



Ector County Commissioners' Court

May 14, 2024

10:00 AM

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

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**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- COMMISSIONER MIKE GARDNER**

The invocation was led by Commissioner Gardner.

**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. Public Participation/Comments, Shelby Rigtrup- County Judge Admin. Assistant

To receive public comments on non-agenda related items.

Michelle Spinks - asked the court to put 3 memorial markers in remembrance of her niece Kayla Allen. It would be at no cost to the court.

Judge Fawcett stated that they would get it put on the agenda soon.

Tommy Ervin - addressed the court to discuss the potential of using sales tax assistance funds for ECUD.

Ashli Cline, 734 Shepherd Cir, Andrews, TX - representing KCSI and would lose maintenance on their aircraft if they lose the current FBO at Schlemeyer Air Field.

Sammy Medina, Scout Aviation - representing Scout Aviation which is helicopter training.

Expressed concern that the county run airport would not be in the best interest of the field and encouraged the court to really think about what they are taking on so that it doesn't negatively affect other businesses.

Steven Weston, 3 Plantation Cir., Odessa, TX - Professional pilot and manager of multiple companies. Explained to the court that corporate aviation requires a professional FBO to be successful. He has had negative experiences with county/city run airports due to the need to wait for approval by the courts for general functions.

Joseph Hoppins, 10010 W. Bradley Dr., Odessa, TX - Regularly fixed and maintained the restrooms and other areas of the FBO and expressed concern about a county run FBO and being forgotten about. Also fixed hangar doors when county was not reachable. He stated that he worked on county equipment such as the street sweeper which needs to be run at least once a week. He asked the court to consider the small businesses that will be gone if they decide to run the airport.

## 2. 2024-2025 Budget Schedule & Priorities, Dustin Fawcett- Ector County Judge

To consider, discuss, and take any necessary action regarding the Fiscal Year 2024-2025 budget schedule and priorities.

Judge Fawcett went over the budget schedule. The priorities will be leaving the tax rate the same, increasing Clerks pay along with the District Attorney's department and decreasing the amount of funds being paid out of the sales tax fund.

### **NO ACTION WAS TAKEN ON THIS ITEM**

## 3. Intoxilyzer Supervisor Transition, David Legg- Intoxilyzer Supervisor

To consider, discuss, and take any necessary action to introduce Lisa Fondren as the new Intoxilyzer Supervisor; Lisa will be taking over David Legg's position after his retirement.

David Legg addressed the court to introduce Lisa Fondren. Mr. Legg has been the intoxilyzer supervisor for 30 years but is now retiring at the end of July. If the court approves Ms. Fondren would take over August 1st, 2024.

Ms. Fondren went over her qualifications.

Dusty Gallivan stated that he has no objection.

Sheriff Griffis addressed the court to thank Mr. Legg for his service to Ector County.

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

## 4. Property Tax Exemption Order: Childcare Facilities, Dustin Fawcett- Ector County Judge

To consider, discuss, and take any necessary action regarding an *Order Adopting a Property Tax Exemption for Qualifying Childcare Facilities* for Ector County, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

A motion to deny the agenda item was made by Commissioner Simmons; a second was made by Commissioner Stringer. MOTION PASSED 4-1 (Judge Fawcett voted against the motion)

## 5. Board of Trustees of PermiaCare Reappointment, Cheryl McLaughlin- PermiaCare

To consider, discuss, and take any necessary action to approve the reappointment of Gus Ortega to the Board of Trustees of PermiaCare; Mr. Ortega has been on the Board since 2015.

Commissioner Simmons made a motion to approve the reappointment of Gus Ortega to the Board of Trustees of PermiaCare; a second was made by Commissioner Gardner. MOTION PASSED 5-0

## 6. Cell Phone Allowance, Jeffrey Avery- Public Works Director

To consider, discuss, and take any necessary action to approve a monthly cell phone allowance for Public Works Director Jeffrey Avery from account #002-810-5151, and authorize the County Judge to sign all documents associated with this agenda item.

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

7. Wheeler Road Speed Limit, Marisela Campos- Public Works Assistant Director

To consider, discuss, and take any necessary action to raise the speed limit along Wheeler Road from 45 MPH to 55 MPH.

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

8. Odessa College Donation, Lucy Soto- Purchasing Director

To consider, discuss, and take any necessary action regarding Ector County donating bars and other hardware to Odessa College from the old jail at the Courthouse; this can be done per Texas Local Government Code Sec. 262.152.

A motion was made by Commissioner Stringer to approve the donation to Odessa College; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

**AWARD OF BIDS/PROPOSALS**

9. Auctioneer Services Extension/Renewal, Lucy Soto- Purchasing Director

To consider, discuss, and take any necessary action regarding a one-year extension/renewal for *On-Line Auctioneer Services* with Rene Bates Auctioneers.

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

10. Request for Bid Award: Caliche Roads, Lucy Soto- Purchasing Director, Jeffrey Avery- Public Works Director

To consider, discuss, and take any necessary action regarding the Award on the *Caliche Roads Request for Bid* to Permian Paving Inc., and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

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

11. Request for Bid Award: Tripp Avenue (Phase I), Lucy Soto- Purchasing Director, Jeffrey Avery- Public Works Director

To consider, discuss, and take any necessary action regarding the Award of the *Tripp Avenue (Phase I) Request for Bid* to Reece Albert, Inc., and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

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

12. Request for Bid Award: Road Materials, Lucy Soto- Purchasing Director, Jeffrey Avery- Public Works Director

To consider, discuss, and take any necessary action regarding the Awards on the *Highways and Streets Road Materials Request for Bid*, to Ergon Asphalt, P2 Emulsions, Hunter Ready Mix, Capital Aggregate, Universall Trucking, CSA Materials, and Vulcan Materials, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

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

13. New Courthouse Design Build Services, Lucy Soto- Purchasing Director, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action on the *Request for Qualifications Specifications* and *Master Service Agreement* for the building of the new Ector County Courthouse, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item; this will be completed using a Design Build Solicitation.

