



Ector County Commissioners' Court

September 24, 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 10:00 a.m.

INVOCATION- COMMISSIONER MIKE GARDNER

The invocation was led by Commissioner Gardner.

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. Remembrance Ceremony, Resolution Dedication & Moment of Silence, Shelby Rigtrup- County Judge Admin. Assistant, Jeffrey Avery- Public Works Director

To consider, discuss, and take any necessary action to hold a *Remembrance Ceremony, Resolution Dedication, and Moment of Silence* in honor of Jonathan Musa-Parramore.

Minutes Attachments

1. Agenda Item #1.pdf

Judge Fawcett read the resolution prior to a moment of silence in honor of Jonathan Musa-Parramore.

NO ACTION WAS TAKEN ON THIS ITEM

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

To receive public comments on non-agenda related items.

Michelle Spinks addressed the court to give an update on the progress at Kellus-Turner Park. She also requested that the court attend the ribbon cutting ceremony for the playground

equipment.

NO ACTION WAS TAKEN ON THIS ITEM

3. November 2024 Election Voting Schedule, Vote Centers, & Notice of Election, Lisa Sertuche- Elections Director

To consider, discuss, and take any necessary action to approve the *Amended Early Voting Schedule, Election Day Vote Centers, and Notice of Election*, for the November 5th, 2024 election, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #3.pdf

Commissioner Hall made a motion to approve the Amended Early Voting Schedule, Election Day Vote Centers and Notice of Election for the November 5th, 2024 election; a second was made by Commissioner Gardner. MOTION PASSED 5-0

4. TAC Cyber Security Training Procedure, Andrea Cruz- I.T. Contract Specialist

To consider, discuss, and take any necessary action regarding the *Cyber Security Training Procedure*, and to allow Bianka Lopez to be the *TAC Cyber Security Administrator*.

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

5. Resolution: Courthouse Certificate of Obligation, Shelby Rigtrup- County Judge Admin. Assistant

To consider, discuss, and take any necessary action regarding all matters incident and related to approving and authorizing publication and posting of *Notice of Intention* to issue *Certificates of Obligation*, including the adoption of a *Resolution* pertaining thereto, and authorize the County Judge, and/or any other necessary party to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #5.pdf

Judge Fawcett addressed the audience to explain the goal and what the funds would be used for. He also went over the need for a new Courthouse and Juvenile Detention Center.

Joe Weeks staff of Connection Christian Church spoke in support of a new Juvenile Detention Center. He also thanked the court for recognizing that the kids need better.

Jeff Russell spoke in opposition to the issuance of Certificates of Obligations and encouraged the court to put it to a citizen vote.

Dean Combs addressed the court in favor of issuing Certificates of Obligations.

Samuel J. Davidson spoke in opposition to the issuance of Certificates of Obligations.

Samantha Russell addressed the court to express that she is in favor of a new courthouse but not in favor of issuing certificates of obligation.

Angela Gardner addressed the court to stress her concerns that the courthouse is not ADA compliant and is in favor of this action.

Larry Robinson spoke in opposition to issuing debt without voter approval.

George Williford of Hilltop Securities addressed the court and gave a presentation regarding the timeline and cost of the planned Certificate of Obligation issuance.

Michelle Spinks addressed the court to encourage forward-thinking ideas for maintenance of buildings and would like to encourage rain catchment at each facility.

Commissioner Stringer made a motion to approve and authorize publication and posting of

Notice of Intention to issue Certificates of Obligation, including the adoption of a Resolution; a second was made by Judge Fawcett. MOTION PASSED 5-0

AWARD OF BIDS/PROPOSALS

6. Request for Proposal Specifications: Library Security Services, Lucy Soto- Purchasing Director, Howard Marks- Library Director

To consider, discuss, and take any necessary action on the *Request for Proposal Specifications for Security Services for Ector County Library*, Bid Proposal No. 2024-RFP-051; the specifications were put together by the Library 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 deny the request for outside security services; a second was made by Commissioner Stringer. MOTION PASSED 5-0

7. Bid Award: Medical Examiner Transport Services, Lucy Soto- Purchasing Director, Carl Rogers- Medical Examiner Director/Chief Investigator

To consider, discuss, and take any necessary action to approve the award for the *Medical Examiner Transportation Service*, Bid No. 2024-IFB-040, to A & H Funeral Transport, and authorize the County Judge to sign all documents associated with this agenda item.

A motion was made by Commissioner Simmons to approve the award for the Medical Examiner Transportation Service with changes to pricing. Transport roundtrip mileage cost will be \$2.50 for the first year beginning October 1, 2024, and escalating up to \$2.90 in the second year of the contract. The removal fee of \$585 would be decreased to \$400 for the first year and increase to \$585 in the second year and scene pickup pricing is reduced to \$700 for the first year and \$800 during the second year; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

8. Bid Award: Courthouse Security Fence, Lucy Soto- Purchasing Director, Billy Carrigan- Building Maintenance Director

To consider, discuss, and take any necessary action to approve the award for the *Security Fence for Courthouse*, Bid No. 2024-RFP-044 to Premier Fence, LTD., and authorize the County Judge to sign all documents associated with this agenda item.

