



Ector County Commissioners' Court

August 08, 2023

10:00 AM

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

CALL TO ORDER- JUDGE DUSTIN FAWCETT

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

INVOCATION- COMMISSIONER BILLY HALL

The invocation was led by Commissioner Hall.

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. Civil Fees, Kareli Santos- Sheriff's Office

To consider, discuss, and take any necessary action regarding civil fees, and to authorize the County Clerk to report these fees to the Texas Comptroller's Office.

Agenda Attachments

1. CIVIL FEES.pdf

A motion was made by Commissioner Simmons to approve the civil fees for the Sheriff's Office and to authorize the County Clerk to report the fees to the Texas Comptroller's Office; Commissioner Hall seconded the motion. MOTION PASSED 5-0

2. Sheriff's Office Fees, Kareli Santos- Sheriff's Office

To consider, discuss, and take any necessary action regarding the Sheriff's Office charging \$10.00 for in-person immigration background check requests, \$15.00 for mailed-out immigration background check requests, and \$5.00 for records cover and data sheets; all proceeds will go into the General Fund.

Commissioner Hall made a motion to approve the Sheriff's Office charging \$10.00 for in-person immigration background check requests, \$15.00 for mailed-out immigration background check requests, and \$5.00 for records cover and data sheets; all proceeds will go into the General Fund; a second was made by Commissioner Gardner. MOTION PASSED 5-0

AWARD OF BIDS/PROPOSALS

3. Life, AD&D, and Supplemental Life RFP Award, Lucy Soto- Purchasing, Dana McWilliams- Human Resources Director

To consider, discuss, and take any necessary action regarding the award for the Life, AD&D, and Supplemental Life Insurance (RFP #23-07-13-01).

Agenda Attachments

1. Life RFP Plan Comparison.pdf

A motion was made by Commissioner Gardner to award the Life, AD&D and Supplemental Life Insurance (RFP #23-07-13-01); Commissioner Hall seconded the motion. MOTION PASSED 5-0

CONTRACTS/AGREEMENTS/GRANTS

4. PRU of Texas Law Enforcement Liability Application , Sam Brijalba- HR Safety/Risk Coordinator

To consider, discuss, and take any necessary action to approve the PRU of Texas Law Enforcement Liability Application 2023-2024 Policy Term, and authorize the County Judge to sign all documents associated with this agenda item; This is a non-renewal on Law Enforcement Liability Component per Travelers; submission of aforementioned document to USI Insurance Group is a requirement towards procurement of Law Enforcement Liability Insurance Coverage separate and distinct from Travelers Insurance.

Agenda Attachments

1. PRU-TX LEL App (01-22) (003).pdf

Commissioner Hall made a motion to approve the PRU of Texas Law Enforcement Liability Application 2023-2024 Policy Term, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. MOTION PASSED 5-0

5. BPE Supplemental Application 2023-2024 Policy Term, Sam Brijalba- HR Safety/Risk Coordinator

To consider, discuss, and take any necessary action to approve the BPE Supplemental Application for submission to Travelers Insurance Group in partnership with USI Insurance Services, and authorize the County Judge to sign all documents associated with this agenda item.

Agenda Attachments

1. BPE Public Entity Application (12.22) 06-23-2023.pdf

A motion was made by Commissioner Simmons to approve the BPE Supplemental Application for submission to Travelers Insurance Group in partnership with USI Insurance Services, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

6. SOV- Statement of Values, Sam Brijalba- HR Safety/Risk Coordinator

To consider, discuss, and take any necessary action to approve the updated Statement of Values (SOV) for submission to Texas Association of Counties (TAC), and authorize the County Judge to sign all documents associated with this agenda item.

Agenda Attachments

1. Copy of SOV - Copy of 2023-2024 Policy Term MASTER SOV 07-18-2023.xls VERSION B.pdf

Commissioner Hall made a motion to approve the updated Statement of Values (SOV) for submission to Texas Association of Counties (TAC), and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Gardner. MOTION PASSED 5-0

7. SOV- Statement of Values (Traveler's Insurance), Sam Brijalba- HR Safety/Risk Coordinator

To consider, discuss, and take any necessary action to approve the updated Statement of Values (SOV) for Traveler's Insurance Group for submission to Texas Association of Counties (TAC), and authorize the County Judge to sign all documents associated with this agenda item.

