

On this the 10th day of September, 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 10:03 A. M. with a quorum of the court present.

The invocation was led by Commissioner Dale Childers.

Commissioner Armando Rodriguez 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 conduct a public budget hearing on the Proposed Fiscal Year 2018-2019 Budget.
Debi Hays – County Judge

Judge Hays requested public comment on the Proposed Budget for Fiscal Year 2018-2019. The court heard from Efraim Raules-6843 W. 29th St.; there were no other individuals offering public comment.

2. To receive annual report from CareHere and to consider, discuss, and take any necessary action with regard to the Ector County Wellness Clinic.
Patricia Patton – Human Resources

David Neiswinter with CareHere provided court members with the Annual Report for the 12-month period between March 1, 2017 through Feb. 28, 2018. CareHere manages the Ector County Wellness Center which opened in September 2008. No court action was required on the item.

3. To consider, discuss, and take any necessary action to approve the Joint Resolution with the City of Odessa General/Special and Ector County Independent School District Special Election, the General Election and the Ector County Assistance District Special Election to be held November 6, 2018 and authorizing the County Judge and County Commissioners to sign the Joint Resolution, the Notice of Election, and all other documents associated with this agenda item.
Lisa Sertuche – Elections

Commissioner Simmons made a motion for approval of the Joint Resolution with the City of Odessa General/Special and Ector County Independent School District Special Election, the General Election and the Ector County Assistance District Special Election to be held November 6, 2018 and authorizing the County Judge and County Commissioners to sign the Joint Resolution, the Notice of Election, and all other documents associated with this agenda item; Commissioner Childers 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 to approve the names of the Early Voting Clerks, Early Voting locations, and vote centers for the upcoming General, Ector County Assistance District Special Election, City of Odessa General/Special Election and the Ector County Independent School District Special Election.
Lisa Sertuche – Elections

A motion was made by Commissioner Simmons with a second by Commissioner Childers for approval of the names of the Early Voting Clerks, Early Voting locations, and vote centers for the upcoming General, Ector County Assistance District Special Election, City of Odessa General/Special Election and the Ector County Independent School District Special Election. **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

5. To consider, discuss, and take any necessary action regarding the closure of N. Flamingo Avenue, North of University Boulevard, for one block (church block to the alley) from 9:00 a.m. to 11:00 p.m. on Saturday, October 6, 2018.
Eddy Shelton – Commissioner Pct. 1

Commissioner Simmons made a motion for approval of the closure of N. Flamingo Avenue, North of University Boulevard, for one block (church block to the alley) from 9:00 a.m. to 11:00 p.m. on Saturday, October 6, 2018; 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

6. To consider, approve, reject, and take any necessary action regarding the purchase of a Sheep/Goat/Swine Scale and a Cattle Scale; approve a budget amendment for an amount of \$5,714 from General Fund, County Extension Agent, Salaries, Appointed Office, 001-780-5102 to General Fund, County Extension Agent, Departmental Furniture and Equipment, 001-780-5199 and authorize the County Judge to sign.
Kenneth Lind – Purchasing
Steve Paz – Texas A&M AgriLife

A motion was made by Commissioner Shelton with a second by Commissioner Rodriguez for approval of the purchase of a Sheep/Goat/Swine Scale and a Cattle Scale; approve a budget amendment for an amount of \$5,714 from General Fund, County Extension Agent, Salaries, Appointed Office, 001-780-5102 to General Fund, County Extension Agent, Departmental Furniture and Equipment, 001-780-5199 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

7. To consider, discuss, and take any necessary action to extend by six months the payment of overtime for Patrol Deputies and Jailers after 86 hours, pursuant to the Temporary 207 (k) exemption granted by the Commissioners Court on June 11 and August 13, 2018.
Pat Patton – Human Resources

Commissioner Simmons made a motion for approval to extend by six months the payment of overtime for Patrol Deputies and Jailers after 86 hours, pursuant to the Temporary 207 (k) exemption granted by the Commissioners Court on June 11 and August 13, 2018; 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 |

8. To consider, discuss, and take any necessary action regarding a request to begin salary increases for FY 2019 on pay period that begins October 7, 2018.
Pat Patton – Human Resources

A motion was made by Commissioner Simmons with a second by Commissioner Shelton for approval to begin salary increases for FY 2019 on pay period that begins October 7, 2018. **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 |

9. To consider, discuss, and take any necessary action regarding the Stop Loss Renewal at a decreased/lower rate which translates into an annual savings of \$95,895 for the county and authorize the County Judge to sign.
Mikala Haiduk – Human Resources

Commissioner Childers made a motion for approval of the Stop Loss Renewal at a decreased/lower rate which translates into an annual savings of \$95,895 for the county and to authorize the County Judge to sign; 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 |