Commissioner Hall made a motion to approve the bid award for the security fence for the courthouse; a second was made by Judge Fawcett. MOTION FAILED 2-3 (Commissioner Gardner, Commissioner Simmons and Commissioner Stringer voted against the motion)

CONTRACTS/AGREEMENTS/GRANTS

9. Memorandum of Understanding (MOU): PermiaCare, Eunice Ibarra- Health Department

To consider, discuss, and take any necessary action regarding a *Memorandum of Understanding (MOU)* by and between the Ector County Health Department and PermiaCare, and authorize Brandy Garcia, Health Department Director, to sign all documents associated with this agenda item; this MOU is to encourage networking, collaboration, coordination, and referrals within the CHW program.

Minutes Attachments

1. Agenda Item #9.pdf

A motion was made by Commissioner Simmons to approve the Memorandum of Understanding by and between the Ector County Health Department and PermiaCare as presented; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

10. Memorandum of Understanding(MOU): Meals on Wheels, Lucy Soto- Purchasing Director

To consider, discuss, and take any necessary action regarding a *Memorandum of Understanding (MOU)* by and between Ector County, Texas, and Meals on Wheels for the provision of meals for the Ector County Senior Centers, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #10.pdf

Commissioner Gardner made a motion to approve the Memorandum of Understanding by and between Ector County, Texas and Meals on Wheels for the provision of meals for the Ector County Senior Centers as presented; a second was made by Commissioner Hall. MOTION PASSED 5-0

11. Contractor Agreement and Budget: AAA, Lucy Soto- Purchasing Director, Mary Salaz- Senior Centers Director

To consider, discuss, and take any necessary action regarding a *Contractor Agreement and Budget* by and between Ector County Elderly Nutrition and Area Agency on Aging (AAA) of the Permian Basin Regional Planning Commission (PBRPC) for the 2024-2025 term, and authorize the County Judge and Senior Centers Director to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #11.pdf

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

12. Addendum/Contract Extension Approval: Fleet Maintenance & Management, Lucy Soto- Purchasing Director, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action to approve *Addendum #10- Contract Extension, for Fleet and Equipment Maintenance and Management Services* with Vector Fleet Management, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #12.pdf

Commissioner Simmons made a motion to approve *Addendum #10- Contract Extension, for Fleet and Equipment Maintenance and Management Services* with Vector Fleet Management with the CPI index reduced from 3% to 1.5%; a second was made by Commissioner Hall. MOTION PASSED 5-0

13. Permanent Easement and Right of Way Agreement, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action regarding the *Permanent Easement and Right of Way Agreement* located upon the Ector County-Odessa Schlemeyer Field Airport by and between Ector County, Texas, and DCP Operating Company, LP., and authorize the County Judge to sign all documents associated with this agenda item.

ITEM WITHDRAWN

14. Professional Services Agreement: Parks Consultant, John Henderson- Commissioners' Court Attorney and Grant Writer

To consider, discuss, and take any necessary action regarding the *Professional Services Agreement (Parks Consultant)* by and between Ector County, Texas, and SP Design and Consulting, LLC., 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 Gardner to approve the Professional Services Agreement (Parks Consultant) between Ector County, Texas and SP Design and Consulting, LLC; Commissioner Simmons seconded the motion. MOTION PASSED 5-0

15. Contract Renewal: Law Enforcement Agency Subscriber Agreement, Shawn Callendar- PSM/ Pretrial Director

To consider, discuss, and take any necessary action regarding the *Law Enforcement Agency Subscriber Agreement Renewal* by and between Ector County Post Sentence Monitoring and

TRADS, and authorize the County Judge and the Post Sentence Monitoring Director to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #15.pdf

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

16. Contract Renewal Ratification: LexisNexis, Margarita Tercero- Law Library Administrator

To consider, discuss, and take any necessary action to *ratify a one-year contract renewal* by and between Ector County, Texas, and LexisNexis for digital library access, and authorize Margarita Tercero, Law Library Administrator, to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #16.pdf

A motion was made by Commissioner Simmons to ratify a one-year contract renewal as presented; Commissioner Gardner seconded the motion. MOTION PASSED 5-0

17. Contract Renewal: Thomson Reuters West Proflex Digital Subscription, Margarita Tercero- Law Library Administrator

To consider, discuss, and take any necessary action regarding a *contract renewal* by and between Ector County, Texas, and Thomson Reuters for the Westlaw Proflex Digital Subscription, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #17.pdf

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

18. Contract Renewal: Thomson Reuters West Complete Print Subscription, Margarita Tercero- Law Library Administrator

To consider, discuss, and take any necessary action regarding a *contract renewal* by and between Ector County, Texas, and Thomson Reuters for the West Complete Print Subscription, and authorize the County Judge to sign all documents associated with this agenda item.