Agenda Attachments

1. Copy of SOV - Copy of 2023-2024 Policy Term MASTER SOV 07-18-2023 - VERSION A - Travelers Insurance Group.pdf

A motion was made by Commissioner Simmons to approve the updated Statement of Values (SOV) for Traveler's Insurance Group for submission to Texas Association of Counties (TAC),

and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

8. Outside Auditor Engagement Exemption , Lucy Soto- Purchasing, Lee McClendon- County Attorney, Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to approve an order granting a discretionary exemption under the County Purchasing Act, to approve the engagement letter with the public accounting firm Whitley Penn for the County's fiscal year 2023 Audit, 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 Texas Local Government Code Section 262.024 (a) (4) as a discretionary exemption.

Agenda Attachments

1. 20230803133123.pdf
2. 20230803142406.pdf

Commissioner Stringer made a motion to approve an order granting a discretionary exemption under the County Purchasing Act, to approve the engagement letter with the public accounting firm Whitley Penn for the County's fiscal year 2023 Audit, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Hall. MOTION PASSED 5-0

9. GGWSC Engineering Services Agreement, Lucy Soto- Purchasing, Lee McClendon- County Attorney

To consider, discuss, and take any necessary action regarding an Engineering Services Agreement with Burgess & Niple, Inc. for the Greater Gardendale Water Supply Corporation's improvements to the water distribution system under the general direction of the American Rescue Plan Act (ARPA), and authorize the County Judge to sign all documents associated with this agenda item; this agreement has been reviewed by the Ector County Attorney and GrantWorks.

Agenda Attachments

1. Burgess Niple Engineering Contract for GGWSC 7.25.23 - EXECUTED - FINAL .pdf

A motion was made by Commissioner Hall to approve an Engineering Services Agreement with Burgess & Niple, Inc. for the Greater Gardendale Water Supply Corporation's improvements to the water distribution system under the general direction of the American Rescue Plan Act (ARPA), and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

10. Volkswagen Clean Diesel Litigation, Lee McClendon- County Attorney

To consider, discuss, and take any necessary action regarding a Resolution to approve settlement of pending claims against Volkswagen in the matter of *Ector County and State of Texas et. al. v. Volkswagen Group of America, et. al*, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Agenda Attachments

1. 20230802084454.pdf

Mr. McClendon advised the court that there would be a presentation during Executive Session and that the matter could be addressed under agenda item #21.

NO ACTION WAS TAKEN ON THIS ITEM

11. FY23 TSLAC ILL Lending Reimbursement Program, Howard Marks- Library Director

To consider, discuss, and take any necessary action to approve the 2023 TSLAC ILL Lending Reimbursement Program agreement with the Ector County Library, and authorize the County Judge to sign all documents associated with this agenda item.

Agenda Attachments

1. 2023 TSLAC ILL Lending Reimbursement Prog Form.pdf

Commissioner Simmons made a motion to approve the 2023 TSLAC ILL Lending Reimbursement Program agreement with the Ector County Library, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Gardner. MOTION PASSED 5-0

12. Texas Book Festival Grant, Howard Marks- Library Director

To consider, discuss, and take any necessary action to accept a \$2,500.00 Enhancement Grant for the Ector County Library from Texas Book Festival Collections; this will be used to purchase audiobooks for teens and young adults, and for future summer reading programs.

A motion was made by Commissioner Hall to accept a \$2,500.00 Enhancement Grant for the Ector County Library from Texas Book Festival Collections; this will be used to purchase audiobooks for teens and young adults, and for future summer reading programs; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

PLANNING AND DEVELOPMENT

13. Replat Youngville Subdivision, Eddie Landrum-Planning and Development Director

To consider, discuss, and take any necessary action on a Replat of Lot 19, Block 3, of the Replat of Lot 4, Block 3, Youngville Subdivision, and authorize the County Judge to sign all documents associated with this agenda item.

Agenda Attachments

1. Youngville Subdivision .pdf

Commissioner Simmons made a motion to approve a Replat of Lot 19, Block 3, of the Replat of Lot 4, Block 3, Youngville Subdivision, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Stringer. MOTION PASSED 5-0

14. Replat- Plumaneary Subdivision, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action on a Replat of a portion of Lot 2, and all of Lot 1, Block 8 Plumaneary Subdivision A, Subdivision of 2.18 acres situated in Section 7, Block 43, and authorize the County Judge to sign all documents associated with this agenda item.

