

On this the 13th day of August, 2018, at 10:00 A.M. came on to be held a **REGULAR** meeting of the Ector County Commissioners' Court in the Commissioners' Courtroom, Ector County Administration Building Annex, 1010 E. 8th St., Odessa, Texas with the following members present:

Debi Hays, County Judge
Eddy Shelton, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Dale Childers, Commissioner Precinct #3
Armando Rodriguez, Commissioner Precinct #4
Minutes taken by Linda Haney, County Clerk

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:02 A. M. with a quorum of the court present.

The invocation was led by Commissioner Greg Simmons.

Commissioner Dale Childers led the pledge of allegiance to the United States flag and the pledge of allegiance to the Texas flag.

SPECIAL PRESENTATIONS/REQUESTS/RESOLUTIONS

1. To accept donation of \$1,500 from Ron and Janna Hanway for the Ector County Senior Center Friday Night Dance.
Donna Greaves – Senior Center

Commissioner Simmons made a motion for approval to accept a donation of \$1,500 from Ron and Janna Hanway for the Ector County Senior Center Friday Night Dance; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Simmons
<u>✓</u> Commissioner Childers	<u>✓</u> Commissioner Rodriguez

2. To request approval of the County Clerk's Annual Records Archival Plan for FY 2018-2019 and to authorize execution of the Order by signature of the County Judge and County Commissioner.
Linda Haney – County Clerk

A motion was made by Commissioner Simmons with a second by Commissioner Rodriguez for approval of the County Clerk's Annual Records Archival Plan for FY 2018-2019 and to authorize execution of the Order by signature of the County Judge and County Commissioners. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Shelton	<u>✓</u> Commissioner Simmons
<u>✓</u> Commissioner Childers	<u>✓</u> Commissioner Rodriguez

3. To consider, discuss, and take any necessary action to appoint Debi Hays, Ector County Judge to the OI DC/GROW Board and Executive Committee.
Debi Hays – County Judge

Item #3 was withdrawn.

4. To consider, discuss, and take any necessary action to approve a resolution in support of hosting the 98th Annual County Judges and Commissioners Association of Texas Conference in 2020 and a \$10,000 pledge to host the conference.
Debbie Clay – Commissioners Court

A motion was made by Commissioner Shelton with a second by Commissioner Childers for approval of a resolution in support of hosting the 98th Annual County Judges and Commissioners Association of Texas Conference in 2020 and a \$10,000 pledge to host the conference. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Shelton ✓ Commissioner Simmons
✓ Commissioner Childers ✓ Commissioner Rodriguez

5. To consider, discuss, and take any necessary action regarding approval of a Resolution adopting a temporary 207 (k) exemption two-week work period of 80 hours and to compensate overtime with paid overtime after 40 hours for deputies, but retain the current 2017 (k) exemption work period of 28-days and overtime earned after 171 hours with overtime paid in the form of compensatory time off for all other Law Enforcement not previously addressed and authorize the County Judge to sign.
Dale Childers – Commissioner Pct. 3

Commissioner Childers made a motion to approve a Resolution adopting a temporary 207 (k) exemption two-week work period of 80 hours and to compensate overtime with paid overtime after 80 hours for deputies, but retain the current 207 (k) exemption work period of 28-days and overtime earned after 171 hours with overtime paid in the form of compensatory time off for all other Law Enforcement not previously addressed and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Shelton ✓ Commissioner Simmons
✓ Commissioner Childers ✓ Commissioner Rodriguez

6. To consider, discuss, and take any necessary action to approve overtime pay in lieu of compensatory time and to pay out existing compensatory time balances for cemetery employees.
Anna Marie Torres – Cemetery

A motion was made by Commissioner Rodriguez with a second by Commissioner Childers to approve overtime pay in lieu of compensatory time and to pay out existing compensatory time balances for cemetery employees. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Shelton ✓ Commissioner Simmons
✓ Commissioner Childers ✓ Commissioner Rodriguez

7. To consider, discuss, accept, reject and take any necessary action regarding the Re-Instatement of a disposed and donated Lateral Retrieval File System in the District Clerk's Office.
Kenneth Lind – Purchasing

Commissioner Shelton made a motion for approval of the Re-Instatement of a disposed and donated Lateral Retrieval File System in the District Clerk's Office; Commissioner Childers seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton
✓ Commissioner Childers

✓ Commissioner Simmons
✓ Commissioner Rodriguez

8. To consider, discuss, and take any necessary action regarding the donation of items from the Sheriff's Office to the Airport and Parks Department.
Lucy Soto – Purchasing

