



Ector County Commissioners' Court

August 27, 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 Shelby Franco, Chief Deputy County Clerk

The meeting was called to order at 10:00 a.m.

INVOCATION- COMMISSIONER DON STRINGER

The invocation was led by Commissioner Stringer.

PLEDGE OF ALLEGIANCE- UNITED STATES AND TEXAS

Commissioner Simmons 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.

There were no public comments.

2. Library Card Sign-Up Month, Howard Marks- Library Director

To consider, discuss, and take any necessary action regarding the Ector County Library holding the month of September as the official *Library Card Sign-Up Month*, which the American Library Association (ALA) has been holding since 1987 to ensure every child in the Country has their own library card.

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

3. 2024-2025 Commissioners' Court Schedule, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to approve the updated Ector County

Commissioners' Court Schedule for the 2024-2025 term.

A motion was made by Commissioner Hall to approve the updated Ector County Commissioners' Court Schedule for the 2024-2025 term; Commissioner Gardner seconded the motion. MOTION PASSED 5-0.

4. Dia de Los Muertos Parade and Festival, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action regarding a request from Mauricio Navarro to use the Ector County Health Department parking lot for the *Dia de Los Muertos Parade and Festival* on Saturday, October 19th, 2024.

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

5. Constable Appointment , Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to appoint James (Wes) Carta as Constable for Precinct #1.

A motion to table was made by Commissioner Simmons with a second by Commissioner Stringer. Motion passed 3-2 (Commissioner Gardner and Judge Fawcett voted against the motion).

6. Meteor Crater Friends, Inc. Board Appointments, Debbie Clay- Commissioners' Court Admin. Assistant

To consider, discuss, and take any necessary action to appoint/approve the members of the *Meteor Crater Friends, Inc. Board*.

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

7. Ector County Parks and Recreational Masterplan Steering Committee Board Member Appointments, Debbie Clay- Commissioners' Court Admin. Assistant

To consider, discuss, and take any necessary action to appoint/approve the members of the *Ector County Parks and Recreational Masterplan Steering Committee Board*.

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

8. Proposed Property Purchase, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action regarding the proposed purchase of the Amigos Bonding property located at 300 N. Texas Ave. Odessa, Texas, 79761, and authorize the County Judge, and any other necessary party/official, to sign all documents associated with this agenda item.

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

AWARD OF BIDS/PROPOSALS

9. Award: Ector County Courthouse Design-Build Owners Representative, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to award Parkhill as Ector County's Owners Representative for the Ector County Courthouse Design-Build Project, pursuant to Section 2269.305, Texas Government Code.

Minutes Attachments
1. Agenda Item #9.pdf

Commissioner Stringer made a motion to approve the agenda item as presented; a second was made by Commissioner Hall.

MOTION PASSED 5 - 0

10. Request for Proposal Rejection: Coliseum Concessionaire, Lucy Soto- Purchasing Director, Aaron Martin- Coliseum Director

To consider, discuss, and take any necessary action to *reject* all proposals submitted for the *Coliseum Concessionaire Request for Proposal*.

A motion was made by Commissioner Stringer to approve the agenda item as presented; Commissioner Hall seconded the motion.

MOTION PASSED 5 - 0

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

To consider, discuss, and take any necessary action to approve the *Request for Bid* for Road Construction Material Testing to SKG Engineering.

Commissioner Hall made a motion to award the bid for Road Construction Material Testing to SKG Engineering; Commissioner Simmons seconded the motion. MOTION PASSED 5 - 0

12. Request for Proposal Specifications: Security Fence for Courthouse, Lucy Soto- Purchasing Director, Billy Carrigan- Building Maintenance Director

To consider, discuss, and take any necessary action on the *Request for Proposal Specifications* for the Security Fence for Courthouse, Bid No. 2024-RFP-044; the specifications were developed by Building Maintenance and the Purchasing Department and are ready to advertise and distribute to vendors upon approval from the Commissioners' Court.

A motion to approve was made by Commissioner Hall with a second by Commissioner Stringer. MOTION PASSED 3-2 (Commissioner Gardner and Commissioner Simmons voted against the motion)

13. Request for Proposal Specifications: Oil & Gas Lease III, Lucy Soto- Purchasing Director, Lee McClendon- County Attorney, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action on the *Request for Proposal Specifications* for Oil & Gas Lease III, Bid No. 2024-RFP-043; the specifications were developed by the County Attorney, Commissioners' Court Attorney/Grant Writer, 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; Commissioner Simmons seconded the motion.

MOTION PASSED 5 - 0

14. Request for Proposal Specifications: ECUD Water Lines, Lucy Soto- Purchasing Director, Debi Hays- ECUD General Manager

To consider, discuss, and take any necessary action regarding the ECUD Water Lines *Request for Proposal Specifications* for the building of the water distribution project in West Odessa, using ARPA federal funds; the specifications were developed by approved engineer, Kimley-Horn, and are ready to advertise and distribute to vendors upon approval from the Commissioners' Court.

