

On this the 28th day of September, 2021, 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
Mike Gardner, Commissioner Precinct #1
Greg Simmons, Commissioner Precinct #2
Don Stringer, Commissioner Precinct #3
Armando Rodriguez, Commissioner Precinct #4
Minutes taken by Jennifer Martin, County Clerk

when the following proceedings were had to-wit:

County Judge Debi Hays called the meeting to order at 10:07 A. M. with a quorum of the court present. The invocation was led by Sheriff Griffis. Commissioner 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 2021-2022 Budget.

Debi Hays – County Judge

Judge Hays opened the Public Hearing on the Proposed Fiscal Year 2021-2022 Budget at 10:10 a.m. No one addressed the court regarding the matter and the hearing was closed at 11:00 a.m.

2. To consider, discuss, and take any necessary action regarding a proposed Resolution for Safe Place recognizing the month of October as Domestic Awareness Month and authorizing the County Judge and County Commissioners to sign.

Debi Hays – County Judge

Commissioner Stringer made a motion to accept a proposed Resolution for Safe Place recognizing the month of October as Domestic Violence Awareness Month and authorizing the County Judge and County Commissioners to sign; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

3. To receive and discuss Initial Assessment regarding whether redistricting is required for commissioner precincts considering the new 2020 census data; and, if so, discuss and take any necessary action to consider adoption of redistricting criteria to apply for development of new redistricting plans, and guidelines for public participation in the redistricting process and authorize the County Judge and County Commissioners to sign.

Debi Hays – County Judge

A motion was made by Commissioner Rodriguez to table the item until after Executive Session; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

4. To consider, discuss and take any necessary action in adopting the Ector County Subdivision and Manufactured Home Rental Community Regulations (including incorporation by reference of the Subdivision Application, approval and Technical Specifications Manual (SAATS)) for Ector County, Texas and any related matters associated with this agenda item.
Evans Kessey – Public Works

Commissioner Gardner made a motion to adopt the Ector County Subdivision and Manufactured Home Rental Community Regulations (including incorporation by reference of the Subdivision Application, approval and Technical Specifications Manual (SAATS)) for Ector County, Texas and any related matters associated with this agenda item; **MOTION DIED DUE TO LACK OF A SECOND**

5. To consider, discuss, and receive an update from the Library Committee.
Commissioners Court

Randy Ham addressed the court to give an update on the activities of the Ector County Library Committee and to request that a permanent Ector County Library Board be created and by-laws approved.

NO ACTION WAS TAKEN ON THIS ITEM.

6. To consider, discuss, and take any necessary action to appoint Dr. Butler as the Medical Examiner for Ector County.
Commissioners Court

A motion was made by Commissioner Simmons to appoint Dr. Butler as the Medical Examiner for Ector County; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

AWARDS OF BIDS/PROPOSALS

7. To consider, discuss, and take any necessary action regarding the request for proposal specifications for Grant Administrator for the American Rescue Plan Act (RFP # 21-11-02-01), and authorize the County Judge to sign all documents associated with this agenda item.
Lucy Soto – Purchasing
Randy Donner – County Auditor

Commissioner Rodriguez made a motion to approve the request for proposal specifications for Grant Administrator for the American Rescue Plan Act (RFP # 21-11-02-01), and authorize the County Judge to sign all documents associated with this agenda item; a second was made by Commissioner Simmons.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

8. To consider, discuss, and take any necessary action to replace the roof at the Ector County Airport FBO, to award the bid to DK Haney Roofing for \$108,411, and to approve a budget amendment to Airport Fund, Improvements and Construction, 042-870-5509 from Unreserved Fund Balance for \$108,411.
Charles Pierce – Building Maintenance

A motion was made by Commissioner Stringer to replace the roof at the Ector County Airport FBO, to award the bid to DK Haney Roofing for \$108,411, and to approve a budget amendment to Airport Fund, Improvements and Construction, 042-870-5509 from Unreserved Fund Balance for \$108,411; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

CONTRACTS/AGREEMENTS/GRANTS

9. To consider, discuss, and take any necessary action regarding an Interlocal Cooperation Contract between the Department of Public Safety (DPS) and Ector County for DPS to provide seized drug and blood alcohol analysis of evidence submitted by County law enforcement agencies and authorize the County Judge to sign.

Dusty Gallivan – District Attorney

Commissioner Simmons made a motion to approve an Interlocal Cooperation Contract between the Department of Public Safety (DPS) and Ector County for DPS to provide seized drug and blood alcohol analysis of evidence submitted by County law enforcement agencies and authorize the County Judge to sign; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

10. To consider, discuss, and take any necessary action regarding a contract between Permian Basin Community Centers DBA PermiaCare and Ector County for jail based medical services and continuity of care services and authorize the County Judge to sign.

Mike Griffis – Sheriff

A motion was made by Commissioner Stringer to approve a contract between Permian Basin Community Centers DBA PermiaCare and Ector County for jail based medical services and continuity of care services and authorize the County Judge to sign; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

11. To consider, discuss, and take any necessary action regarding a contract between Permian Basin Community Centers DBA PermiaCare and Ector County for Mental Health Deputy Services and authorize the County Judge to sign.