A motion was made by Commissioner Childers with a second by Commissioner Shelton for approval of the donation of items from the Sheriff's Office to the Airport and Parks Department. **MOTION PASSED. 5-0**
Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

9. To consider, discuss and take any necessary action to approve the Commissioners Court schedule for the 2018-2019 term.
Debi Hays – County Judge

Commissioner Simmons made a motion to table Items #9 & #10 until the next court meeting; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

10. To consider, discuss and take any necessary action to approve the Holiday Schedule for Ector County for the 2018-2019 term.
Debi Hays – County Judge

Commissioner Simmons made a motion to table Items #9 & #10 until the next court meeting; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

11. To receive an update on road projects and department operations and take any necessary action.
Evans Kessy – Highways and Streets

Evans Kessey, Director of the Highways and Streets Department provided the court with a comprehensive Road Project and Operational Activity Report for the court to review. Mr. Kessey went over the details of the report in a power point presentation. No action was required on the item.

AWARDS OF BIDS/PROPOSALS

12. To consider, discuss, award, reject and take any necessary action regarding the purchase of the following: a) 2019 Pickup Chevrolet 3500HD Silverado 4x4 Crew Cab; and b) 2019 Trailer Cimarron 24 ft., for the County AgriLife Extension Office in the amount of \$78,709, from Equipment Services line item 051-770-5505, Motor Vehicle Equipment, and authorize the County Judge to sign.
Evans Kessey – Equipment Services

A motion was made by Commissioner Shelton with a second by Commissioner Childers for approval regarding the purchase of the following: a) 2019 Pickup Chevrolet 3500HD Silverado 4x4 Crew Cab from Caldwell Country for the total purchase price of \$46,698; and b) 2019 Trailer Cimarron 24 ft., from Wild West Trailers, LLC for the total purchase price of \$32,010.57, for the County AgriLife Extension Office in the amount of \$78,709, from Equipment Services line item 051-770-5505, Motor Vehicle Equipment, and authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

13. To consider, discuss, award, reject and take any necessary action regarding the proposal for Law Enforcement Center Evidence/Forensics Building and authorize the County Judge to sign.
Kenneth Lind – Purchasing
Charles Pierce – Building Maintenance

Commissioner Shelton made a motion to table; Commissioner Childers seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

14. To consider, discuss, approve, reject and take any necessary action regarding Paper Towels and Bathroom Tissue award extension to Wagner Supply Company and authorize the County Judge to sign.
Lucy Soto – Purchasing

A motion was made by Commissioner Simmons with a second by Commissioner Childers for approval regarding Paper Towels and Bathroom Tissue award extension to Wagner Supply Company and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

CONTRACTS/AGREEMENT/GRANTS

15. To consider, discuss, and take any necessary action to approve the Agreements for Fleet Maintenance Services with Medical Center Health System and The University of Texas of the Permian Basin and authorize the County Judge to sign.
Kenneth Lind – Purchasing

Commissioner Childers made a motion for approval of the Agreements for Fleet Maintenance Services with Medical Center Health System and The University of Texas of the Permian Basin and to authorize the County Judge to sign; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

16. To consider, discuss, approve, reject, and take any necessary action regarding an Amendment #4 to the Contract with Vector Fleet Management and authorize the County Judge to sign.
Kenneth Lind – Purchasing

A motion was made by Commissioner Childers with a second by Commissioner Shelton for approval of an Amendment #4 to the Contract with Vector Fleet Management and to authorize the County Judge to sign.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Shelton ✓ Commissioner Simmons
✓ Commissioner Childers ✓ Commissioner Rodriguez

17. To consider, discuss, approve, reject and take any necessary action regarding the AIA Change Order #10, for the Jail Additions and Renovations Project and authorize the County Judge to sign.
Kenneth Lind – Purchasing

Commissioner Simmons made a motion for approval of the AIA Change Order #10, for the Jail Additions and Renovations Project and to authorize the County Judge to sign; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Shelton ✓ Commissioner Simmons
✓ Commissioner Childers ✓ Commissioner Rodriguez

18. To consider, discuss, approve, reject, and take any necessary action regarding the approval of the Social Marketplace Advertising Agreement for a 12 month Social Media campaign in relation to the Ector County Immunization Grant and authorize the County Judge to sign.
Gino Solla – Health Department

A motion was made by Commissioner Childers with a second by Commissioner Rodriguez for approval of the Social Marketplace Advertising Agreement for a 12-month Social Media campaign in relation to the Ector County Immunization Grant and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Shelton ✓ Commissioner Simmons
✓ Commissioner Childers ✓ Commissioner Rodriguez

19. To consider, discuss, approve, and take any necessary action to apply for a non-competitive grant to reimburse the Ector County Library for Interlibrary Loan expenses thru the Texas State Library and authorize the County Judge to sign.
Rebecca Taylor – Library

Commissioner Childers made a motion for approval to apply for a non-competitive grant to reimburse the Ector County Library for Interlibrary Loan expenses thru the Texas State Library and to authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Shelton ✓ Commissioner Simmons
✓ Commissioner Childers ✓ Commissioner Rodriguez

20. To consider, discuss, and take any necessary action regarding the County Child Welfare Services Non-Financial Agreement between the Texas Department of Family and Protective Services (DFPS)

and Ector County beginning October 1, 2018 and ending September 30, 2025 and authorize the County Judge to sign.

