



Ector County Commissioners' Court

August 22, 2023

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
Billy Hall, Commissioner Precinct #4
Minutes taken by Jennifer Martin, County Clerk
Absent:
Don Stringer, Commissioner Precinct #3

The meeting was called to order at 10:01 a.m.

INVOCATION- COMMISSIONER GREG SIMMONS

The invocation was led by Commissioner Simmons.

PLEDGE OF ALLEGIANCE- UNITED STATES AND TEXAS

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

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. County Clerk Archive Plan, Jennifer Martin- County Clerk

To consider, discuss, and take any necessary action to approve the Ector County Clerk's Record Archive Plan for Fiscal Year 2023-2024, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #1.pdf

Commissioner Simmons made a motion to approve the Ector County Clerk's Record Archive Plan for Fiscal Year 2023-2024, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Hall. MOTION PASSED 4-0

2. New Hire- Agricultural Agent, Steve Paz- County Extension Agents Director

To consider, discuss, and take any necessary action regarding the presentation of Brady Evans, newly hired for the Agricultural Agent position for Ector and Midland Counties for Texas A&M AgriLife Extension Service; his effective start date will be September 1st, 2023.

Steve Paz addressed the court to introduce Brady Evans.

A motion was made by Commissioner Hall to hire Brady Evans effective September 1, 2023; Commissioner Gardner seconded the motion. MOTION PASSED 4-0

3. T-Mobile Donation, Eunice Ibarra- Health Department

To consider, discuss, and take any necessary action to accept a \$500.00 donation from T-Mobile for the Ector County Health Department; this donation was given for the purchase of school supplies and backpacks during the back to school clinics.

Commissioner Hall made a motion to accept a \$500.00 donation from T-Mobile for the Ector County Health Department; this donation was given for the purchase of school supplies and backpacks during the back to school clinics; a second was made by Commissioner Simmons. MOTION PASSED 4-0

4. 2023-2024 Commissioners' Court Schedule, Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to approve the Ector County Commissioners' Court schedule for the 2023-2024 term.

A motion was made by Commissioner Simmons to approve the Ector County Commissioners' Court Schedule for the 2023-2024 term; Commissioner Gardner seconded the motion. MOTION PASSED 4-0

5. 2023-2024 Holiday Schedule , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to approve the Ector County Holiday Schedule for the 2023-2024 term.

After discussion, Commissioner Gardner made a motion to approve the Ector County Holiday Schedule with the addition of November 10th for Veterans Day and changing the Christmas Holiday to December 25-26; a second was made by Commissioner Simmons. MOTION PASSED 4-0

6. Proposed Tax Rate , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action regarding the 2023-2024 Proposed Tax Rate.

A motion was made by Commissioner Hall to approve the 2023-2024 Proposed Tax Rate; Commissioner Simmons seconded the motion. MOTION PASSED 4-0

7. Public Hearing Scheduling- 2023-2024 Tax Rate, Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to schedule the 2023-2024 Tax Rate Public Hearing at the regularly scheduled Commissioners' Court meeting on September 12th, 2023 at 10:00am.

Commissioner Simmons made a motion to approve holding the 2023-2024 Tax Rate Public Hearing at the regularly scheduled Commissioners' Court meeting on September 12th, 2023 at 10:00 a.m.; a second was made by Commissioner Hall. MOTION PASSED 4-0

8. Public Hearing Scheduling- 2023-2024 Budget , Shelby Rigtrup- County Judge Admin

To consider, discuss, and take any necessary action to schedule the 2023-2024 Budget Public Hearing for September 5th, 2023 at 10:00am.

A motion was made by Commissioner Hall to schedule the Public Hearing for the 2023-2024 Budget on September 5th, 2023 at 10:00 a.m.

PUBLIC HEARING & RELATED DISCUSSION & POTENTIAL ACTION

9. Swift Air Solar Project Tax Abatement, Lee McClendon- County Attorney

To conduct a public hearing and consider, discuss, and take any necessary action regarding an application by Swift Air Solar, LLC for a proposed designation as a Reinvestment Zone and application for tax abatement under Chapter 312 of the Texas Tax Code, for use as solar power facilities by Swift Air Solar, LLC located southeast of the City of Penwell in Ector County, Texas; and

to take any necessary action regarding approval of adoptions of resolutions and the tax abatement agreement with Swift Air Solar, LLC, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #9.pdf

Commissioner Simmons made a motion to table the item until after discussion in Executive Session; a second was made by Commissioner Gardner. MOTION PASSED 4-0

After discussion in Executive Session, Commissioner Simmons made a motion to approve an application by Swift Air Solar, LLC for a proposed designation as a Reinvestment Zone and application for tax abatement of 100% for years 1-5, 50% for years 6-10 and \$100,000 in pilot funding, approve the adoption of resolutions and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item; a second was made by Commissioner Hall. MOTION PASSED 4-0

CONTRACTS/AGREEMENTS/GRANTS

10. Architectural Services- Kellus Turner Park, Lucy Soto- Purchasing, Steve Davis- Public Works Director

To consider, discuss, and take any necessary action regarding an Architectural Services Agreement with JSA Architects to provide *Site Master Plan* options for Kellus Turner Park in an amount not to exceed \$12,000.00, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #10.pdf

A motion was made by Commissioner Gardner to approve an Architectural Services Agreement with JSA Architects to provide *Site Master Plan* options for Kellus Turner Park in an amount not to exceed \$12,000.00, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Simmons seconded the motion. MOTION PASSED 4-0

11. Change Order #1- 42nd Street Improvements (FM 1936 to Knox Ave), Lucy Soto- Purchasing

To consider, discuss, and take any necessary action on Change Order #1 for the 42nd Street Project, and authorize the County Judge to sign all documents associated with this agenda item; Colorado River Municipal Water District (CRMWD) has confirmed that the concrete pad in the contract is no longer required and some items on the contract will be done in-house by the Public Works Department; the adjustments in this change order will reduce the total contract by \$2,256,965.