A motion to approve was made by Commissioner Gardner; a second was made by Commissioner Stringer.

MOTION PASSED 5 - 0

CONTRACTS/AGREEMENTS/GRANTS

15. Intergovernmental Agreement, Mike Griffis- Sheriff

To consider, discuss, and take any necessary action regarding an *Intergovernmental Agreement* for housing inmates by and between Ector County, Texas and Upton County, Texas, and authorize the County Judge, County Clerk, and Sheriff to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #15.pdf

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

16. Summit Food Service Agreement: Amendment No. 4, Mike Griffis- Sheriff

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

Minutes Attachments

1. Agenda Item #16.pdf

A motion to approve was made by Commissioner Simmons; a second was made by Commissioner Gardner.
MOTION PASSED 5 - 0

17. Engagement Letter: Fiscal Year 2024 Independent Audit, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action regarding the *Engagement Letter for Ector County's Fiscal Year 2024 Independent Audit*, 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; Commissioner Stringer seconded the motion.
MOTION PASSED 5 - 0

18. Renewal Agreement: Health and Human Services (MAC), Sonja Puga- Ector County Health Department

To consider, discuss, and take any necessary action regarding a *Renewal Agreement* by and between Ector County, Texas and Health and Human Services (Medicaid Administrative Claims/ MAC) for a term starting September 1st, 2024 through August 31st, 2029, and authorize the County Judge to sign all documents associated with this agenda item.

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

19. Temporary Personnel Services, Lucy Soto- Purchasing Director, Delia Ortiz- Interim Human Resources Director

To consider, discuss, and take any necessary action to *reject* all proposals for Temporary Personnel Services, Bid No. 2024-RFP-035, and to approve the *specifications* for Temporary Personnel (II), Bid No. 2024-RFP-041; the specifications have been revised by the Interim HR Director and the Purchasing Department, and are ready to advertise and distribute to vendors upon approval from the Commissioners' Court.

Commissioner Hall made a motion to approve the agenda item; Commissioner Simmons seconded the motion.
MOTION PASSED 5 - 0

20. Contract Renewal: Time Clock Plus, Lucy Soto- Purchasing Director, Delia Ortiz- Interim Human Resources Director

To consider, discuss, and take any necessary action regarding a *One-Year Contract Renewal* with Time Clock Plus for the 2024-2025 Fiscal Year, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #20.pdf

A motion to approve was made by Commissioner Gardner; seconded by Commissioner Hall.
MOTION PASSED 5 - 0

21. Medicare Advantage Plan Term Renewal, Lucy Soto- Purchasing Director, Delia Ortiz- Interim Human Resources Director

To consider, discuss, and take any necessary action regarding the renewal for the *Medicare Advantage Plan* for the 2025 term, and authorize the County Judge to sign all documents associated with this agenda item; this is the second year of this proposal award and there is no increase in the cost.

Minutes Attachments

1. Agenda Item #21.pdf

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

22. Agreement Extension: UMR UnitedHealthcare Stop Loss, Lucy Soto- Purchasing Director, Delia Ortiz- Interim Human Resources Director

To consider, discuss, and take any necessary action regarding an *extension* to the agreement with UMR for *UnitedHealthcare Stop Loss* with an overall increase of 6%, and authorize the County Judge to sign all documents associated with this agenda item; this is the first year optional contract extension.

Minutes Attachments

1. Agenda Item #22.pdf

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

23. Agreement Extension: UMR Third Party Administrator Services, Lucy Soto- Purchasing Director, Delia Ortiz- Interim Human Resources Director

To consider, discuss, and take any necessary action regarding an *extension* to the agreement with UMR for *Third Party Administrator Services* with an overall increase of 3%, and authorize the County Judge to sign all documents associated with this agenda item; this is the first year optional contract extension.

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

PERSONNEL REQUESTS

24. Environmental Investigator , Shelby Rigtrup- County Judge Admin. Assistant, Wes Carta- Environmental Enforcement/Emergency Management Director

To consider, discuss, and take any necessary action to authorize the creation and hiring of an *Environmental Investigator* for the Ector County Environmental Enforcement Department.

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

CONSENT AGENDA

25. Proposed Consent Agenda, Tristan Marquez- County Auditor

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

25a.) Line-Item Transfer- Information Technology:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, I.T., Contract Services, 001-310-5309 from Subscriptions, 001-310-5207 for \$60,000.00, Telephone, 001-310-5351 for \$24,383.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

25b.) Line-Item Transfer- Jury Services:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, Jury, Postage, 001-210-5193 from Contract Services, 001-210-5309 for \$8,500.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #25a-b.pdf

Commissioner Stringer made a motion to approve; Commissioner Simmons seconded the motion.

MOTION PASSED 5 - 0

BUDGET/FINANCIAL

26. Budget Amendment: Commissioners' Court, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, Commissioners' Court, Subscriptions, 001-020-5207 from Unreserved Fund Balance, 001-3310 for \$24,383.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #26.pdf

A motion to approve was made by Commissioner Simmons; seconded by Commissioner Stringer.

