



Ector County Commissioners' Court

August 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 10:01 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. Public Participation/Comments, Shelby Rigtrup- County Judge Admin. Assistant

To receive public comments on non-agenda related items.

Christian Wigham, Warren Cat, addressed the court to introduce himself and let them know that he will be stepping in to take better care of the county.

Michelle Spinks updated the court regarding for Kellus Turner Park and the non-profit status.

Debra Richmond, Permian Strategic Partners, gave a presentation regarding the HERO Program.

2. Presentation, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to receive a presentation from Sewell Automotive Company.

David Gomez, Director of Sewell Fleet Management Program addressed the court to introduce himself and give a presentation regarding the program for Ector County.

NO ACTION WAS TAKEN ON THIS ITEM

3. Donation, Howard Marks- Library Director

To consider, discuss, and take any necessary action to accept a donation of \$2,500.00 from Oxy (Occidental Petroleum Corporation) to the Ector County Library for the *Childrens' Reading Program Sponsorship*.

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

4. Early Voting Schedule, Election Day Vote Centers, Joint Resolution, and Order of Election, Lisa Sertuche- Elections Director

To consider, discuss, and take any necessary action to approve the *Early Voting Schedule, Election Day Vote Centers, Joint Resolution, and Order of Election*, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #4.pdf

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

5. Ector County Clerk Record Archive Plan, Jennifer Martin- County Clerk

To consider, discuss, and take any necessary action to adopt the *Ector County Clerk's Record Archive Plan* for Fiscal Year 2024-2025, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #5.pdf

Commissioner Simmons made a motion to adopt the Ector County Clerk's Record Archive Plan for FY 2024-2025; a second was made by Commissioner Gardner. MOTION PASSED 5-0

6. 2024-2025 Commissioners' Court Schedule, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to approve the Ector County Commissioners' Court schedule for the 2024-2025 term.

Judge Fawcett explained that he changed the meeting schedule during August and September to align with the statutory timelines for the budget process. A motion was made by Commissioner Hall to approve the Commissioners' Court schedule for the 2024-2025 term; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

7. 2024-2025 Holiday Schedule, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to approve the Ector County Holiday Schedule for the 2024-2025 term.

Commissioner Simmons made a motion to approve the Ector County Holiday Schedule for the 2024-2025 term; a second was made by Commissioner Gardner. MOTION PASSED 5-0

8. Proposed Tax Rate, Shelby Rigtrup- County Judge Admin. Assistant, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action regarding the *2024-2025 Proposed Tax Rate*.

A motion was made by Commissioner Gardner to approve the 2024-2025 Proposed Tax Rate; Commissioner Hall seconded the motion. MOTION PASSED 5-0

9. Public Hearing Scheduling- 2024-2025 Tax Rate, Shelby Rigtrup- County Judge Admin. Assistant, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to schedule the *public hearing* for the *2024-2025 Tax Rate* at the regularly scheduled Commissioners' Court meeting on August 27th, 2024 at 10:00AM.

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

10. Public Hearing Scheduling- 2024-2025 Budget, Shelby Rigtrup- County Judge Admin. Assistant, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to schedule the *public hearing* for the *2024-2025 Budget* at the regularly scheduled Commissioners' Court meeting on August 27th, 2024 at 10:00AM.

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

AWARD OF BIDS/PROPOSALS

11. Request for Bid Specifications: Medical Examiner Transportation Services, Lucy Soto- Purchasing Director, Carl Rogers- Medical Examiner Chief Investigator/Director

To consider, discuss, and take any necessary action on the *Request for Bid Specifications* for Medical Examiner Transportation Services, Bid No. 2024-IFB-040; the specifications were put together by the Ector County Medical Examiner's Office and the Purchasing Department, and are ready to advertise and distribute to vendors upon approval from the Commissioners' Court.

Commissioner Simmons made a motion to approve the Request for Bid Specifications for Medical Examiner Transportation Services as presented; a second was made by Commissioner Stringer. MOTION PASSED 5-0

12. Bid Award: GIS Servers and Storage Infrastructure, Lucy Soto- Purchasing Director, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action to approve the award for the *GIS Server and Storage Infrastructure Bid*, RFP No. 2024-RFP-034 to Weaver Technologies, LLC., and authorize the County Judge to sign all documents associated with this agenda item.

