

On this the 25<sup>th</sup> day of June, 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. 8<sup>th</sup> 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 10:01 A. M. with a quorum of the court present.

The invocation was led by County Judge Debi Hays.

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 consider, discuss, and take any necessary action regarding a request for street closure from 16896 North Pecan Avenue to 16132 North Pecan Avenue for a Christmas Parade in Gardendale, Texas and authorize the County Judge to sign.  
Greg Simmons – Commissioner Pct. 2

Commissioner Simmons made a motion to allow for street closure from 16896 North Pecan Avenue to 16132 North Pecan Avenue for a Christmas Parade in Gardendale, Texas 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

2. To accept donation of \$1,500 from Wilson's Corner for the Ector County Sheriff's Office.  
Mike Griffis – Sheriff

A motion was made by Commissioner Simmons with a second by Commissioner Childers for approval to accept donation of \$1,500 from Wilson's Corner for the Ector County Sheriff's Office.

**MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

3. To consider, discuss, and take any necessary action regarding a request to close a section of roadway, Avenue G, from Avenue F at West of FM 1601 (Avenue C), and before the private road that underpass the Union Pacific Rail Road (UP RR) to Dead End, Avenue G in the East of FM 1601 (Avenue C), and to provide Detour Traffic Control Devices to allow residence and owners to access their properties, for the purpose of unused for at least three years as provided in Texas Transportation Code §251.051 (d) and limiting truck traffic and weight as provided in Texas Transportation Code §251.157 (b) and Texas Attorney General's Office, Opinion No. GA-0088 (2003) and authorize the County Judge to sign.

Evans Kessey – Highways and Streets

Commissioner Childers made a motion to approve closure of a roadway as outlined in the agenda item. Commissioner Childers amended the motion to allow closing the roadway for three (3) years; Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

4. To consider, discuss, and take any necessary action regarding a request from the City of Odessa to close N. Dixie Boulevard from 57<sup>th</sup> Street to Yukon Road and to provide Detour Traffic Control Plan (TCP) to allow residence and owners to access their properties, for the purpose of constructing waterline as necessary for public health and authorize the County Judge to sign.

Evans Kessey – Highways and Streets

A motion was made by Commissioner Shelton with a second by Commissioner Rodriguez to approve a request from the City of Odessa to close N. Dixie Boulevard from 57<sup>th</sup> Street to Yukon Road and to provide Detour Traffic Control Plan (TCP) to allow residence and owners to access their properties, for the purpose of constructing waterline as necessary for public health and authorize the County Judge to sign.

**MOTION PASSED. 5-0**

Voting for Motion:

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

5. To consider, discuss, and take any necessary action regarding a request to install Stop Signs on 64<sup>th</sup> Streets to make a Four Way (All Way) Stop Sign at the intersection of W. 64<sup>th</sup> Street and North Cypress Avenue as necessary for public Safety and authorize the County Judge to sign.

Evans Kessey – Highways and Streets

Commissioner Shelton made a motion to approve installation of Stop Signs on 64<sup>th</sup> Streets to make a Four Way (All Way) Stop Sign at the intersection of W. 64<sup>th</sup> Street and North Cypress Avenue as necessary for public safety 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 Childers
- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

6. To consider, discuss, and take any necessary action regarding a request to create an Ad Hoc Committee to review and evaluate transportation issues and to make recommendations to the Court for revision or replacement.

Evans Kessey – Highways and Streets

A motion was made by Commissioner Shelton with a second by Commissioner Childers to approve the creation of an Ad Hoc Committee to review and evaluate transportation issues and to make recommendations to the Court for revision or replacement. **MOTION PASSED. 3-2**

Voting for Motion:

- ✓ Judge Hays
- ✓ Commissioner Shelton
- ✓ Commissioner Childers

Voting against Motion:

- ✓ Commissioner Simmons
- ✓ Commissioner Rodriguez

7. To consider, discuss, approve, reject, and take any necessary action regarding a resolution designating the County Judge as the authorized official for the Victim Assistance Grants and authorize the County Judge and Commissioners to sign.  
David R. Austin – County Auditor

Commissioner Childers made a motion for approval of a resolution designating the County Judge as the authorized official for the Victim Assistance Grants and to authorize the County Judge and Commissioners to sign; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

8. To consider, discuss, and take any necessary action regarding a request to approve a County issued cell phone for a Building Maintenance employee at the County jail.  
Charles Pierce – Building Maintenance

A motion was made by Commissioner Childers with a second by Commissioner Rodriguez for approval of a county issued cell phone for use by a Building Maintenance employee at the County Jail.

**MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

9. To declare surplus and approve the sale by auction of assets and other items on the attached lists and take any further discussion or action deemed necessary.  
Lucy Soto – Purchasing

Commissioner Simmons made a motion to declare surplus and approve sale by auction the items on the attached list except those items listed in a memo provided by the Purchasing Department (PW-21 618 Trailer and Tank, PW-17 618, Sullair Air Compressor and PW-19 618 Trailer); Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

## **CONTRACTS/AGREEMENT/GRANTS**

10. To consider, discuss, and take any necessary action to declare a reinvestment zone for economic development purposes and authorize the County Judge and Commissioners to sign.  
Dusty Gallivan – County Attorney

A motion was made by Commissioner Simmons with a second by Commissioner Childers to authorize and declare a reinvestment zone that coincides with Exhibit A of the attachment for the legal description of the property. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

11. To consider, discuss, and take any necessary action to approve the Reinvestment Zone Tax Abatement Agreement with Oberon Solar LLC and authorize the County Judge and Commissioners to sign.  
Dusty Gallivan – County Attorney

Commissioner Simmons made a motion to approve the Reinvestment Zone Tax Abatement Agreement with Oberon Solar LLC with 100% abatement for years one (1) through five (5) and at 50% for years six (6) through ten (10); Commissioner Shelton seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Judge Hays            |  |
| <input checked="" type="checkbox"/> Commissioner Shelton  | <input checked="" type="checkbox"/> Commissioner Simmons   |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

12. To consider, discuss, and take any necessary action to approve the Warranty Deed between Ector County and Odessa Junior College District and authorize the County Judge to sign.  
Dusty Gallivan – County Attorney

A motion was made by Commissioner Simmons with a second by Commissioner Shelton to approve the Warranty Deed between Ector County and Odessa Junior College District and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Judge Hays            |  |
| <input checked="" type="checkbox"/> Commissioner Shelton  | <input checked="" type="checkbox"/> Commissioner Simmons   |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

13. To consider, discuss, and take any necessary action regarding a contract between Ector County Library and AT&T Corp. and authorize the County Judge to sign.  
Rebecca Taylor – Library

Commissioner Simmons made a motion to approve a contract between Ector County Library and AT&T Corp. and to authorize the County Judge to sign; Commissioner Childers seconded the motion.

**MOTION PASSED. 5-0**

Voting for Motion:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Judge Hays            |  |
| <input checked="" type="checkbox"/> Commissioner Shelton  | <input checked="" type="checkbox"/> Commissioner Simmons   |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

## **PERSONNEL**

14. To consider, discuss, and take any necessary action regarding a request to hire Road Maintenance Technician II at a 732-04 due to experience.  
Evans Kessey – Highways and Streets

A motion was made by Commissioner Simmons with a second by Commissioner Childers for approval of a request to hire Road Maintenance Technician II at a 732-04 due to experience. **MOTION PASSED. 5-0**

Voting for Motion:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Judge Hays            |  |
| <input checked="" type="checkbox"/> Commissioner Shelton  | <input checked="" type="checkbox"/> Commissioner Simmons   |
| <input checked="" type="checkbox"/> Commissioner Childers | <input checked="" type="checkbox"/> Commissioner Rodriguez |

15. To consider, discuss, and take any necessary action regarding a request to hire a Welder at a Step 5 due to experience.

