



Ector County Commissioners' Court

July 23, 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 10:00 a.m.

**INVOCATION- REVEREND STEVE MOSS: FIRST METHODIST CHURCH ODESSA**

The invocation was led by Reverend Steve Moss, First Methodist Church of Odessa.

**PLEDGE OF ALLEGIANCE- UNITED STATES AND TEXAS**

Commissioner Gardner 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.

**NO ACTION WAS TAKEN ON THIS ITEM**

2. Shared Ector/Midland County Extension Agent Appointment- Family and Community Health, Steve Paz- County Extension Agents Director

To consider, discuss, and take any necessary action regarding the state appointment of Krista Chin as the shared Ector/Midland County Extension Agent for Family and Community Health; agents educate and provide assistance to Texans in the areas of agriculture, environmental stewardship, youth and adult life skills, human capital and leadership, 4-H and youth program, health and nutrition, horticulture, and community economic resource development.

Steve Paz addressed the court to introduce Krista Chin as the shared Ector/Midland County Extension Agent. Ms. Chin also addressed the court to introduce herself.

3. 2024-2026 Elections Term Approval: Election Judges, Co-Judges, Early Voting Clerks and the Ballot Board, Lisa Sertuche- Elections Director

To consider, discuss, and take any necessary action to approve the nominees of Judges, Co-Judges, Early Voting Clerks, and the Ballot Board for elections for a two-year term from 2024-2026.

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

#### AWARD OF BIDS/PROPOSALS

4. Request for Bid Specifications: Road Material Testing II Services, Lucy Soto- Purchasing Director, Jeffrey Avery- Public Works Director

To consider, discuss, and take any necessary action on the *Request for Bid Specifications* for Road Material Testing II Services, Bid No. 2024-IFB-037; the specifications were put together by the Public Works Department and the Purchasing Department, and are ready to advertise and distribute to vendors upon approval from the Commissioners' Court.

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

5. Request for Proposals: Coliseum Concessionaire, Lucy Soto- Purchasing Director, Aaron Martin- Coliseum Director

To consider, discuss, and take any necessary action regarding the specifications on the *Request for Proposals* for the Coliseum Concessionaire, Bid No. 2024-RFP-038; the specifications were put together by the Coliseum and the Purchasing Department, and are ready to advertise and distribute to vendors upon approval from the Commissioners' Court

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

6. Request for Proposals Award: Aviation Fuel Services, Lucy Soto- Purchasing Director, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to approve the *Request for Proposals Award* for Aviation Fuel Supply Services to Eastern Aviation Fuels, and authorize the County Judge to sign all documents associated with this agenda item.

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

#### CONTRACTS/AGREEMENTS/GRANTS

7. TAC Liability Renewal Questionnaire and Auto Schedule, Sam Brijalba- HR Safety/Risk Coordinator

To consider, discuss, and take any necessary action regarding the *Texas Association of Counties (TAC) Liability Renewal Questionnaire and Auto Schedule* for the 2024-2025 Policy Term, and authorize the County Judge to sign all documents associated with this agenda item; the completed aforementioned documents may be utilized by the Texas Association of Counties (TAC) Risk Management Pool in processing the renewal and in assessing coverage needs of Ector County.

##### Minutes Attachments

1. Agenda Item #7.pdf

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

8. DSHS Amendment No. 1, Contract No. HHS001331300040, Brandy Garcia- Health Department Director

To consider, discuss, and take any necessary action regarding Amendment No.1 on Contract No. HHS001331300040, *Immunization/Locals Grant*, between the Ector County Health Department and the Texas Department of State Health Services (DSHS), and authorize the County Judge to sign all documents associated with this agenda item; this includes an extension of the grant from

September 1st, 2024 through August 31st, 2025, and the increase in the funding amount of \$191,873.00.

Minutes Attachments

1. Agenda Item #8.pdf

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

9. DSHS Amendment No. 1, Contract No. HHS001311600001, Eunice Ibarra- Health Department

To consider, discuss, and take any necessary action regarding Amendment No.1 on Contract No. HHS001311600001, *Health Emergency Preparedness and Response Grant*, between the Ector County Health Department and the Texas Department of State Health Services (DSHS), and authorize the County Judge to sign all documents associated with this agenda item; this includes a revision to change the date for the final performance of the statement of work, and the financial status report is due to incorporate updated contract affirmations and uniform terms and conditions.