After discussion amongst the court, Commissioner Stringer made a motion to approve the agenda item as presented; a second was made by Commissioner Gardner. MOTION PASSED 3-2 (Commissioner Simmons and Commissioner Hall voted against the motion)

14. Courthouse Elevator Upgrade, Billy Carrigan- Building Maintenance Director

To consider, discuss, and take any necessary action regarding a quote from Otis Elevator to upgrade two Courthouse elevators, and authorize the County Judge to sign all documents associated with this agenda item.; the total funding amount for this project is \$922,981.00.

Minutes Attachments

1. Agenda Item #14.pdf

A motion was made by Commissioner Hall to approve the agenda item as presented; a second was made by Commissioner Simmons. After additional discussion, Commissioner Hall amended the motion to include that it would be funded from the ARPA funds; Commissioner Simmons amended his second. MOTION PASSED 5-0

15. Courthouse Fence Project, Billy Carrigan- Building Maintenance Director

To consider, discuss, and take any necessary action regarding a proposal from All-State Fence & Supply Co., for a new fence at the Ector County Courthouse, and authorize the County Judge to sign all documents associated with this agenda item; the total amount for this project is \$55,432.00 after the addition of two gate operators and one exit loop, and the funding will be taken from Courthouse Security budget line-item #017-220-5507.

**ITEM WITHDRAWN**

**CONTRACTS/AGREEMENTS/GRANTS**

16. TAC Property Renewal Schedule, Dana McWilliams- Human Resources Director

To consider, discuss, and take any necessary action to approve the Texas Association of Counties (TAC) and Ector County 2024-2025 *Property Insurance Renewal Questionnaire*, and authorize the County Judge to sign all documents associated with this agenda item.

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

17. Premise Health Medical Services Agreement Amendment, Dana McWilliams- Human Resources Director

To consider, discuss, and take any necessary action to approve an Amendment to the *Medical Services Agreement* between Ector County and Premise Health Employer Solutions, LLC., and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #17.pdf

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

18. Interlocal Inmate Housing Agreement: Winkler County, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action regarding the *Interlocal Inmate Housing Agreement* between the Ector County Sheriff's Office and the Winkler County Sheriff's Office, including an increase in the per diem rate, and authorize the County Judge, County Auditor, and Sheriff to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #18.pdf

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

**PERSONNEL REQUESTS**

19. Airport Manager, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to approve the job description, the salary range, and the posting of the position for the Airport Manager at Ector County/Odessa-Schlemeyer Field Airport.

Ms. Marker read letters that were submitted from people who utilize Schlemeyer Airport but do not live in Ector County.

Commissioner Stringer made a motion to approve the amended version; a second was made by Commissioner Simmons. MOTION PASSED 4-1 (Judge Fawcett voted against the motion)

**PLANNING AND DEVELOPMENT**

20. Replat: Gage Acres (Section 5), Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action on a Replat of Lot 9, Block 4, Gage Acres, Section 5-- a subdivision of Ector County, being a 4.39 acre tract of land in Section 5, Block 42, Precinct #4, and authorize County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #20.pdf

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

21. MHRC Application: 10197 W Westridge Dr., Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action on an MHRC Application, located at 10197 W. Westridge Dr., Precinct #1, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #21.pdf

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

22. MHRC Application:10620 W Palomino Dr., Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action on an MHRC Application, located at 10620 W. Palomino Dr., Precinct #1, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #22.pdf

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

23. MHRC Development: 2511, 2513, & 2515 W. 81st Street, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action regarding an MHRC Development, located at 2511, 2513, and 2515 W. 81st Street., Precinct #1, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #23.pdf

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

**CONSENT AGENDA**

24. Proposed Consent Agenda, Tristan Marquez- County Auditor

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

24a.) Line-Item Transfer- 161st District Court:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, 161st District Court, Professional Dues & Fees, 001-070-5302 from Office Supplies, 001-070-5171 for \$200.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

24b.) Line-Item Transfer- Auditor's Office

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, Auditor, Software Maintenance Contracts, 001-260-5283 for \$5,237.00, and Departmental Furniture & Equipment for \$5,000.00 from Full Time Salaries, 001-260-5103 for \$10,237.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #24.pdf
2. Agenda Item #24b.pdf

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

**BUDGET/FINANCIAL**

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

To consider, discuss, and take any necessary action to approve the Accounts Payable Fund Requirements Report for May 14th, 2024, and review County financial statements and reports.

Minutes Attachments

1. GENERAL REPORT 05 14 2024.pdf
2. TRUST REPORT 05 14 2024.pdf

Commissioner Hall made a motion to approve the Accounts Payable Fund Requirements Report as presented; a second was made by Commissioner Simmons. MOTION PASSED 5-0

11:17 A.M.

A motion was made by Commissioner Stringer to adjourn to Executive Session; Commissioner Simmons seconded the motion.

1:18 P.M.

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

**EXECUTIVE SESSION**

26. 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**

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

To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section

551.071, Texas Government Code.

**NO ACTION WAS TAKEN ON THIS ITEM**

28. 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 the Human Resources Department to establish a \$800 per month car allowance for the Road and Bridge Director in lieu of his county vehicle; a second was made by Commissioner Hall. MOTION PASSED 5-0

**ADJOURN**

**Time: 1:19 P.M.**

With no further business to discuss a motion to adjourn was made by Commissioner Stringer with a second by Commissioner Gardner. 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.

May 29, 2024 at 04:37 PM



Jennifer Martin, Ector County Clerk