Evans Kessey – Highways and Streets

Commissioner Simmons made a motion for approval to hire a Welder at a Step 5 due to experience; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

Item #17 was taken up by the court before Item 16.

17. To consider, discuss, and take any necessary action to set starting pay of Step 5 to be moved to Step 1 for Health Inspector/Sanitarian (non-licensed).

Gino Solla – Health Department

Commissioner Simmons made a motion to deny the request until the budget process and until consideration of the entire salary committee study; 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

16. To consider, discuss, and take any necessary action regarding starting pay for Health Inspector/Sanitarian (non-licensed) at a Step 1 to Step 3 due to experience.

Gino Solla – Health Department

A motion was made by Commissioner Simmons with a second by Commissioner Childers to authorize hiring up to Step 8 for two (2) potential hires in the Health Department. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

18. To consider, discuss, and take any necessary action regarding a request to hire a Criminal Investigator at a Step 6 due to experience.

Rickey George – Environmental Enforcement

A motion was made by Commissioner Childers with a second by Commissioner Rodriguez for approval to hire a Criminal Investigator at a Step 6 due to experience. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays

Commissioner Shelton

Commissioner Childers

Commissioner Simmons

Commissioner Rodriguez

## **POLICIES/PROCEDURES**

19. To consider, discuss, and take any necessary action to approve the adoption of a new HR Policy regarding select elected officials performing marriage ceremonies on County property.

Dusty Gallivan – County Attorney

A motion was made by Commissioner Simmons to deny the policy. **Motion failed for lack of a second.**

Commissioner Childers made a motion to deny the policy and to deny access to courthouse for marriage ceremonies to be performed after business hours and on weekends; Commissioner Shelton 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 an Open Records Request Policy for Department Heads and Elected Officials.  
Dusty Gallivan – County Attorney

A motion was made by Commissioner Childers with a second by Commissioner Rodriguez to accept the policy and to set a fee schedule (\$0.10 per page, \$15 per hour for personnel, overhead of 20% of the personnel charge and postage/shipping). **MOTION PASSED. 5-0**

Voting for Motion:

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

## **PUBLIC WORKS**

21. To consider, discuss, and take any necessary action on Lighthouse Ranch being a Subdivision of 20.18 Acres located in Section 46, Block 44, T-2-S, T&P, RY. Co. Survey, Ector County, Texas, and authorize the County Judge to sign.  
David Peck – Project Manager

Commissioner Shelton made a motion to approve the plat for Lighthouse Ranch being a Subdivision of 20.18 Acres located in Section 46, Block 44, T-2-S, T&P, RY. Co. Survey, Ector County, Texas, and to authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 4-1**

Voting for Motion:

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

Voting against Motion:

✓ Commissioner Rodriguez

22. To consider, discuss, and take any necessary action on the Ortiz MHRC at 4545 E. Poppy Drive 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 Ortiz MHRC at 4545 E. Poppy Drive 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

23. To consider, discuss, and take any necessary action on the Goldenrod MHRC at 9170 E. Goldenrod and authorize the County Judge to sign.

David Peck – Project Manager

Commissioner Shelton made a motion to approve the Goldenrod MHRC at 9170 E. Goldenrod 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 Childers

✓ Commissioner Simmons

✓ Commissioner Rodriguez

24. To consider, discuss, and take any necessary action on Fiesta Estates, A subdivision of 10.00 acres in Section 23, 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 Simmons to approve the plat for Fiesta Estates, A subdivision of 10.00 acres in Section 23, 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

## CONSENT AGENDA

25. To approve the following Consent Agenda:

- a. To consider and approve a line item transfer to General Fund, Environmental Officer, Uniform Supplies, 001-471-5176 for \$6,000 from Environmental Officer, Educational Travel, 001-471-5161 for \$4,000 and from Continuing Education, 001-471-5161 for \$2,000.  
Rickey George – Environmental

Commissioner Shelton made a motion to approve but withdrew the motion.

