

JANUARY 26, 2015

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 26th day of January, A.D., 2015 at 9:00 A.M. came on to be had a Special Meeting of the Commissioners' Court of Wise County, Texas held in the County Court at Law Jury Room (3rd) Floor in County Courthouse of said County in the town of Decatur with the following members present and presiding:

| | |
|-----------------|------------------------------|
| J.D. Clark | County Judge |
| Danny White | Commissioner, Precinct No. 1 |
| Kevin Burns | Commissioner, Precinct No. 2 |
| Harry Lamance | Commissioner, Precinct No. 3 |
| Gaylord Kennedy | Commissioner, Precinct No. 4 |

Sherry Lemon, County Clerk and Ex-Officio Clerk of Commissioners' Court by Amanda Knox, Chief Deputy when and where the following proceedings were had, to-wit:

All attachments referred to in the minutes of the Wise County Commissioners' Court are designated original or copy and are provided at the time of action by the Court unless otherwise indicated by provider.

County Judge Clark votes aye on all agenda items unless otherwise indicated.

- 1) Clark called the meeting to order at 9:00 AM. All court members are present.
- 2) Pledge of Allegiance
- 3) Moment of Silence
- 4) Community Forum:

Wise County Democratic Party Chair Tracy Smith spoke in agreement with the court about agenda item 8 regarding the resolution in opposition of unfunded mandates. Smith stated that revenue stream and issues should stay local.

Wise County resident Lena Wells agreed with Smith regarding the resolution in opposition of unfunded mandates.

- 5) Clark referenced correspondence from the Texas Veterans Commission regarding Veterans Services Officer Laura Spain and her staff has maintained accreditation with the Texas Veterans Commission through the Claims Representation and Counseling Accreditation Program. (No attachment)

Clark introduced Wise County Elections Administrator (EA) Sabra Srader. Srader thanked the court and Interim Elections Administrator Jim Parker for his assistance in the transition. Srader told the court she looks forward to working with them in the future.

Clark recognized Parker for his assistance to the county as Interim Election Administrator and expressed appreciation for Parker's work.

Parker thanked the court for the opportunity to serve the county.

6) Motion made by White seconded by Burns and unanimously adopted by the Court to approve the minutes of the meeting January 12, 2015, as presented. (No attachment)

Skip to supplemental agenda item #2: Receive report/presentation on Moncrief Cancer Institute Mobile Cancer Survivorship Clinic.

Moncrief Cancer Institute Director Keith Argenbright, M.D. presented information to the court regarding the institute's concentration on cancer prevention and survivorship programs. (See attachment)

Argenbright stated the cancer survivorship program includes exercise therapy, nutritional counseling, psychotherapy, genetics, etc. to get survivors back to where they were before. Argenbright stated state and federal funds fund the program.

Argenbright continued that these services will be available to Wise County through a mobile program. Argenbright stated the survivorship program will be in Wise County in March 2015 for a celebration and ribbon cutting.

Clark asked for community assistance in finding locations to bring the mobile until? Argenbright stated that Community Outreach Manager Julie Johncox works with local health offices to determine local needs and welcomed any help the court may offer.

Skip to Supplemental Agenda

#3) Motion made by Burns seconded by White and unanimously adopted by the Court to accept District Clerk deputation of Traci Gilbert. (Original deputations are filed in Official Bond and Oath Records by the Wise County Clerk.)

7) Clark requested to table the presentation from 911 Operations to recognize a Wise County Sheriff's Office Telecommunicator. (No attachment)

8) Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to adopt the Wise County Resolution in Opposition to Unfunded Mandates, as presented. (See attachment)

9) Motion made by White seconded by Burns and unanimously adopted by the Court to adopt Wise County Resolution in Opposition to Indigent Health Care Mandatory Assessment, as presented. (See attachment)

10) Motion made by Burns seconded by White and unanimously adopted by the Court to adopt Wise County Resolution in Opposition to Removing County Fireworks Regulation Authority, as presented. (See attachment)

11) Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to adopt Wise County Resolution in Support of Designating the Chisholm Trail and the Great Western Trail as National Historic Trails, as presented. (See attachment)

12) Burns briefly reported that Wise County is served on the western side of the county west of US 81/287 and the Burlington Northern Santa Fe Railroad drains into Tarrant County water district and the east side drains into Grapevine lake and that area. Burns stated the eastern side of the county is not under any [water district] control; is not represented as far as maintenance of dams/flood control and is handled by Commissioners Court and Public Works with some sponsorship by the Wise County Soil and Water Conservation District. Burns continued that there is no taxing entity or income/representation for land-owners other than commissioners court. Burns stated this resolution asks for an election to be called to allow the citizens to be in the district that is on the west side with representation on the board of directors if they chose to do so.