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

19. Contract Renewal: TAC RMP Liability Contribution & Coverage Declarations- Proposal, Sam Brijalba- HR Safety/Risk Coordinator

To consider, discuss, and take any necessary action regarding the *TAC RMP Liability Contribution and Coverage Declarations- Proposal Contract Renewal* for the October 1st, 2024 through October 1st, 2025 policy term, and authorize the County Judge to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #19.pdf

Commissioner Hall made a motion to approve the TAC RMP Liability Contribution and Coverage Declarations - Proposal Contract Renewal as presented; a second was made by Commissioner Gardner.

After Sam Brijalba addressed the court to go over additional options, Commissioner Hall amended his motion to include the \$1M limit for cyber security; Commissioner Gardner amended his seconded. MOTION PASSED 5-0

PERSONNEL REQUESTS

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

To consider, discuss, and take any necessary action regarding the Airport Manager position at Ector County-Odessa Schlemeyer Field Airport.

A motion was made by Commissioner Stringer to ratify the termination of the previous Airport Manager and hiring of the new Airport Manager; Commissioner Hall 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- Sheriff:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, Sheriff, Special Departmental Equipment, 001-360-5507 from Subscriptions, 001-360-5207 for \$28,636.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

21b.) Line-Item Transfer-Development Services:

To consider, discuss, and take any necessary action to approve a line-item transfer to Sales Tax Fund, Development Services, D.P. Equipment, 005-025-5506 from Subscriptions, 005-025-5207 for \$3,800.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

21c.) 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, Special Departmental Equipment, 005-810-5507 from Equipment Rental, 005-810-5391 for \$35,140.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

21d.) 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, Special Departmental Equipment, 005-810-5507 from Equipment Rental, 005-810-5391 for \$30,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

21e.) Line-Item Transfer- 244th District Court:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, 244th District Court, Office Supplies, 001-080-5171 from Educational Travel & Expense, 001-080-5161 for \$500.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

21f.) Line-Item Transfer- Development Services:

To consider, discuss, and take any necessary action to approve a line-item transfer to Sales Tax Fund, Development Services, Professional Dues & Fees, 005-025-5302 from Small Tools, 005-025-5190 for \$65.00 and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

21g.) Line-Item Transfer- District Attorney:

To consider, discuss, and take any necessary action to approve a line-item transfer to General Fund, District Attorney, Educational Travel & Expense, 001-120-5161 for \$5,217, Office Supplies, 001-120-5171 for \$366.00 from Salaries, Full-Time, 001-120-5103 for \$5,583.00, 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 the consent agenda as presented; a second was made by Commissioner Hall. MOTION PASSED 5-0

BUDGET/FINANCIAL

22. Coliseum Barn Renovation Funding, Aaron Martin- Coliseum Director

To consider, discuss, and take any necessary action regarding renovation funding for Barns "B" and "C" for the Ector County Coliseum.

Aaron Martin addressed the court to explain the plan for the two barns, the need and to go over the cost estimate.

Jim Wise representing the Sandhills Rodeo and Stock Show and the stakeholders for improvements to the coliseum also expressed the need for the proposed space and its use.

Richard Schwope, JSA Architects, told the court that it should take 4-6 months for design and 10-12 months for construction completion.

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

23. 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 \$2,100,000.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #23.pdf

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

24. Budget Amendment: ARPA Fund, Tristan Marquez- County Auditor

To consider, discuss, and take any necessary action to approve a Budget Amendment to ARPA fund, Goldsmith VFD, Other General Expense, 006-532-5402 for \$3,903.00, and to Donated Revenues, 006-4171 for \$3,903.00, and authorize the County Judge and County Clerk to sign all documents associated with this agenda item.

Minutes Attachments

1. Agenda Item #24.pdf

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

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 September 24th, 2024, and review County financial statements and reports.

Minutes Attachments

1. AP Department Payment Report - 5017.pdf

2. AP Department Payment Report - 5168.pdf

3. GENERAL EFT 09 25 2024.pdf

4. GENERAL REPORT 09 24 24.pdf

5. TRUST REPORT 09 24 24.pdf

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

11:13 a.m.

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

12:55 p.m.

A motion was made by Commissioner Gardner to reconvene; Commissioner Stringer seconded the motion. MOTION PASSED 4-0
(Commissioner Simmons before Executive Session ended)

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.

Commissioner Gardner made a motion to authorize the signing of an emergency insurance declaration for Schlemeyer Field; a second was made by Commissioner Hall. MOTION PASSED 4-0

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

To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, 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.

NO ACTION WAS TAKEN ON THIS ITEM

ADJOURN

Time: 12:55 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 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 14, 2024 at 02:20 PM



Jennifer Martin, Ector County Clerk