



Ector County Commissioners' Court

February 13, 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
Mike Gardner, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Don Stringer, Commissioner Precinct #3
Billy Hall, Commissioner Precinct #4
Minutes taken by Jennifer Martin, County Clerk

The meeting was called to order at 10:02 a.m.

INVOCATION- PASTOR HIRAM RAMOS

The invocation was led by Pastor Hiram Ramos.

PLEDGE OF ALLEGIANCE- UNITED STATES AND TEXAS

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

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. Formal Petition: Westcliff Road, Mike Gardner- Commissioner, Pct. #1

To consider, discuss, and take any necessary action regarding a formal petition from West Odessa citizens for the paving of Westcliff Road on University and West 16th (approximately 1 mile).

Commissioner Gardner made a motion to table the item; a second was made by Commissioner Stringer. MOTION PASSED 5-0

2. Kellus Turner Park Plant Donation , Michele Spinks- Kellus Turner Park Board Member

To consider, discuss, and take any necessary action to approve the donation of four plants from Bert Karmels for the Kellus Turner Park beautification project.

Michelle Spinks addressed the court. A motion was made by Commissioner Gardner to accept the donation; Commissioner Hall seconded the motion. MOTION PASSED 5-0

3. EAC Donation , Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to approve the donation of \$2,000.00 from Jones Bros. Dirt & Paving Contractors, Inc. for the Employee Action Committee (EAC).

Commissioner Simmons made a motion to accept the donation; a second was made by Commissioner Gardner. MOTION PASSED 5-0

4. Coliseum Facility Fee Addition Request, Aaron Martin- Coliseum Director

To consider, discuss, and take any necessary action to approve the addition of a "facility fee" to be charged on all tickets sold at the Ector County Coliseum events.

A motion to approve as presented was made by Commissioner Simmons; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

5. Portable Radios Purchase Request, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action to approve the purchase of 120 portable radios for the Ector County Detention Center in the amount of \$164,762.00; the funding for this purchase will come from account #073-420-5199.

Commissioner Stringer made a motion to approve the item as presented; a second was made by Commissioner Simmons. MOTION PASSED 5-0

6. Uniform Election Resolution, Lisa Sertuche- Elections Director

To consider, discuss, and take any necessary action to approve the Resolution to hold a Uniform Election on May 4th, 2024, and authorize the County Judge, County Clerk, and County Commissioners to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #6.pdf

A motion to approve the item as presented by Commissioner Hall; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

7. TAC Total Loss Declaration- Unit #1133, Sam Brijalba- HR Safety/Risk Coordinator

To consider, discuss, and take any necessary action regarding the selection of either two settlement options pertaining to Total Loss Declaration by TAC Total Loss Claims Division for Unit #1133 -- 2019 Police Chevrolet Tahoe (Silver)-- Texas License Plate #1365096 -- VIN #1GNLCDEC0KR288400, and authorize the County Judge to sign all documents associated with this agenda item; it is requested that the Commissioners' Court declares this item as "salvage property" and disposes of said item per Section 263.151 and for it to be removed from County inventory.

Commissioner Stringer made a motion to approve the item as presented; a second was made by Commissioner Gardner. MOTION PASSED 5-0

8. Vehicle Transfer, Lucy Soto- Purchasing Director

To consider, discuss, and take any necessary action regarding the vehicle transfer of a 2023 Toyota Highlander to the Human Resources Department.

A motion was made by Commissioner Hall to approve the item; Commissioner Gardner seconded the motion. Motion Failed 3-2

Voting Against Motion: Judge Fawcett, Commissioner Simmons and Commissioner Stringer

Commissioner Stringer made a motion to discuss the item further in Executive Session; a second was made by Commissioner Hall. MOTION PASSED 5-0

After discussion in Executive Session, a motion was made by Commissioner Simmons to deny the request and look at it again during the budget cycle; Commissioner Stringer. MOTION PASSED 5-0

9. 2023 Sole Source List Addition, Lucy Soto- Purchasing Director

To consider, discuss, and take any necessary action regarding the addition of Kofile to the 2023

Sole Source List.

A motion was made by Commissioner Simmons to approve the item as presented;
Commissioner Hall seconded the motion. Motion Passed 5-0

AWARD OF BIDS/PROPOSALS

10. Public Works Caliche Roads Bids, Lucy Soto, Purchasing Director, Steve Davis- Public Works Director

To consider, discuss, and take any necessary actions regarding the bid specifications for Public Works Caliche Roads; the specifications were developed by Public Works, the Purchasing Department and Langraf, Crutcher & Associates, and the bids are ready to be advertised and distributed upon approval by the Commissioners' Court.

ITEM WITHDRAWN

CONTRACTS/AGREEMENTS/GRANTS

11. NewsWest 9 & The TEGNA Foundation Grant, Howard Marks- Library Director

To consider, discuss, and take any necessary action to approve a \$2,500.00 grant from NewsWest 9 and the TEGNA Foundation to the Ector County Library and UT Permian Basin to expand the Latin American Writer and Film Series.