AWARDS OF BIDS/PROPOSALS

10. To consider, discuss, and take any necessary action to decline previous award of the purchase of 2019 Cimarron 24ft. Pig Show Trailer for the County AgriLife Extension Office to Wild West Trailers, LLC due to non-conformance with specifications.
Evans Kessey – Equipment Services

A motion was made by Commissioner Shelton with a second by Commissioner Childers to decline previous award of the purchase of 2019 Cimarron 24ft. Pig Show Trailer for the County AgriLife Extension Office to Wild West Trailers, LLC due to non-conformance with specifications. **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 |

11. To consider, discuss, and take any necessary action regarding request to supplement the approved purchase price of 2019 Cimarron 24' Pig Show Trailer for County AgriLife Extension Office for \$7,809.43 due to a revised specification and authorize the County Judge to sign.
Evans Kessey – Equipment Services

Commissioner Shelton made a motion for approval to supplement the approved purchase price of 2019 Cimarron 24' Pig Show Trailer for County AgriLife Extension Office for \$7,809.43 due to a revised specification and 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

CONTRACTS/AGREEMENT/GRANTS

12. To consider, discuss, and take any necessary action regarding an Ector County and Midland County Interlocal Agreement to share the following Texas A&M AgriLife Extension Service staff: County Extension Agent-4H and Youth Development, County Extension Agent-Family and Community Health, and County Extension Agent-Horticulture and authorize the County Judge to sign.
Dale Childers – Commissioner Pct. 3

A motion was made by Commissioner Childers with a second by Commissioner Simmons to approve an Ector County and Midland County Interlocal Agreement to share the following Texas A&M AgriLife Extension Service staff: County Extension Agent-4H and Youth Development, County Extension Agent-Family and Community Health, and County Extension Agent-Horticulture with revision to bullet point #3 under the Ector County shall portion to remove strike the address and to the Midland County shall bullet point #3 portion to change Ector to Midland and to strike the address 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

13. To consider, discuss, and take any necessary action to approve the FY 2019 Contract with the Area Agency on Aging and authorize the County Judge to sign.
Donna Greaves – Senior Centers

Commissioner Simmons made a motion for approval of the FY 2019 Contract with the Area Agency on Aging 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

14. To consider, discuss, and take any necessary action to approve a Master Subscription Agreement between Ector County and EZ Facilities Inc. to facilitate the Ector County Community Park Rental Agreements through the Ector County website and authorize the County Judge to sign.
Evans Kessey – Highways and Streets

A motion was made by Commissioner Simmons with a second by Commissioner Childers to approve a Master Subscription Agreement between Ector County and EZ Facilities Inc. to facilitate the Ector County Community Park Rental Agreements through the Ector County website effective October 1, 2018 and to authorize the County Judge to sign. **MOTION PASSED. 5-0**

Voting for Motion:

PUBLIC WORKS

19. To consider, discuss, and take any necessary action on a Proposed Ector County MHRC Development to Serve Lot 8, Block 1, Replat of the W 272.33 of Lot 6, Block 1, Replat of Lots 1-3, Block 22, Replat of Plumanearly Subdivision 3rd Filing (Aguilar MHRC) and authorize the County Judge to sign.
David Peck – Projects Manager

Commissioner Simmons made a motion for approval of Ector County MHRC Development to Serve Lot 8, Block 1, Replat of the W 272.33 of Lot 6, Block 1, Replat of Lots 1-3, Block 22, Replat of Plumanearly Subdivision 3rd Filing (Aguilar MHRC) 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

20. To consider, discuss, and take any necessary action on DC Townsend Addition IV being a plat of a 44.30 acre tract out of Section 17, Block 42, T-4-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 on DC Townsend Addition IV being a plat of a 44.30 acre tract out of Section 17, Block 42, T-4-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 Simmons
 Commissioner Childers Commissioner Rodriguez

21. To consider, discuss, and take any necessary action on Stay-A-While Subdivision being a Subdivision of 10.0 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

Commissioner Shelton made a motion to approve the plat for Stay-A-While Subdivision being a Subdivision of 10.0 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; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

22. To consider, discuss, and take any necessary action on Western Fields a Subdivision of 21.85 acres in Section 24, 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 for approval of the plat on Western Fields a Subdivision of 21.85 acres in Section 24, 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 Simmons
- ✓ Commissioner Childers ✓ Commissioner Rodriguez

BUDGET/FINANCIAL

23. To consider, discuss, and take any necessary action regarding a proposed budget amendment to Elections Administration, Election Income, 004-4094 in the amount \$39,696, to Salaries, Election Workers, 004-980-5105 in the amount of \$36,209 and to Social Security Taxes, 004-980-5121 in the amount of \$3,487.
David R. Austin – County Auditor

Commissioner Childers made a motion for approval of a budget amendment to Elections Administration, Election Income, 004-4094 in the amount \$39,696, to Salaries, Election Workers, 004-980-5105 in the amount of \$36,209 and to Social Security Taxes, 004-980-5121 in the amount of \$3,487; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