Clark stated there is an option to bring the people in without election based on the decision of the major landowners. Burns stated Water Code states that if fifty percent of the landowners they want a district, then they're in the district. Burns stated this is the "haves against the have nots" where the "haves" can decide the whole thing. Burns stated he doesn't think it meets the U.S. Department of Justice guidelines that are in place today. Burns stated it is antiquated. Clark stated every voter should have a "say" instead of just the major landowners.

White stated this resolution is for the protection of people on the east side of Wise County.

Burns discussed attempts during the last legislative session and stated the City of Decatur (already in a water district) was not carved out of the area discussed and it didn't continue through the legislative process.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to adopt Wise County Resolution in Support of Voter Choice for Water Control and Improvement District Annexation, as presented. (See attachment)

13) Bids:

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to authorize Asset Control Officer Diana Alexander to advertise for precoat for Precinct No. 4 with the product being bid by the job.

Motion made by Burns seconded by White and unanimously adopted by the Court "that Asset Control Manager, Diana Alexander, go out for bids for a County Depository per the process provided for in Local Government Code Section 116 Subchapter B and declaring Asset Control Manager, Diana Alexander, the County Judge's designated representative to receive such bids on March 5, 2015." (See attached Depository Bid Motion Request)

Motion made by White seconded by Burns and unanimously adopted by the Court to authorize Asset Control Officer Diana Alexander to advertise for bids for inmate pharmacy services at the Law Enforcement Center, as presented. (No attachment)

Motion made by Burns seconded by White and unanimously adopted by the Court to rescind the following motion on December 15, 2015: "Motion made by Burns seconded by White and unanimously adopted by the Court to authorize Burns to sell an asphalt distributor truck at the next Ritchie Bros. Auctioneers sale. (No attachment)."

Motion made by Burns seconded by White and unanimously adopted by the Court to approve the sale of the following items at the next Ritchie Bros. Auctioneers, Inc. auction:

- GMC gasoline pickup 4-door 1980's model – Precinct No. 2
- older Belly dump trailer – Precinct No. 4
- Pneumatic roller – Precinct No. 3
- Ingersoll-Rand pneumatic roller – Precinct No. 2
- Lincoln welder (direct current) – Precinct No. 3
- Pup trailer that came from TxDOT – Precinct No. 2

14) Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to approve the Final Plat for Burks One Addition, Lots 1-6 located in Precinct No. 4, as presented, including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

15) Burns stated that the property is on CR 1271 in Precinct No. 2. Burns stated a man purchased the subdivision from an Alvord woman who also sold the man the road. Burns stated the man doesn't want to pay taxes on the county road and presented a quitclaim deed for the roadway to the county. Burns stated 30' on each side of the center roadway is required.

Commissioners Court Attorney Thomas Aaberg requested to review the deed (for the first time) and after review stated the woman never had right to sell the property being deeded back to the county.

Burns stated the tax rolls state that the man owns it and is paying taxes on it. Burns confirmed the information was verified.

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to accept the Quitclaim Deed on west 30' Lot 7 Delta Ranch Estates, as presented. (Original Quitclaim Deed recorded in Wise County Official Public Records being instrument number 201500869 on January 28, 2015 and is on view at the Wise County Clerk's office.)

16) Donations:

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to accept the following donations with the court's thanks:

- Sweetwater Cemetery \$1,000.00 to Fund 77 (County Park).
- Devon furniture donation to the Sheriff's Department (See attachment)
- Body armor from City of Boyd for WCSO Explorer's program
- Fatal vision kit from Crimestoppers (no donor stated)

17) Consent Agenda Item:

a) Department Head Reports:

- Auditor's Report (December 2014)

Re: Accrued compensatory time that is not budgeted for FY2015

- Treasurer's Report (December 2014)

b) Budget Amendment(s):

- FY15-08 for various line items and transfer from courthouse security for bailiff vehicle for FY2015. (See attachment)

c) FY14 & FY15 – 3 Year Capital Expenditure Plan – None

d) Claims/Payroll:

- Claims Register dated 1-26-15 (See attachment)

County Auditor Ann McCuiston stated the following:

-Echo Plumbing and Taylor for Sheriff's Office sewer.

-Overland Welding for damages of trailer. No invoice from requestor Bohn.