Minutes Attachments

1. Agenda Item #9.pdf

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

10. DSHS Amendment No. 4, Contract No. HHS000812700018, Eunice Ibarra- Health Department

To consider, discuss, and take any necessary action regarding Amendment No. 4 on Contract No. HHS00081270001 between the Ector County Health Department and the Texas Department of State Health Services (DSHS), and authorize the County Judge to sign all documents associated with this agenda item; this includes a revision of the statement of work and budget to add additional funding in the amount of \$73,372.00 for SARS-CoV-2 outbreak response activities; the effective date of this amendment will end July 31st, 2026, and the total of this contract will not exceed \$249,464.00.

Minutes Attachments

1. Agenda Item #10.pdf

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

11. Temporary Employee Staffing Agreement: Jail Medical Staffing, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action regarding a *Temporary Employee Staffing Agreement* with Health Advocates Network, a temporary employee medical staffing agency, for the Ector County Jail, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #11.pdf

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

12. Professional Services Exemption Order, Lucy Soto- Purchasing Director, Jeffrey Avery- Public Works Director

To consider, discuss, and take any necessary action to approve an order *exempting* Ector County from the requirements of the *County Purchasing Act* for the procurement of architectural services from KDC Associates, in accordance with the Texas Local Government Code 262.024, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

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

13. Landscape Architectural Services Agreement, Lucy Soto- Purchasing Director, Jeffrey Avery- Public Works Director

To consider, discuss, and take any necessary action to approve the *Landscape Architectural Services Agreement* with KDC Associates for the design of a Parks Master Plan, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #13.pdf

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

Steve Patton, KDC Associates addressed the court to introduce Kelly Cook, Owner of KDC Associates, and reiterated the need for a steering committee for this project.

Kelly Cook then addressed the court to echo the need for Mr. Patton's request to be granted.

14. Distribution Easement and Right of Way (ROW) Agreement, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action regarding the *Distribution Easement and Right of Way (ROW) Agreement* by and between Ector County and Atmos Energy in regard to the moving of an existing ROW located upon the Ector County/Odessa Schlemeyer Field Airport, 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 Stringer to approve request as presented; Commissioner Hall seconded the motion. MOTION PASSED 5-0

15. Ground Lease Agreement, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action regarding a *Ground Lease Agreement* by and between Ector County and Wor-Pro Investments, LLC., located at the Ector County/Odessa Schlemeyer Field Airport, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

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

16. Asset Purchase Agreement, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action regarding the *Asset Purchase Agreement* for the assets owned by T. Aero II, LLC., by and between Ector County and T. Aero II, LLC., in regard to the assets and hangars located at the Ector County/Odessa Schlemeyer Field Airport, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #16.pdf

A motion was made by Commissioner Stringer to approve the agreement as presented; Commissioner Hall seconded the motion. After some discussion and John Henderson reading over the amendments to the proposed contract, Commissioner Stringer amended his motion to include the amendments as read; the second by Commissioner Hall was also amended. MOTION PASSED 5-0

17. Assignment and Assumption of Ground Lease, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action regarding the *Assignment and Assumption of Ground Lease* for the ground lease currently owned by T. Aero II, LLC., by and between Ector

County and T. Aero II, LLC., in regard to the hangar located at the Ector County/Odessa Schlemeyer Field Airport, and authorize the County Judge to sign all documents associated with this agenda item.

#### Minutes Attachments

##### 1. Agenda Item #17.pdf

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

##### 18. Bill of Sale and Assumption Agreement, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action regarding the *Bill of Sale and Assumption Agreement* for the assets owned by T. Aero II, LLC., by and between Ector County and T. Aero II, LLC., in regard to the assets and hangars located at the Ector County/Odessa Schlemeyer Field Airport, and authorize the County Judge to sign all documents associated with this agenda item.

