

FEBRUARY 25, 2015

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 25th day of February, A.D., 2015 at 1:02 PM 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 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 1:00 P.M. All court members were present.
- 2) Pledge of Allegiance
- 3) Moment of Silence
- 4) Community Forum:

Precinct No. 2 landowner Monty Nivens addressed the court regarding a blockage in the Upper Sandy Creek south of CR 1590 at FM 2265. Nivens commented that there have been several instances in the past where the county has closed a road for days at a time because there is water over the road. Nivens requested assistance from the county to resolve this issue. Nivens stated Burns has met with landowners regarding this issue. Burns and Clark discussed placing an action item on the next agenda regarding this issue.

- 5) Correspondence:

Clark read the awards information from the Sheriff's Department awards banquet held on Friday, February 20, 2015. (No attachment provided)

County Treasurer Katherine Hudson reminded the court that representatives from the Texas State Comptroller's Office are at the Sheriff's Department to assist Wise County citizens in the search for any unclaimed monies.

Clark stated the Moncrief Cancer Institute mobile unit will be at the Decatur Civic Center at 9:30 AM on February 28, 2015.

6) No action taken regarding approval of the minutes of the meeting February 10, 2015. No minutes were presented for approval.

7) Bids:

Asset Control Officer Diana Alexander stated that County Auditor Ann McCuiston requested that Alexander check with the court to see if anyone needs pipe for any projects and if the court wishes to advertise for bids for this item. Burns clarified that this is piling pipe for bridge building. County Engineer Chad Davis discussed beam allotment from Texas Department of Transportation. Alexander reminded the court that the bidding procedure takes time and requested they advise her as soon as possible if they need pipe.

Projects Manager Glenn Hughes addressed the court regarding courthouse elevator repair work that had been previously bid out and awarded to OTIS Elevator Company. Hughes stated the elevator shaft drilling work is going to be more extensive than previously determined. Hughes recommended a turnkey job by OTIS and stated that funds are allocated.

Alexander and Commissioners Court Attorney Thomas Aaberg discussed the terms of the previous bid. Alexander confirmed the previously awarded bid included the drilling process but the bid amount did not include drilling cost.

Hughes stated that he requested cost estimate from OTIS and advised that until contractors know what is in the elevator shaft, they cannot give the county a cost estimate.

Motion made by White seconded by Burns and unanimously adopted by the Court to approve a change order to the OTIS Elevator bid (14-600-046 awarded August 25, 2014) to include turnkey service to include drilling in the elevator shaft.

8) Donations:

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

- R.L. Barksdale - \$500.00 for K-9 (Fund 30 - Crime Prevention)
- Hawkins Funeral Home \$50.00 for K-9 (Fund 30 - Crime Prevention)
- Devon Energy \$30,000.00 for K-9 (Fund 30 - Crime Prevention)
- Anonymous donation of \$3,500.00 for the Sheriff's Department awards banquet.

Alexander clarified that the Fatal Vision donation from Crimestoppers that was accepted on January 26, 2015 belongs to the City of Boyd and not Wise County and the donation has been removed.

9) Clark presented information to the court regarding the "Commissioners Court on the Road" mobile meeting program. (See attachment) Clark stated that the program can be implemented pending court approval.

Clark stated that if the court approves this program that Sheriff David Walker has agreed to provide the first presentation on the K-9 program. Clark outlined the structure and purpose of the mobile meetings. Clark stated first meeting (if approved) will be held Monday, March 23, 2015 at 7:00 PM at Slidell High School Cafeteria with future meetings in June 2015 (Alvord); September 2015 (Bridgeport); and December 2015 (Boyd).

Clark commented that the regular meetings held at 9:00 AM on Monday mornings are not always easy for people to attend and stated this program "will take the county government out to everybody else."

White stated he will be out of town on March 23, 2015. Clark asked White when he'll return? White stated he'll be back on the 30th. Clark suggested March 31, 2015 if the school is available. Burns stated that he and Public Works Director Tom Goode will be attending the Texas Association of Watershed Sponsors meeting in Fredericksburg on the 30th. White stated he has concerns about the mobile meeting program. Clark asked White his concerns?

White stated that "occasionally we are asked to come to different areas to talk and tell people why I'm doing the things the way I'm doing." White stated "it often becomes a gripe session more than anything." White told Clark that he has told people "if we went somewhere every-time someone wants us we might as well tell our wives that we won't be home."

Clark stated this is a structured answer to that because in a community forum the person is limited to three minutes and the item can't be deliberated on by the court. Clark continued that if White (for example) is reporting to the public then it doesn't have to be opened up to the crowd.

White stated "...don't have to open it up, but you (Clark) know as well as I do that they'll open it up for you." White stated that he'll go along with whatever the court wants to do; it's not a bad idea and that he agrees. White asked Clark "At the same time, though, are you asking all commissioners to be at one location or just the precinct commissioner?" Clark stated, "I would like all of us that are available to be there and I think the county would appreciate it." White told Clark "that's my concerns". White stated, "I don't mind speaking, don't misunderstand me, but if it is going to turn into a gripe/complaint session I have a phone, they can stop by my barn; I don't have to spend my night-times out there doing that."

Burns stated there have been public meetings in the past and if it is moderated right it is not a free-for-all.

Clark stated he understands White's concerns and thinks it is also good to give the people an opportunity to gripe or praise and that is why Clark is doing this in a structured way. Clark stated it is only four times a year and he can take a minimum of four "chewings" a year. White stated that he doesn't think it is that bad of an idea. Clark stated he thinks it is a good faith effort on the part of this court to have a mobile meetings program. Clark stated it can become a free-for-all if there is no structure. Lamance asked if this is something that can be vacated if there is lack of interest? Clark stated there may be public interest from those who don't know the commissioners court process. Lamance asked about items to be discussed? Clark and Aaberg confirmed that if the meeting is outside the county seat the court cannot take action. Clark stated it is a proactive way for the commissioners to tell the public what they're working on within the precinct.