Agenda Attachments

1. Plumaneary Sub.pdf

A motion was made by Commissioner Hall to approve a Replat of a portion of Lot 2, and all of Lot 1, Block 8 Plumaneary Subdivision A, Subdivision of 2.18 acres situated in Section 7, Block 43, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

15. MHRC- Serve 10524 W. Bighorn Drive, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action on an MHRC development to serve 10524 W. Bighorn Drive 1.7882 acre tract located in Chaparral Estates Subdivision, Block 50, Lots 1-3, and authorize the County Judge to sign all documents associated with this agenda item.

Agenda Attachments

1. MHRC 10524 W. Bighorn Drive.pdf

Commissioner Simmons made a motion to approve an MHRC development to serve 10524 W. Bighorn Drive 1.7882 acre tract located in Chaparral Estates Subdivision, Block 50, Lots 1-3, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Gardner. MOTION PASSED 5-0

CONSENT AGENDA

16. Proposed Consent Agenda, County Auditor's Office

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

Agenda:

16a.) Line Item Transfer- Environmental Enforcement:

To consider, discuss, and take any necessary action to approve a line item transfer to Sales Tax Fund, Environmental Enforcement, Departmental Furniture & Equipment, 005-471-5199 for \$20,616, Law Enforcement Supplies, 005-471-5183 for \$9,429, Uniform Supplies, 005-471-5176 for \$4000 from Contract Services, 005-471-5309 for \$34,045, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

16.b) Line Item Transfer- Sheriff's Department:

To consider, discuss, and take any necessary action to approve a line item transfer to General Fund, Sheriff's Department, Investigation Expense, 001-360-5332 from Subscriptions, 001-360-5207 for \$5,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Agenda Attachments

1. 20230801082002.pdf
2. Sheriff Line Item Transfer 8-8.pdf

A motion was made by Commissioner Simmons to approve the proposed Consent Agenda; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

BUDGET/FINANCIAL

17. Budget Amendment Request- Engineering Department, County Auditor's Office

To consider, discuss, and take any necessary action to approve a budget amendment to FMLR Fund, Engineering, Engineer/Professional Services, 002-820-5301 from Unreserved Fund Balance, 002-3310 for \$50,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Agenda Attachments

1. 20230801082013.pdf

Commissioner Simmons made a motion to approve a budget amendment to FMLR Fund, Engineering, Engineer/Professional Services, 002-820-5301 from Unreserved Fund Balance, 002-3310 for \$50,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Gardner. MOTION PASSED 5-0

18. Furniture Reimbursement, Sara Kate Billingsley- 446th District Court Judge, County Auditor's Office

To consider, discuss, and take any necessary action to reimburse Judge Sara Kate Billingsley for her office chair that was ruined due to courthouse flooding in the amount of \$1,000.

A motion was made by Commissioner Hall to reimburse Judge Sara Kate Billingsley for her office chair that was ruined due to courthouse flooding in the amount of \$1000; Commissioner Gardner seconded the motion. MOTION PASSED 4-1 (Against - Commissioner Stringer)

19. Financial Reports/Statements , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to approve the Accounts Payable Fund Requirements Report for August 8th, 2023, and review County financial statements and reports.

Commissioner Simmons made a motion to approve the Accounts Payable Fund Requirements Report for August 8th, 2023, and review County financial statements and reports; a second was made by Commissioner Gardner. MOTION PASSED 5-0

10:14 A.M.

Commissioner Simmons made a motion to adjourn into Executive Session; a second was made by Commissioner Stringer. MOTION PASSED 5-0

10:28 A.M.

A motion was made by Commissioner Gardner to reconvene with a second by Commissioner Hall.
MOTION PASSED 5-0

EXECUTIVE SESSION

20. Legal Matters, Shelby Rigtrup- County Judge Admin

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

21. Legal Matters - Litigation, Lee McClendon- County Attorney

As permitted by Texas Government Code Section 551.071 (1) and (2), Consult with Attorneys Concerning any Pending or Contemplated Civil or Administrative Litigation by or against Ector County - *Ector County and State of Texas, et. al. v. Volkswagen Group of America, et. al.* pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.

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

22. Real Estate, Shelby Rigtrup- County Judge Admin

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

23. Personnel Matters, Shelby Rigtrup- County Judge Admin

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

10:29 A.M.

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

SIGNATURE PAGE

24. Signature Page , Shelby Rigtrup- County Judge Admin

Agenda Attachments

1. Signature Page for Comm Court.pdf

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.

August 08, 2023 at 11:32 AM



Jennifer Martin, Ector County Clerk