#### Minutes Attachments

##### 1. Agenda Item #18.pdf

A motion was made by Commissioner Hall to approve the Bill of Sale and Assumption Agreement as presented; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

### PERSONNEL REQUESTS

##### 19. Public Works County Engineer Job Reclassification, Amber Valles- Public Works Department Coordinator

To consider, discuss, and take any necessary action to approve the *reclassification* of Assistant Public Works Director to County Engineer for the Ector County Public Works Department; funding will be from account # 002-820 Engineering.

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

### PUBLIC WORKS

##### 20. Wheeler Road Acceptance and Maintenance, Lucy Soto- Purchasing Director, Jeffrey Avery- Public Works Director

To consider, discuss, and take any necessary action regarding *the acceptance and maintenance* of the newly reconstructed County Road 307 (South Wheeler Road) from approximately 3,783-foot South of State Highway 302 and County Road 307 intersection to Winkler County Road 404 (7.32 miles), 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 Simmons seconded the motion. MOTION PASSED 5-0

### CONSENT AGENDA

##### 21. Proposed Consent Agenda, Tristan Marquez- County Auditor

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

##### 21a.) Line-Item Transfer- Post-Sentence Monitoring:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, Post Sentence Monitoring, Educational Travel, 001-425-5161 from Departmental Furniture & Equipment, 001-425-5199 for \$850.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

##### 21b.) Line-Item Transfer- Elections:

To consider, discuss, and take any necessary action to approve a line-item transfer to Elections

Fund, Educational Travel, 004-980-5161 from Postage, 004-980-5193 for \$4,500.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

21c.) Line-Item Transfer- Auditor's Office:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, Auditor, Office Supplies, 001-260-5171 from Full-Time Salaries, 001-260-5103 for \$1,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #21.pdf

Commissioner Simmons made a motion to approve consent agenda items 21a through 21c; a second was made by Commissioner Gardner. MOTION PASSED 5-0

**BUDGET/FINANCIAL**

22. Budget Amendment- Capital Improvements, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to Capital Improvements Fund, New Building, 044-990-5503 from Unreserved fund balance, 044-3310 for \$130,414.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #22.pdf

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

23. Annual Comprehensive Financial Report, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to accept the *Annual Comprehensive Financial Report* for the year ending September 30th, 2023.

Commissioner Hall made a motion to accept the Annual Comprehensive Financial Report as presented; a second was made by Commissioner Simmons. MOTION PASSED 5-0

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

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

Minutes Attachments

1. AP Department Payment Report - 7159.pdf

2. AP Department Payment Report - 7158.pdf

A motion was made by Commissioner Gardner to approve the Accounts Payable Fund Requirements Report as presented; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

**Time: 10:18 a.m.**

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

**Time: 1:37 p.m.**

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

**EXECUTIVE SESSION**

25. 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.

Commissioner Simmons made a motion to move forward with paying Lisa Fondren for the intoxilyzer program under the same terms as the current provider until a new contract can be formalized; a second was made by Commissioner Hall. MOTION PASSED 5-0

26. 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**

27. 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.

A motion was made by Commissioner Simmons to authorize the Health Department to hire the position discussed in Executive Session at a step 7; Commissioner Hall seconded the motion. MOTION PASSED 5-0

Commissioner Simmons made a motion to authorize Building Maintenance to hire the new employee at a step 4 as discussed in Executive Session; a second was made by Commissioner Gardner. MOTION PASSED 5-0

**Time: 1:40 p.m.**

A motion was made by Commissioner Simmons to recess until 3:00 p.m.; Commissioner Stringer seconded the motion. MOTION PASSED 5-0

**Time: 3:08 p.m.**

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

**Time: 3:08 p.m.**

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

**Time: 4:32 p.m.**

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

Commissioner Simmons made a motion to authorize HR to hire the Airport Manager as discussed in Executive Session; a second was made by Commissioner Stringer. MOTION PASSED 5-0

**ADJOURN**

**Time: 4:33 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 meeting held on the above date.

August 21, 2024 at 09:38 AM



Jennifer Martin, Ector County Clerk