- b. To consider and approve a line item transfer to General Fund, Justice of the Peace Precinct 2, Departmental Furniture & Equipment, 001-202-5199 from Salaries, Elected Official, 001-202-5101 for \$6,500.  
Missi Walden – Justice of the Peace Pct. 2
- c. To consider and approve a line item transfer to General Fund, 244<sup>th</sup> District Court, Professional Dues & Fees, 001-080-5302 from 244<sup>th</sup> District Court, Office Supplies, 001-080-5171 for \$75.  
David R. Austin – County Auditor
- d. To consider and approve a line item transfer to General Fund, Jail, Other Insurance, 001-420-5375 from Jail, Detention Supplies, 001-420-5181 for \$142.  
Mike Griffis – Jail
- e. To consider and approve a line item transfer to General Fund, Sheriff's Office, Other Insurance, 001-360-5375 from Sheriff's Office, Law Enforcement Supplies, 001-360-5183 for \$142.  
Mike Griffis – Sheriff
- f. To consider and approve a line item transfer to General Fund, Cemetery, Other Insurance, 001-720-5375, from Cemetery, Botanical Supplies, 001-720-5189 for \$71.

Anna Torres – Cemetery

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

Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

**BUDGET/FINANCIAL**

26. To consider and approve a budget amendment to General Fund, Non Departmental Financial, Bank Service Charges, 001-320-5306 and to Interest Earnings, 001-4161 in the amount of \$10,750.  
David R. Austin – County Auditor

A motion was made by Commissioner Childers with a second by Commissioner Simmons for approval of a budget amendment to General Fund, Non-Departmental Financial, Bank Service Charges, 001-320-5306 and to Interest Earnings, 001-4161 in the amount of \$10,750. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

27. To consider and approve a budget amendment to General Fund, Library, Library Supplies, 001-690-5185 for \$7,699, to Library, New Books, 001-690-5201 for \$557, to Library, Audio Visual Supplies, 001-690-5178 for \$2,000 and to General Fund, Donated Revenues, 001-4171 for \$10,256.  
Rebecca Taylor – Library

Commissioner Simmons made a motion for approval of a budget amendment to General Fund, Library, Library Supplies, 001-690-5185 for \$7,699, to Library, New Books, 001-690-5201 for \$557, to Library, Audio Visual Supplies, 001-690-5178 for \$2,000 and to General Fund, Donated Revenues, 001-4171 for \$10,256; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez

28. To consider and approve the Accounts Payable Fund Requirements Report for June 25, 2018 and to review County financial statements and reports.  
David R. Austin – Auditor

A motion was made by Commissioner Simmons with a second by Commissioner Childers to approve the Accounts Payable Fund Requirements Report for June 25, 2018, to review County financial statements and Reports. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays  
 Commissioner Shelton                       Commissioner Simmons  
 Commissioner Childers                       Commissioner Rodriguez



**The court did not meet in Executive Session.**

**EXECUTIVE SESSION**

29. 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.

30. 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.

31. 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.

**11:29 A.M**

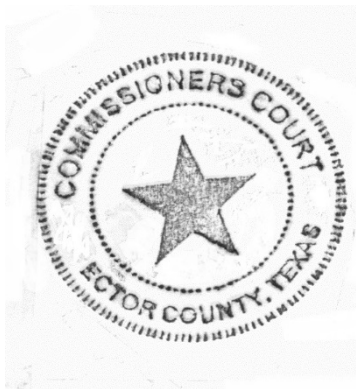
With no further business to discuss, Commissioner Childers made a motion with a second by Commissioner Simmons to adjourn to the call of the chair. **MOTION PASSED. 5-0**

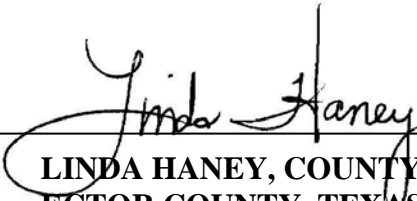
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**THE STATE OF TEXAS**

**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 June 25, 2018.



  
LINDA HANEY, COUNTY CLERK  
ECTOR COUNTY, TEXAS