24. To consider, discuss, and take any necessary action regarding a proposed amendment to General Fund, State Prosecutor Longevity, 001-4025 and to County Attorney, Longevity Pay, 001-170-5107 in the amount of \$524.
David R. Austin – County Auditor

A motion was made by Commissioner Childers with a second by Commissioner Rodriguez for approval of a budget amendment to General Fund, State Prosecutor Longevity, 001-4025 and to County Attorney, Longevity Pay, 001-170-5107 in the amount of \$524. **MOTION PASSED. 5-0**

Voting for Motion:

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

25. To consider, discuss, and take any necessary action regarding a proposed budget amendment to General Fund, Sheriff, Motor Vehicle Equipment, 001-360-5505 and to General Fund, Donated Revenues, 001-4171 for \$12,732.
Mike Griffis – Sheriff

Commissioner Shelton made a motion for approval of a budget amendment to General Fund, Sheriff, Motor Vehicle Equipment, 001-360-5505 and to General Fund, Donated Revenues, 001-4171 for \$12,732; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

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

26. To consider, discuss, and take any necessary action regarding a proposed budget amendment to transfer funds from General Fund, Commissioner Pct. 3, Educational Travel, 001-023-5161 to Commissioners Court, Office Supplies, 001-020-5171 to replace the broken Commissioners’ Court Front Office chair with a HON 2090 Series High-Back Chair, replace chairs for the Commissioners’

Court Conference Room with VL171 Series Mid-Back Chairs, and purchase three SHERPA Desk Reference Books totaling in the amount of \$1,259.

Debbie Clay – Commissioners Court

A motion was made by Commissioner Childers with a second by Commissioner Shelton to approve a budget amendment to transfer funds from General Fund, Commissioner Pct. 3, Educational Travel, 001-023-5161 to Commissioners Court, Office Supplies, 001-020-5171 to replace the broken Commissioners' Court Front Office chair with a HON 2090 Series High-Back Chair, replace chairs for the Commissioners' Court Conference Room with VL171 Series Mid-Back Chairs, and purchase three SHERPA Desk.

MOTION PASSED. 5-0

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

27. To consider, discuss, and take any necessary action to adopt the Ector County Budget for Fiscal Year 2018-2019 and authorize the County Judge and County Commissioners to sign.
Debi Hays – County Judge

Commissioner Shelton made a motion to adopt the Ector County Budget for Fiscal Year 2018-2019 and authorize the County Judge and County Commissioners to sign; 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, discuss, and take any necessary action to adopt the 2018-2019 Ad Valorem Tax Rate for Ector County and take any necessary action and authorize the County Judge and County Commissioners to sign.
Debi Hays – County Judge

Commissioner Shelton made a motion to adopt the 2018-2019 Ad Valorem Tax Rate for Ector County as follows:

General Fund	0.357137
FMLR fund	<u>0.012980</u>
Total Maintenance & Operating	0.370117
Debt Service Fund	<u>0.026883</u>
Total All Funds	<u>0.397000</u>

and to authorize the County Judge and County Commissioners to sign the Order Adopting the Tax Rate; Commissioner Childers seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

Judge Hays
 Commissioner Shelton Commissioner Simmons
 Commissioner Childers Commissioner Rodriguez

29. To consider and approve the Accounts Payable Fund Requirements Report for September 10, 2018 and to review County financial statements and reports.
David R. Austin – Auditor

A motion was made by Commissioner Shelton with a second by Commissioner Childers to approve the Accounts Payable Fund Requirements Report for September 10, 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

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

10:53 A.M.

Commissioner Childers made a motion to retire to Executive Session; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

11:11 A.M.

A motion was made by Commissioner Childers with a second by Commissioner Simmons to reconvene in General Session. **MOTION PASSED. 5-0**

EXECUTIVE SESSION

- 30. To consider and discuss legal matters pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.
Debi Hays – County Judge

Legal Matter-Crystal Dodson

A motion was made by Commissioner Simmons with a second by Commissioner Shelton to authorize Sam Brijalba, Risk Management Coordinator to assign the matter to the Shafer Law Firm if deemed necessary.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays

✓ Commissioner Shelton

✓ Commissioner Simmons

✓ Commissioner Childers

✓ Commissioner Rodriguez

- 31. To consider and discuss real estate issues/transactions pursuant to Title 5, Chapter 551, Section 551.072, Texas Government Code.
Debi Hays – County Judge

Item #31 was not discussed in Executive Session.

- 32. To consider and discuss personnel matters pursuant to Title 5, Chapter 551, Section 551.074, Texas Government Code.
Debi Hays – County Judge

Item #32 was not discussed in Executive Session.

11:13 A.M

With no further business to discuss, Commissioner Simmons made a motion with a second by Commissioner Childers 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 September 10, 2018.



Linda Haney

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