Minutes Attachments

1. Agenda Item #11.pdf

Commissioner Hall made a motion to approve Change Order #1 for the 42nd Street Project, and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Simmons. MOTION PASSED 4-0

12. Hudspeth County Interlocal Agreement, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action to approve the Inmate Housing Interlocal Agreement between Ector County and Hudspeth County, including increases in the per diem rate per inmate, and authorize the County Judge, County Auditor, County Attorney, County Clerk, and Sheriff to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #12.pdf

A motion was made by Commissioner Simmons to approve the Inmate Housing Interlocal Agreement between Ector County and Hudspeth County, including increases in the per diem rate per inmate, and authorize the County Judge, County Auditor, County Attorney, County

Clerk, and Sheriff to sign all documents associated with this agenda item; Commissioner Gardner seconded the motion. MOTION PASSED 4-0

13. Hillmont Estates Streetlights, Mike Gardner- Commissioner, Precinct #1

To consider, discuss, and take any necessary action regarding agreement specifications with developer Ron Chestnut about streetlights, and authorize the County Judge to sign all documents associated with this agenda item.

After discussion between Ron Chestnut and the court, Commissioner Simmons made a motion to approve the agreement subject to the 2 years of service being paid by Mr. Chestnut; a second was made by Commissioner Hall. MOTION PASSED 4-0

14. Telesystem Renewal Agreement- Ector County Coliseum, Aaron Martin- Coliseum Director

To consider, discuss, and take any necessary action to approve a 3-year renewal agreement with Telesystem for Wi-Fi service, equipment, and management software for the Ector County Coliseum, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #14.pdf

A motion was made by Commissioner Simmons to approve a 3-year renewal agreement with Telesystem for Wi-Fi service, equipment, and management software for the Ector County Coliseum, and authorize the County Judge to sign all documents associated with this agenda item; Commissioner Hall seconded the motion. MOTION PASSED 4-0

CONSENT AGENDA

15. Proposed Consent Agenda, County Auditor's Office

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

15a.) Line Item Transfer- County Auditor's Office:

To consider, discuss, and take any necessary action to approve a line item transfer to General Fund, Non-Departmental Judicial, Judicial Administration Fees, 001-220-5329 from General Fund, County Auditor, Full Time Salaries for \$25,179, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

15b.) Line Item Transfer- Planning and Development:

To consider, discuss, and take any necessary action to approve a line item transfer to Sales Tax Fund, Planning & Development, Office Supplies, 005-025-5171 from Educational Travel, 005-025-5161 for \$5,088, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

15c.) Line Item Transfer- Planning and Development:

To consider, discuss, and take any necessary action to approve a line item transfer to Sales Tax Fund, Planning & Development, Office Supplies, 005-025-5171 for \$4,000, Departmental Furniture & Equipment, 005-025-5199 for \$3,400 from D.P. Equipment, 005-025-5506 for \$7,400, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

15d.) Line Item Transfer- Airport:

To consider, discuss, and take any necessary action to approve a line item transfer to Airport Fund, County Airport, Office Supplies, 042-870-5171 from Educational Travel, 042-870-5161 for \$200, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

15e.) Line Item- Information Technology:

To consider, discuss, and take any necessary action to approve a line item transfer to General Fund, Information Technology, Telephone, 001-310-5351 from D.P. Hardware Maintenance, 001-310-5261 for \$4,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

15f.) Line Item Transfer- Public Works:

To consider, discuss, and take any necessary action to approve a line item transfer to Sales Tax Fund, Road Department, Motor Vehicle Equipment, 005-810-5505 from Sales Tax Fund, Traffic Operations, Motor Vehicle Equipment, 005-830-5505 for \$6,885, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #15.pdf

Commissioner Hall made a motion to approve all items in the Consent Agenda; a second was made by Commissioner Simmons. MOTION PASSED 4-0

BUDGET/FINANCIAL

16. Budget Amendment Request- Purchasing, County Auditor's Office

To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, Purchasing, County Advertising, 001-290-5403 from Unreserved Fund Balance, 001-3310 for \$3,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #16.pdf

A motion was made by Commissioner Simmons to approve a budget amendment to General Fund, Purchasing, County Advertising, 001-290-5403 from Unreserved Fund Balance, 001-3310 for \$3,000, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; Commissioner Gardner seconded the motion. MOTION PASSED 4-0

17. 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 22nd, 2023, and review County financial statements and reports.

Minutes Attachments

1. General Dept Report 8 22 23.pdf

Commissioner Gardner made a motion to approve the Accounts Payable Fund Requirements Report for August 22, 2023; a second was made by Commissioner Hall. MOTION PASSED 4-0

10:43 A.M.

A motion was made by Commissioner Hall to adjourn to Executive Session; Commissioner Gardner seconded the motion. MOTION PASSED 4-0

11:16 A.M.

Commissioner Hall made a motion to reconvene; a second was made by Commissioner Gardner. MOTION PASSED 4-0

EXECUTIVE SESSION

18. 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

19. 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

20. 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

11:18 A.M.

Commissioner Simmons made a motion to adjourn with a second by Commissioner Hall. MOTION PASSED 4-0

SIGNATURE PAGE

21. Signature Page , Shelby Rigtrup- County Judge Admin

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 25, 2023 at 02:56 PM



Jennifer Martin, Ector County Clerk