Mike Griffis – Sheriff

Commissioner Stringer made a motion to approve a contract between Permian Basin Community Centers DBA PermiaCare and Ector County for Mental Health Deputy Services and authorize the County Judge to sign; a second was made by Commissioner Simmons. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

12. To consider, discuss, and take any necessary action regarding an Amendment between Texas Tech University Health Sciences Center (TTUHSC) and Ector County for psychiatric care and authorize the County Judge to sign.
Mike Griffis – Sheriff

A motion was made by Commissioner Stringer to approve an Amendment between Texas Tech University Health Sciences Center (TTUHSC) and Ector County for psychiatric care and authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

13. To consider, discuss, and take any necessary action regarding a Second Addendum between the Ector County Detention Center and Smart Communications Holding, Inc. to include additional benefits for ECDC and authorize the County Judge to sign.
Mike Griffis – Sheriff

Commissioner Simmons made a motion to approve a Second Addendum between the Ector County Detention Center and Smart Communications Holding, Inc. to include additional benefits for ECDC and authorize the County Judge to sign; a second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

14. To consider, discuss, and take any necessary action regarding a hoopla Digital Media Agreement between Ector County Library and Midwest Tape, LLC. and authorize the County Judge to sign.
Lynette Nickell – Library

A motion was made by Commissioner Stringer to approve a hoopla Digital Media Agreement between Ector County Library and Midwest Tape, LLC. and authorize the County Judge to sign; Commissioner Rodriguez seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

15. To consider, discuss, and take any necessary action regarding LexisNexis Digital Library Access and Print Subscription for the Law Library and authorize the County Judge to sign.
Lynette Nickell – Library

Commissioner Simmons made a motion to approve LexisNexis Digital Library Access and Print Subscription for the Law Library and authorize the County Judge to sign; a second was made by Commissioner Gardner.

MOTION PASSED. 5-0

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

16. To consider, discuss, and take any necessary action regarding a subscription through Westlaw West Proflex for the Law Library and authorize the County Judge to sign.
Lynette Nickell – Library

A motion was made by Commissioner Simmons to approve a subscription through Westlaw West Proflex for the Law Library and authorize the County Judge to sign; Commissioner Gardner seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

17. To consider, discuss, and take any necessary action regarding a Memorandum of Understanding with Friends of Ector County Library for 2021 – 2022 FECL Grant of \$25,000 and authorize the County Judge to sign.
Lynette Nickell - Library

Commissioner Simmons made a motion to approve a Memorandum of Understanding with Friends of Ector County Library for 2021 – 2022 FECL Grant of \$25,000 and authorize the County Judge to sign; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

18. To consider, review, discuss, and approve pay application #13 to Johnson Controls, Inc. for the Master Lease Purchase Agreement.
Randy Donner – County Auditor

ITEM WITHDRAWN

19. To consider, discuss, and take any necessary action regarding a change order between Johnson Controls Inc. and Ector County for modifications in the old jail, Barn G, and the White Pool House and authorize the County Judge to sign.
Charles Pierce – Building Maintenance

A motion was made by Commissioner Stringer to approve a change order between Johnson Controls Inc. and Ector County for modifications in the old jail, Barn G, and the White Pool House and authorize the County Judge to sign; Commissioner Simmons seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner ✓ Commissioner Stringer
✓ Commissioner Simmons ✓ Commissioner Rodriguez

20. To consider, discuss, and take any necessary action regarding a Second Contract Renewal Participating Entity Services, contracted with APPRISS INC., for the Statewide Automated Victim Notification Service (SAVNS) and authorize the County Judge to sign.
Debi Hays – County Judge

Commissioner Simmons made a motion to approve a Second Contract Renewal Participating Entity Services, contracted with APPRISS INC., for the Statewide Automated Victim Notification Service (SAVNS) and authorize the County Judge to sign; a second was made by Commissioner Gardner. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner
✓ Commissioner Simmons

✓ Commissioner Stringer
✓ Commissioner Rodriguez

21. To consider, discuss, and take any necessary action regarding the Cyber Security HAVA Grant and to pay the matching amount of \$9,422 and authorize the County Judge to sign.
Lisa Sertuche – Elections

A motion was made by Commissioner Simmons to approve the Cyber Security HAVA Grant and to pay the matching amount of \$9,422 and authorize the County Judge to sign; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner
✓ Commissioner Simmons

✓ Commissioner Stringer
✓ Commissioner Rodriguez

PERSONNEL REQUEST

22. To consider, discuss, and take any necessary action to approve hiring a Bailiff at a Step 15.
Denn Whalen – 70th District Court

Commissioner Simmons made a motion to deny a Step 15 but to approve hiring a Bailiff at a Step 5; a second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner
✓ Commissioner Simmons

✓ Commissioner Stringer
✓ Commissioner Rodriguez

23. To consider, discuss, and take any necessary action to approve the Charge Nurse position to be either a RN or LVN.
Mike Griffis – Sheriff