A motion to reject all bids for the GIS Server and Storage Infrastructure was made by Commissioner Stringer; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

PUBLIC HEARING AND RELATED DISCUSSION AND POTENTIAL ACTION

13. Reinvestment Zone Tax Abatement Agreement: First Amendment, Shelby Rigtrup- County Judge Admin. Assistant, Lee McClendon- County Attorney

To conduct a public hearing and to consider, discuss, and take any necessary action regarding a proposed *First Amendment* to the *Reinvestment Zone Tax Abatement Agreement* for property tax abatement under Chapter 312 of the Texas Tax Code dated July 11th, 2023 by and between Ector County, Texas and Rockhound Solar A, LLC., Rockhound Solar C, LLC., Rockhound Solar D, LLC., Rockhound Solar G, LLC., Swift Air Solar II, LLC., and Swift Air Solar III, 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 #13.pdf

The public hearing opened at 11:08 a.m.

Matt Gomes, Senior Director of Development at Origis Energy, addressed the court to explain the reason for the amendment request and to clarify which project it pertains to.

There were no comments from the public.

The public hearing closed 11:16 a.m.

Commissioner Simmons made a motion to approve the agenda item as presented; a second was made by Commissioner Gardner. MOTION PASSED 4-1 (Commissioner Stringer voted against the motion)

14. Tax Abatement Agreement: Project Oasis, Shelby Rigtrup- County Judge Admin. Assistant, Lee

McClendon- County Attorney

To conduct a public hearing and to consider, discuss, and take any necessary action regarding an *application* for tax abatement by SMBC Leasing and Finance, Inc., and 1PointFive Stratos RWTU, LLC., under Chapter 312 of the Texas Tax Code, for the construction of a Raw Water Treatment Unit (RWTU) facility to receive raw water and generate a treated process water and wastewater stream on property consisting of a 3.97 acre tract lying within and being part of Section 3, Block 15, Public School Survey, Abstract 484, Ector County, Texas; and to take any necessary action regarding the approval of a *Tax Abatement Agreement* with SMBC Leasing and Finance, LLC., and 1PointFive Stratos RWTU, LLC., under Chapter 312 of the Texas Tax Code, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #14.pdf

The public hearing opened at 11:17 a.m.

Jose Beceiro, Kroll, addressed the court to share information regarding the application. There was no public comment therefore the hearing closed at 11:20 a.m.

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

15. Tax Abatement Agreement Amendment: GCC Permian, LLC., John Henderson- Commissioners' Court Attorney and Grant Writer

To conduct a public hearing and to consider, discuss, and take any necessary action regarding the Amendment to the existing Chapter 312 Tax Abatement Agreement by and between Ector County and GCC Permian, LLC., made and entered into on May 18th, 2022 and approved by the Ector County Commissioners' Court on July 15th, 2022, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #15.pdf

The public hearing opened at 11:21 a.m.

Tom Manskey addressed the court to give an update from his conversation with GCC Permian LLC representatives. The project will not be complete on time and will need to push the completion date back a year.

There was no public comment. The public hearing closed at 11:24 a.m.

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

CONTRACTS/AGREEMENTS/GRANTS

16. Intoxilyzer/Breath Alcohol Technical Supervisor Services, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action regarding a contract for *Breath Alcohol Technical Supervisor Services* by and between Ector County and Fondren Forensics, Inc., 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 Simmons to approve the contract for Breath Alcohol Technical Supervisor Services; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

17. 2024 ILL Lending Reimbursement Program, Howard Marks- Library Director

To consider, discuss, and take any necessary action regarding the *Texas State Library and Archives Commission Interlibrary Loan (ILL) Lending Reimbursement Program* for 2024, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #17.pdf

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

18. Agreement for Professional Services: Background Investigators, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action regarding an *Agreement for Professional Services* by and between the Ector County Sheriff's Office and Texas Background Investigators, LLP., and authorize the Sheriff to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #18.pdf

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

19. Food Service Agreement: Amendment No. 4, Lucy Soto- Purchasing Director, Kevin Mann- Juvenile Detention Center Director, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action regarding *Amendment No. 4 to the Food Services Agreement* by and between Ector County Adult and Juvenile Detention Centers and Summit Food Service, LLC., and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #19.pdf

Commissioner Stringer made a motion to approve Amendment No. 4 to the Food Services Agreement; a second was made by Commissioner Simmons. MOTION PASSED 5-0

20. Airport Fuel Services Agreements, Lucy Soto- Purchasing Director, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action regarding the *Fuel Supply Agreement, Lease Agreement, and Master Service Agreement* by and between Ector County for the Ector County/ Odessa Schlemeyer Airport and Eastern Aviation/Titan Fuels, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #20.pdf