Commissioner Simmons made a motion to approve the grant; a second was made by Commissioner Gardner. MOTION PASSED 5-0

12. Interlocal Cooperation Contract: Failure to Appear Program, Jennifer Martin- County Clerk

To consider, discuss and take any necessary action to approve the *Interlocal Cooperation Contract* for the *Failure to Appear Program* through the Texas Department of Public Safety, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. 20240220155446.pdf

A motion was made by Commissioner Simmons to approve the item as presented;
Commissioner Hall seconded the motion. MOTION PASSED 5-0

13. RCI Agreement: District Attorney's Office, Lucy Soto, Purchasing Director, Dana McWilliams- HR Director

To consider, discuss, and take any necessary action regarding the *Recruiter Model Service Agreement* with Recourse Communications, Inc. (RCI) for the District Attorney's Office, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #13.pdf

Commissioner Simmons made a motion to approve the item as presented; a second was made by Commissioner Stringer. MOTION PASSED 5-0

PERSONNEL REQUESTS

14. Resignation: Constable Precinct #4, Pete Anchondo- Constable, Pct. #4

To consider, discuss, and take any necessary action regarding the resignation of Constable Pete Anchondo, Precinct #4.

A motion was made by Commissioner Hall to approve the resignation of Precinct #4 Constable Pete Anchondo; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

POLICIES/PROCEDURES

15. Animal Control Comp Time Disbursement, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action regarding the disbursement of "comp time" for the Animal Control Department per County policy.

Commissioner Stringer made a motion to approve the item as presented. After discussion, Commissioner Stringer amended his motion to pay out the accrued 300 hours for the employee; a second was made by Commissioner Gardner. MOTION PASSED 4-1
Voting Against Motion: Commissioner Simmons

16. Game Room Regulations , Dustin Fawcett- Ector County Judge

To consider, discuss, and take any necessary action to begin the process of adopting amended County regulations on Game Rooms and to obtain legal counsel.

Minutes Attachments

1. Agenda Item #16.pdf

Judge Fawcett stated that this would be sent to Executive Session to discuss with the District Attorney the proper organization of the Game Room Committee and to look at the boundary for which the businesses can operate.

A motion was made by Commissioner Hall to table until after Executive Session; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

After discussion in Executive Session, Commissioner Simmons made a motion to hire outside legal counsel as discussed in Executive Session and review their option in this matter; a second was made by Commissioner Gardner. MOTION PASSED 5-0

Patti Kappaugh addressed the court regarding a subject not listed on the agenda. She updated the commissioners regarding some matters with Ector County Utility District (ECUD). Ms. Kappaugh acknowledged that she was aware the court was still waiting on the AG Opinion but felt it was important that they stay informed on matters during the interim.

CONSENT AGENDA

17. Proposed Consent Agenda, Tristan Marquez- County Auditor

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

17a.) Line-Item Transfer- Library:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, Library, Subscriptions, 001-690-5207 from Motor Vehicle Equipment, 001-690-5505 for \$5,500.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #17.pdf

Commissioner Simmons made a motion to approve the consent agenda; a second was made by Commissioner Hall. MOTION PASSED 5-0

BUDGET/FINANCIAL

18. Budget Amendment Request: Animal Control, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to Sales Tax Fund, Animal Control, Animal supplies & expense, 005-361-5198 for \$15,000.00, and uniform supplies, 005-361-5176 for \$5,000.00 from Unreserved Fund Balance, 005-3310 for a total of \$20,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #18.pdf

A motion was made by Commissioner Simmons to approve the item as presented; Commissioner Hall seconded the motion. MOTION PASSED 5-0

19. Budget Amendment Request: Road Department, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to FMLR Fund, Road Department, Professional Services, 002-810-5307 from Unreserved Fund Balance, 002-3310 for a total of \$23,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #19.pdf

Commissioner Hall made a motion to approve the item as presented; a second was made by Commissioner Simmons. MOTION PASSED 5-0

20. Ector County Monthly Treasurer's Reports, Cleopatra Callaway- County Treasurer

To consider, discuss, and take any necessary action regarding the Ector County Monthly Treasurer's Reports for November 2023 and December 2023, and authorize the County Judge and County Commissioners to sign all documents associated with this agenda item. In addition, it is requested that these reports be archived with the official minutes of this meeting.

Minutes Attachments

1. Agenda Item #20.pdf

A motion was made by Commissioner Gardner to approve the item as presented; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

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

To consider, discuss, and take any necessary action to approve the Accounts Payable Fund Requirements Report for February 13th, 2024, and review County financial statements and reports.

Minutes Attachments

1. GENERAL REPORT 02 13 24.pdf

2. TRUST REPORT 02 13 24.pdf

Commissioner Simmons made a motion to approve the item as presented; a second was made by Commissioner Gardner. MOTION PASSED 5-0

10:31 A.M.

A motion was made by Commissioner Stringer to adjourn to Executive Session; Commissioner Hall seconded the motion. MOTION PASSED 5-0

12:54 P.M.

Commissioner Gardner made a motion to reconvene; a second was made by Commissioner Simmons. MOTION PASSED 5-0

EXECUTIVE SESSION

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

To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.

NO ACTION WAS TAKEN ON THIS ITEM

23. 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

24. 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.

Commissioner Simmons made a motion to authorize Human Resources to move forward

with the transition of individuals as discussed in Executive Session; a second was made by Commissioner Stringer. MOTION PASSED 5-0

ADJOURN

Time: 12:56 P.M.

With no further business to discuss a motion to adjourn was made by Commissioner Gardner with a second by Commissioner Hall. MOTION PASSED 5-0

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 21, 2024 at 02:53 PM



Jennifer Martin, Ector County Clerk