Debi Hays – County Judge

A motion was made by Commissioner Simmons with a second by Commissioner Shelton for approval of the County Child Welfare Services Non-Financial Agreement between the Texas Department of Family and Protective Services (DFPS) and Ector County beginning October 1, 2018 and ending September 30, 2025 and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

POLICIES/PROCEDURES

21. To consider, discuss, and take any necessary action regarding the approval of revision to Ector County Employee Handbook, Section 4.01 Fair Labor Standards Act Safe Harbor, to include reference to electronic timekeeping system and to adopt Section 4.18 Time Reporting/Electronic Timekeeping, as the official record of time worked and leave taken for all county employees.
Patricia Patton – Human Resources

Commissioner Simmons made a motion for approval of the revision to Ector County Employee Handbook, Section 4.01 Fair Labor Standards Act Safe Harbor, to include reference to electronic timekeeping system and to adopt Section 4.18 Time Reporting/Electronic Timekeeping, as the official record of time worked and leave taken for all county employees; Commissioner Childers seconded the motion.

MOTION PASSED. 4-1

Voting for Motion:

Judge Hays

Commissioner Simmons

Commissioner Rodriguez

Commissioner Shelton

Commissioner Childers

Voting against Motion:

Commissioner Rodriguez

PUBLIC WORKS

22. To consider, discuss, and take any necessary action on the proposed University Subdivision being a plat of a 50.00 acre tract out of Section 14, Block 44, T-2-S, T&P RY. Co. Survey Ector County, Texas and authorize the County Judge to sign.
David Peck – Project Manager

A motion was made by Commissioner Shelton with a second by Commissioner Childers to approve the plat for University Subdivision, being a plat of a 50.00-acre tract out of Section 14, Block 44, T-2-S, T&P RY. Co. Survey Ector County, Texas and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

23. To consider, discuss, and take any necessary action on the proposed Ector County MHRC (Ornelas) Lot 10, Block 25, Replat of Lot 7, Block 25, Pleasant Farms Subdivision 3rd Filing, Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

Commissioner Shelton made a motion to approve Ector County MHRC (Ornelas) Lot 10, Block 25, Replat of Lot 7, Block 25, Pleasant Farms Subdivision 3rd Filing, Ector County, Texas and to authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

24. To consider, discuss, and take any necessary action on the proposed Ector County MHRC (Salazar RV Park) 2949 North Torrance Ave., Ector County, Texas and authorize the County Judge to sign.
David Peck – Projects Manager

A motion was made by Commissioner Shelton with a second by Commissioner Childers to approve Ector County MHRC (Salazar RV Park) 2949 North Torrance Ave., Ector County, Texas and to authorize the County Judge to sign. **MOTION PASSED. 4-1**

Voting for Motion:

Judge Hays

Commissioner Simmons

Abstention from Vote:

Commissioner Rodriguez

Commissioner Shelton

Commissioner Childers

CONSENT AGENDA

25. To approve the following Consent Agenda:

- a. To consider and approve a line item transfer to General Fund, Commissioner Precinct One, Professional Dues & Fees, 001-021-5302 from Commissioner Precinct One, Office Supplies, 001-021-5171 for \$10, To Commissioner Precinct Two, Professional Dues & Fees, 001-022-5302 from Commissioner Precinct Two, Office Supplies, 001-022-5171 for \$10, To Commissioner Precinct Three, Professional Dues & Fees, 001-023-5302 from Commissioner Precinct Three, Office Supplies, 001-023-5171 for \$10, To Commissioner Precinct Four, Professional Dues & Fees, 001-024-5302 from Commissioner, Precinct Four, Office Supplies, 001-024-5171 for \$10.
Debbie Clay – Commissioners Office
- b. To consider and approve a line item transfer to General Fund, Jail, Other Insurance, 001-420-5375 from General Fund, Jail, Detention Supplies, 001-420-5181 for \$50.
Mike Griffis – Sheriff

Commissioner Simmons made a motion to approve the Consent Agenda as presented; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