A motion was made by Commissioner Simmons to approve the Charge Nurse position to be either a RN or LVN; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner
✓ Commissioner Simmons

✓ Commissioner Stringer
✓ Commissioner Rodriguez

24. To consider, discuss, and take any necessary action regarding the request to hire a HR Clerk at a Step 4 due to HR experience.
Patricia Patton – Human Resources

Commissioner Stringer made a motion to approve the request to hire a HR Clerk at a Step 4 due to HR experience; a second was made by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays
✓ Commissioner Gardner
✓ Commissioner Simmons

✓ Commissioner Stringer
✓ Commissioner Rodriguez

✓ Commissioner Simmons

✓ Commissioner Rodriguez

29. To consider, discuss, and take any necessary action to adopt the Ector County Budget for Fiscal Year 2021-2022 and authorize the County Judge and County Commissioners to sign.
Debi Hays – County Judge

A motion was made by Commissioner Rodriguez to approve the purchase of a Street Sweeper from the Sales Tax Fund in the amount of \$279,000; Commissioner Gardner seconded the motion. **MOTION PASSED. 3-2**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Gardner

✓ Commissioner Rodriguez

Voting Against Motion:

✓ Commissioner Simmons

✓ Commissioner Stringer

Commissioner Simmons made a motion to budget \$300,000 from the Sales Tax Fund for improvements to parks in Precinct 4; a second was made by Commissioner Rodriguez. **MOTION PASSED. 4-1**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Gardner

✓ Commissioner Simmons

✓ Commissioner Rodriguez

Voting Against Motion:

✓ Commissioner Stringer

A motion was made by Commissioner Simmons to make the raises effective October 3, 2021 to coincide with a new pay period; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Gardner

✓ Commissioner Stringer

✓ Commissioner Simmons

✓ Commissioner Rodriguez

Judge Hays made a motion to raise the per diem for business travel to \$14 for breakfast, \$17 for lunch and \$20 for dinner from the proposed education travel allowances for the new Fiscal Year; a second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Gardner

✓ Commissioner Stringer

✓ Commissioner Simmons

✓ Commissioner Rodriguez

A motion was made by Commissioner Simmons to adopt the Ector County Budget for Fiscal Year 2021-2022 with the approved amendments and authorize the County Judge and County Commissioners to sign; Commissioner Stringer seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

✓ Judge Hays

✓ Commissioner Gardner

✓ Commissioner Stringer

✓ Commissioner Simmons

✓ Commissioner Rodriguez

30. To consider, discuss, and take any necessary action to adopt the 2021-2022 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 Simmons made a motion for the property tax be adopted at the rate of .36500 computed as follows: Total Maintenance and Operations .339580, Debt Service .025420; A second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

31. To consider and approve the Accounts Payable Fund Requirements Report for September 28, 2021 to review County financial statements and reports.
Randy Donner - County Auditor

A motion was made by Commissioner Simmons to approve the Accounts Payable Fund Requirements Report for September 28, 2021 to review County financial statements and reports; Commissioner Gardner seconded the motion. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

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

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

A motion to reconvene was made by Commissioner Stringer with a second by Commissioner Rodriguez. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

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

Commissioner Simmons made a motion to assign the New Power lawsuit to the Kelly, Morgan, Dennis, Corzine and Hansen Law Firm to file a response for the case; a second was made by Commissioner Stringer. **MOTION PASSED. 5-0**

Voting for Motion:

<u>✓</u> Judge Hays	
<u>✓</u> Commissioner Gardner	<u>✓</u> Commissioner Stringer
<u>✓</u> Commissioner Simmons	<u>✓</u> Commissioner Rodriguez

In reference to a separate case a motion was made by Commissioner Simmons to pay an invoice from Baker Botts in the amount of \$7356.87; Commissioner Stringer seconded the motion.

MOTION PASSED. 5-0

Voting for Motion:

- | | |
|-------------------------------|---------------------------------|
| <u>✓</u> Judge Hays | |
| <u>✓</u> Commissioner Gardner | <u>✓</u> Commissioner Stringer |
| <u>✓</u> Commissioner Simmons | <u>✓</u> Commissioner Rodriguez |

33. To consider and discuss legal matters (Papaw Street) pursuant to Title 5, Chapter 551, Section 551.071, Texas Government Code.
Debi Hays - County Judge

NO ACTION WAS TAKEN ON THIS ITEM

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

NO ACTION WAS TAKEN ON THIS ITEM

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

NO ACTION WAS TAKEN ON THIS ITEM

12:15 P.M.

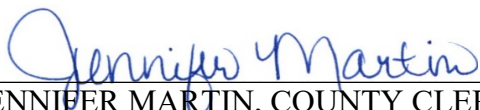
With no further business to discuss, Commissioner Simmons made a motion with a second by Commissioner Gardner to adjourn to the call of the chair. **MOTION PASSED. 5-0**

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 Regular Commissioners' Court meeting of September 28, 2021.




JENNIFER MARTIN, COUNTY CLERK
ECTOR COUNTY, TEXAS