower Road Repairs, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action regarding payment for road repairs for the road located between the Sheriff's tower and the highway; Ector County's portion of the repair totals \$2,065.87 annually and will be taken out of account #001-5-360-5407.

Minutes Attachments

1. Signed MOU - Ector County.pdf

Commissioner Hall made a motion to approve as presented; a second was made by Commissioner Simmons. MOTION PASSED 3-0

23. Budget Amendment Request- Health Benefits, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to Health Benefits Fund, Flex Plan Administrative Fee, 052-960-5369, from Unreserved Fund Balance, 052-3310 for \$6,700.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #23.pdf

A motion was made by Commissioner Simmons to approve the budget amendment as presented; Commissioner Hall seconded the motion. MOTION PASSED 3-0

24. Budget Amendment Request- County Court at Law #1, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, County Court at Law 1, Subscriptions, 001-140-5207 from Unreserved Fund Balance, 001-3310 for \$1,500.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #24.pdf

Commissioner Hall made emotion to approve the item as presented; a second was made by Commissioner Simmons. MOTION PASSED 3-0

25. Budget Amendment Request- ARPA, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to ARPA fund, Improvements and Construction, 006-310-5509 for \$122,710.00, Other General Expense, 006-531-5402 for \$900,000.00, Other General Expense, 006-533-5402 for \$1,849,127.00, Other General Expense, 006-534,5402 for \$1,597.00, Other General Expense, 006-920-5402 for \$10,000,000.00, Other General Expense, 006-921-5402 for \$4,494,502.00, Other General Expense, 006-922-5402 for \$1,858,618.00 from Unreserved Fund Balance, 006-3310 and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #25.pdf

A motion was made by Commissioner Simmons to approve the item as presented; Commissioner hall seconded the motion. MOTION PASSED 3-0

26. Financial Reports/Statements, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve the Accounts Payable Fund Requirements Report for January 23rd, 2024, and review County financial statements and reports.

Minutes Attachments

1. AP Department Payment Report - 8115.pdf
2. AP Department Payment Report - 8114.pdf

Commissioner Hall made a motion to approve the item as presented; a second was made by Commissioner Simmons. MOTION PASSED 3-0

10:33 a.m.

A motion was made by Commissioner Hall to adjourn to Executive Session with a second by Commissioner Simmons. MOTION PASSED 3-0

11:14

Commissioner Hall made a motion to reconvene; a second was made by Commissioner Simmons. MOTION PASSED 3-0

EXECUTIVE SESSION

27. Legal Matters, Shelby Rigtrup- County Judge Admin. Assistant

To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.

NO ACTION WAS TAKEN ON THIS ITEM

28. Real Estate, Shelby Rigtrup- County Judge Admin. Assistant

To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.

NO ACTION WAS TAKEN ON THIS ITEM

29. Personnel Matters, Shelby Rigtrup- County Judge Admin. Assistant

To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.

NO ACTION WAS TAKEN ON THIS ITEM

ADJOURN

Time: 11:14

With no further business to discuss a motion to adjourn was made by Commissioner Simmons with a second by Commissioner Hall. Motion Passed 3-0

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Jennifer Martin, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting held on the above date.

February 15, 2024 at 11:55 AM



Jennifer Martin, Ector County Clerk