McCuiston stated this \$1,500.00 for beams damaged in the transfer of the trailer.

-Tyler for software licensing at the Sheriff's Department

-Prince Computing Consulting final payment

-Invoice from Craig's music \$3,310.64 (not a local vendor/not in system) for the PA system at the show arena at the Wise County Fairgrounds.

McCuiston and the court discussed the fairgrounds budget. McCuiston stated \$59,000.00 is in the fairgrounds budget.

Public Works Director Tom Goode stated the fairgrounds has taken in \$33,000.00; spent \$15,000.00 in utilities and maintenance and has spent \$75,000.00 in improvements.

White commented that improvements will slow down in the future.

McCuiston stated she will set up the Craig's Music vendor and will transfer funds out of fairgrounds to pay for the invoice.

Burns discussed obtaining materials for improvement at the fairgrounds (pipes, square tubing, expanded metal, etc.) that donations can be solicited for. Aaberg confirmed the county is not soliciting donations.

- Payroll Register dated 1-23-15 (See attachment)

e) Utility Requests: None

f) Interlocal Agreements: None

g) Contracts:

(Original contracts are filed in the Asset Control Office by Diana Alexander.)

Cancellations: Ceredian Time Keeping (See attachment list)

Renewals: Dustin Copier – Justice of the Peace Pct 4 (See attachment list)

Fully Executed:

USDA Forest Service Modification of Grant (See attachment)

Indigent Defense Grant Award (See attachment)

For Approval:

Safran Maintenance Agreement Addendum Wise County Court (See attachment)

Dustin Office Machines for Wise County Treasurer copier (See attachment)

Amendment to Consulting Agreement – Prince Computing Corporation (See attachment)

Court recessed at 9:49 AM

18) Court reconvened into Executive Session at 9:49 AM pursuant to Open Meetings Act 551, specifically Texas Government Code Section 551.072 – Deliberations on Real Property. (Sealed attachment on file)

19) Court reconvened at 10:21 AM into regular session and Clark announced no action was taken on Executive Session.

- 20) Project Agreements for Road Repair: None
- 21) Right-of-Way Improvements: None
- 22) Burn Ban: None
- 23) Burn Ban: None
- 24) Committee Reports:

Burns confirmed that regarding the resolution about the Wise County Water Control and Improvement District that Representative Phil King's office confirmed that the resolution will only include land in Wise County.

Burns stated that water districts can include other counties.

Goode asked about the Clearcreek Water District that is already established? Burns stated the resolution will exclude any areas that are already served by a water district that is in place.

Wise County Project Manager Glenn Hughes reported that eighteen applicants applied for the Systems Coordinator position with ten being exceptional. Hughes stated that the committee has narrowed it down to three applicants with interviews beginning at 9:30 on Tuesday, January 27, 2015. Hughes stated once the final applicant is decided and they give their two weeks' notice they will be ready to start.

- 25) Clark announced the next meetings as Tuesday, February 10, 2015 and Monday, February 23, 2015.
- 26) Clark adjourned the meeting at 10:25 AM there being no further business to be had.

Minutes approved this 10 day of February, 2015, as printed.

J.D. Clark, County Judge, Wise County

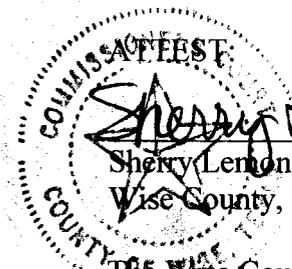
Danny White, Commr. Pct. No. 1

Kevin Burns, Commr. Pct. No. 2

Harry Lamance, Commr. Pct. No. 3

Gaylord Kennedy, Commr. Pct. No. 4

Sherry Lemon by Amanda Knox, Chief Deputy
Sherry Lemon, County Clerk and Ex-Officio Clerk of Commissioners' Court,
Wise County, Texas.



The Wise County Commissioners' Court adopted the *Rules of Procedures, Conduct & Decorum at Meetings of Wise County Commissioners' Court* on February 28, 1994 and the rules have not been revised.

Addendum:

The following abbreviations are used in reference to current Wise County projects.

- WCCAB – Wise County Courthouse Annex at Bridgeport
- SWA – Southwest Architects Inc.
- TxDOT/DPS - Texas Department of Transportation/Department of Public Safety
- TAC – Texas Association of Counties
- TFP – Wise County Thoroughfare Plan
- WHJ – Wiginton, Hooker and Jeffry, P.C. (in relation to Wise County facilities Master Study Plan)
- WCWC – Weatherford College Wise County campus