BUDGET/FINANCIAL

26. To consider, discuss, and take any necessary action regarding a proposed budget amendment to General Fund, District Attorney, Investigation Expense, 001-120-5332 from General Fund, Unreserved Fund Balance, 001-3310 for \$10,000.
Bobby Bland – District Attorney

A motion was made by Commissioner Childers with a second by Commissioner Simmons for approval of a budget amendment to General Fund, District Attorney, Investigation Expense, 001-120-5332 from General Fund, Unreserved Fund Balance, 001-3310 for \$10,000. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

27. To consider, discuss, approve, reject and take any necessary action regarding a proposed budget amendment to Airport Capital Improvement Fund, Interest Earnings, 046-4161 in the amount of \$3,500, to Operating Transfers In, 046-4801 in the amount of \$8,900 and to Unreserved Fund Balance, 046-3310 in the amount of \$12,400.

David R. Austin – County Auditor

Commissioner Simmons made a motion for approval of a budget amendment to Airport Capital Improvement Fund, Interest Earnings, 046-4161 in the amount of \$3,500, to Operating Transfers In, 046-4801 in the amount of \$8,900 and to Unreserved Fund Balance, 046-3310 in the amount of \$12,400;

Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

28. To consider, discuss, approve, reject and take any necessary action regarding a proposed budget amendment to Coliseum Fund, Hotel Motel Sales Tax, 041-4005 and to Unreserved Fund Balance, 041-3310 in the amount of \$150,000.

David R. Austin – County Auditor

A motion was made by Commissioner Simmons with a second by Commissioner Rodriguez for approval of a budget amendment to Coliseum Fund, Hotel Motel Sales Tax, 041-4005 and to Unreserved Fund Balance, 041-3310 in the amount of \$150,000. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

29. To consider, discuss, approve, reject and take any necessary action regarding the Ector County Investment Report for the quarter ending June 30, 2018.

David R. Austin – County Auditor

Cleopatra Callaway – County Treasurer

Commissioner Childers made a motion for approval of the Ector County Investment Report for the quarter ending June 30, 2018; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

30. To consider, discuss and take any necessary action to propose an Ad Valorem Tax Rate for Ector County for 2018-2019 and if said tax rate is higher than the effective rate to set the time and date of the required public hearings.

Debi Hays – County Judge

A motion was made by Commissioner Childers with a second by Commissioner Shelton to set the proposed Ad Valorem Tax Rate for Ector County for FY2018-2019 at \$.397. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

Commissioner Childers made a motion to set the Public Hearings on the proposed Tax Rate for August 23, 2018 at 6:00 P.M. and August 27, 2018 at 10:00 A.M.; Commissioner Shelton seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

31. To consider and approve the Accounts Payable Fund Requirements Report for August 13, 2018 and to review County financial statements and reports.

David R. Austin – Auditor

A motion was made by Commissioner Childers with a second by Commissioner Simmons to approve the Accounts Payable Fund Requirements Report for August 13, 2018, to review County financial statements and Reports. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

Reports may be viewed in the Ector County Auditor's Office during regular business.

The Court did not meet in Executive Session.

EXECUTIVE SESSION

32. To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.

Debi Hays – County Judge

The Court did not meet in Executive Session.

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

Debi Hays – County Judge

The Court did not meet in Executive Session.

34. To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.

Debi Hays – County Judge

The Court did not meet in Executive Session.

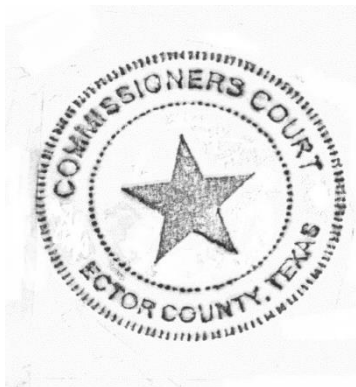
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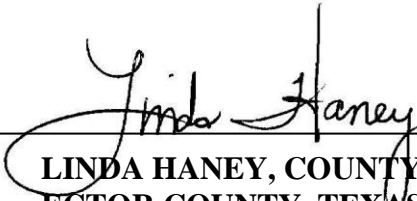
With no further business to discuss, Commissioner Childers made a motion with a second by Commissioner Shelton to adjourn to the call of the chair. **MOTION PASSED. 5-0**

THE STATE OF TEXAS

COUNTY OF ECTOR

I, Linda Haney, County Clerk, do hereby attest to the accuracy of the Commissioners Court Proceedings for the Regular Commissioners' Court meeting of August 13, 2018.





**LINDA HANEY, COUNTY CLERK
ECTOR COUNTY, TEXAS**