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

21. Bickerstaff Heath Delgado Acosta LLP- Legal Services Engagement Agreement- Litigation Matter, Shelby Rigtrup- County Judge Admin. Assistant, Lee McClendon- County Attorney

To consider, discuss, and take any necessary action regarding the approval of the *Legal Services Engagement Agreement- Litigation Matter*, by and between Ector County, Texas and Bickerstaff Heath Delgado Acosta, LLP., in regard or related to Court Case No. 4:24-CV-00368, now pending in the United States District Court for the Eastern District of Texas, Sherman Division, styled Courthouse News Service, Plaintiff, v. JoAnna Staton, in her Official Capacity as Bell County District Clerk, et al., in which the Ector County District Clerk, Clarissa Webster, in her Official Capacity, is also named as a party-Defendant, and authorize the County Judge, County Commissioners, and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #21.pdf

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

PLANNING AND DEVELOPMENT

22. County Road Name Change, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action on renaming *West Road* in Plumaneary Subdivision to *North Clark Avenue* in Precinct #1, and authorize the County Judge 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

23. MHRC Application: 551 N. FM 866, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action on an MHRC Application located at 551 N. FM 866, 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

24. Subdivision Plat Application: Garden Homes Subdivision, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action regarding a *Subdivision Plat Application* located at Garden Homes Subdivision, 20.569 acres in Section 2, Block 45, Precinct #4, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #24.pdf

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

25. Variance Application: El Dorado West Subdivision, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action regarding a *Variance Application* for a 100-foot frontage ROW of Lot 17, El Dorado West Subdivision, Precinct #1, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #25.pdf

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

26. Variance Application: 1509 N. Jude Ave., Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action regarding a *Variance Application* for allowance of an existing home to remain at 1509 N. Jude Ave., located within 50-feet the building set back line, and to remove the existing fence from the ROW in Precinct #1, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #26.pdf

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

27. Easement Termination, Eddie Landrum- Planning and Development Director

To consider, discuss, and take any necessary action regarding a *Termination of Easement* located in Section 35, Block 42, Precinct #4, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #27.pdf

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

CONSENT AGENDA

28. Proposed Consent Agenda, Tristan Marquez- County Auditor

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

28a.) 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, Law Enforcement Supplies, 005-471-5183 from Contract Services, 005-471-5309 for \$5,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

28b.) Line-Item Transfer- Public Works:

To consider, discuss, and take any necessary action to approve a line-item transfer to FMLR Fund, Public Works, Special Departmental Equipment, 002-810-5507 from Equipment Rental, 002-810-5391 for \$27,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

28c.) Line-Item Transfer- Planning & Development:

To consider, discuss, and take any necessary action to approve a line-item transfer to Sales Tax Fund, Planning & Development, Educational Travel, 005-025-5161, for \$2500.00, Departmental Furniture & Equipment, 005-025-5199 for \$4,500.00, from Motor Vehicle Equipment, 005-025-5505 for a total of \$7,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

28d.) Line-Item Transfer - Purchasing:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, County Advertising, 001-290-5403, for \$5,000.00, Office Supplies, 001-290-5171, for \$1,575.00, Departmental Furniture & Equipment, 001-290-5199, for \$1,900.00, and Local Transportation, 001-290-5164, \$64.00 from Full-Time Salaries, 001-290-5103, for a total of \$8,539.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #28.pdf

Commissioner Hall made a motion to approve Consent Agenda Items 28a through 28d; a second was made by Commissioner Simmons. MOTION PASSED 5-0

BUDGET/FINANCIAL

29. Budget Amendment- Airport Capital Improvement, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to Airport Capital Improvement Fund, Special Departmental Equipment, 046-870-5507 from Unreserved Fund Balance, 046-3310 for \$400,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #29.pdf

A motion was made by Commissioner Stringer to approve the budget amendment as

presented; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

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

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

Minutes Attachments

1. GENERAL REPORT 08 13 24.pdf
2. TRUST REPORT 08 13 24.pdf

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

Time: 11:31 a.m.

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

EXECUTIVE SESSION

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

To consider and discuss legal matters pursuant to Title 5, Chapter 552, Section 551.071, Texas Government Code.

NO ACTION WAS TAKEN ON THIS ITEM

32. 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.

NO ACTION WAS TAKEN ON THIS ITEM

33. 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.

NO ACTION WAS TAKEN ON THIS ITEM

ADJOURN

Time: 2:42 p.m.

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

Time: 2:42 p.m.

With no further business to discuss a motion to adjourn was made by Commissioner Stringer with a second by Commissioner Simmons. 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 26, 2024 at 09:21 AM



Jennifer Martin, Ector County Clerk