MOTION PASSED 5 - 0

27. Budget Amendment: Commissioners' Court, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a budget amendment to General Fund, Commissioners' Court, Educational Travel, 001-020-5161 from Unreserved Fund Balance, 001-3310 for \$3,900.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #27.pdf

Commissioner Stringer made a motion to approve; a second was made by Commissioner Gardner.

MOTION PASSED 5 - 0

28. Public Hearing: FY 24-25 Proposed Budget, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to hold/conduct a public hearing on the *Proposed Budget for Fiscal Year 2024-2025*.

The public hearing began at 10:24 A.M.

A motion to approve was made by Commissioner Simmons to move two hundred thousand dollars from the current 2023-2024 FY parks budget to the 2024-2025 FY parks budget; Commissioner Hall seconded the motion.

MOTION PASSED 5-0

After discussion, a motion was made by Commissioner Simmons to remove the Hero Program from fund 005; second was made by Commissioner Stringer.

MOTION PASSED 3-2

Opposed Judge Fawcett and Commissioner Gardner

Commissioner Simmons made a motion to leave the dollar increase without the two percent step increase for the County Clerk, District Clerk and Tax Assessor pay increase; a second was made by Commissioner Stringer.

MOTION PASSED 3-2

Opposed Judge Fawcett and Commissioner Hall

A motion was made by Commissioner Simmons to approve open vacancies in the District Attorney's office to start at a step 10; a second was made by Commissioner Stringer.

MOTION PASSED 5-0

Commissioner Gardner made a motion to raise the Commissioners' Court travel budget line item from forty-five hundred to sixty-four hundred; a second was made by Commissioner Stringer.

MOTION PASSED 5-0

There were no public comments. The public hearing closed at 10:50 A.M.

29. Fiscal Year 2024-2025 Budget, Shelby Rigtrup- County Judge Admin. Assistant

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

Commissioner Stringer made a motion to approve; Commissioner Hall seconded the motion.

MOTION PASSED 5 - 0

30. Public Hearing: Tax Rate, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to conduct/hold a public hearing on the *Proposed Tax Rate* for the Fiscal Year 2024-2025 Budget.

Minutes Attachments

1. Agenda Item #30.pdf

The public hearing started at 10:51 A.M. There were no public comments

Commissioner Simmons made a motion to close the public hearing; a second was made by Commissioner Hall.

The public hearing ended at 10:52 A.M.

31. Fiscal Year 2024-2025 Tax Rate, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action to adopt the *Fiscal Year 2024-2025 Ad Valorem Tax Rate* for Ector County, Texas, 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 Hall; a second was made by Commissioner Stringer.

MOTION PASSED 5 - 0

32. 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 27th, 2024, and review County financial statements and reports.

Minutes Attachments

1. AP Department Payment Report - 1039.pdf

2. AP Department Payment Report - 1036.pdf

A motion to approve was made by Commissioner Simmons; a second was made by Commissioner Gardner.

MOTION PASSED 5-0

A motion to adjourn to executive session was made by Commissioner Stringer; Commissioner Simmons seconded the motion.
MOTION PASSED 5 - 0; Adjourned at 10:53 A.M.

Commissioner Simmons left prior to reconvening.

Commissioner Stringer made a motion to reconvene; a second was made by Commissioner Gardner.
MOTION PASSED 4 - 0
Reconvened at 3:41 P.M.

A motion to recess was made by Commissioner Stringer; seconded by Commissioner Gardner.
MOTION PASSED 4 - 0
Recessed at 3:42 P.M.

A motion to reconvene was made by Commissioner Gardner; seconded by Commissioner Stringer.
MOTION PASSED 4 - 0

EXECUTIVE SESSION

33. 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 taken

34. Legal Matters, Shelby Rigtrup- County Judge Admin. Assistant, Lee McClendon- County Attorney

An executive/closed session meeting will occur pursuant to Section 551.071(1)(2) and 551.129 of the Texas Government Code (consultation with attorneys), for the Commissioners' Court to consult with and seek advice from its attorneys regarding the following matters: (a) legal matters and issues concerning or related to pending or contemplated litigation or a settlement offer, including 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., Defendants, in which the Ector County District Clerk, Clarissa Webster, in her Official Capacity, is also named as a party-Defendant; and (b) legal matters and issues concerning or related to or subject to attorney-client privilege and/or attorney client confidentiality.

No action taken

35. 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 taken

36. 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 Gardner to extend an offer for the HR director position as discussed in executive session; Commissioner Stringer made a second.
MOTION PASSED 4-0

ADJOURN

Time: 5:11 P.M.

With no further business to discuss a motion to adjourn was made by Commissioner Hall with a second

by Commissioner Stringer
MOTION PASSED 4-0

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.

October 10, 2024 at 11:28 AM



Jennifer Martin, Ector County Clerk