Motion made Kennedy seconded by Burns and unanimously adopted by the Court to approve the "Commissioners Court on the Road" Mobile Meetings Program, as presented. (See attachment)

10) Clark presented the Wise Innovations, Solutions, and Efficiency (WISE) Program Employee Incentive Initiative. Clark stated he has worked on this with the following: Commissioners Court Attorney Thomas Aaberg; General Counsel for the County Judges and Commissioners Association of Texas Attorney Jim Allison (Allison, Bass & Magee, LLP); and Texas Association of Counties County Relations Officer Lonnie Hunt.

Clark stated this program is designed to recognize and reward Wise County employees who identify ways to reduce expenses and improve the quality of services in Wise County government. Clark outlined the program from the handout (See attachment). Clark stated that Hunt told Clark that this program is breaking new ground in Texas counties as Hunt has never seen this in any other county. Clark stated he consulted with Aaberg many times on this project and confirmed that the program is constitutional.

Clark asked for comments and concerns from the commissioners? Burns stated that the county hires consultants to come in to look over IT and other things to try and save us money. Burns stated this program will be in line with that because the person will be someone who has their hands on documents and processes that we do. White stated he thinks it is a fantastic idea. Clark stated all department heads and elected officials have each year worked on the budget to try to find ways to do things better; it always helps to get a new set of eyes on it. Clark stated this program may tap into a knowledge/talent pool that doesn't always get tapped into when working on the budget. Clark told the court there may be people who have worked with something for a long time but don't know how or where to bring up ideas. Kennedy commented about being able to see areas of change when not in a department head/elected position. Clark discussed distribution of program information and willingness to personally answer questions/comments regarding this program.

Motion made by White seconded by Kennedy to adopt the Wise Innovations, Solutions and Efficiency (WISE) Program, as presented. (See attachment)

11) Motion made by Burns seconded by White with Lamance and Kennedy voting aye and Clark abstaining to accept the corrected (correcting term in number of years from one to four) Western Surety Bond No. 71604568 for County Judge, Judson Donald Clark, as presented. (Original Bond filed in Official Bond and Oath Records by the Wise County Clerk.)

12) Motion made by White seconded by Burns with Lamance and Clark voting aye and Kennedy abstaining to accept the corrected (correcting term in number of years from one to four) Western Surety Bond No. 71604570 for Commissioner, Precinct No. 4 Gaylord Kennedy, as presented. (Original Bond filed in Official Bond and Oath Records by the Wise County Clerk.)

13) Motion made by White seconded by Burns and unanimously adopted by the Court to accept the corrected (correcting term in number of years from one to two to complete current term) Western Surety Bond No. 7115958 for County Court at Law No. 2 Judge Stephen J. Wren, as presented. (Original Bond filed in Official Bond and Oath Records by the Wise County Clerk.)

14) Motion made by White seconded by Burns and unanimously adopted by the Court to accept the corrected (correcting term in number of years from one to four) Western Surety Bond No. 71546845 for Justice of the Peace, Precinct No. 2 Craig D. Johnson. (Original Bond filed in the Official Bond and Oath Records by the Wise County Clerk.)

15) Motion made by White seconded by Burns and unanimously adopted by the Court to accept the rider (correcting effective date and expiration date) to the Western Surety Bond No. 1273966 for County Court at Law No. 1 Judge Melton D. Cude, as presented. (Original Rider filed in Official Bond and Oath Records by the Wise County Clerk.)

16) Clark stated that Texas Association of Counties (TAC) Risk Control Consultant Isaac Garcia met with Clark and County Treasurer Katherine Hudson regarding some training opportunities for the county at no cost to the county. Clark stated that Garcia advised after reviewing recent worker's compensation claims that many of the claims are "slip, trip and fall" claims. Clark recommended a 45 minute "slip, trip and fall" safety training as a risk control movement to be offered to road crews, Public Works, maintenance/custodial staff and jailers. Hudson stated that all employees could benefit from a "slip, trip and fall" training. Clark stated that Garcia can provide a general safety training (two hours) or the 45 minute training.

Clark suggested general safety training between 7:00AM -9:00 AM and use the lecture hall at WCWC. Clark discussed scheduling a different training for jailers at the Wise County Law Enforcement/Jail Facility (WCLEJ) training room.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize Clark to coordinate general safety training through Texas Association of Counties (TAC). (No attachment)

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Burns discussed continuing education credit for training classes. Clark advised that Garcia told him that after training claims usually drop off for nine months to a year and he notices a difference. Hudson and Clark discussed a safety resolution.

Back to agenda item 9: “Consider and act on “Commissioners Court on the Road” Mobile Meetings Program. Take action if necessary.

White requested to change the first meeting date from March 23, 2015 to March 31, 2015.

Skip to agenda item 18: Announce and convene into Executive Session pursuant to Open Meetings Act 551; specifically Texas Government Code Section 551.072 – Deliberations on Real Property.

Court convened into Executive Session at 1:40 PM and reconvened in open session at 2:19 PM.

19) Clark advised the court that Wise County spends a lot of money on rental property (approximately \$6,000.00 per month) for rental space for the Elections Administration office/storage and Wise County Development Services building (FM51 S) for 9-1-1 Addressing; Public Works Administration, and County Engineer; and Project Management.

Clark stated that to-date the county has spent approximately \$100,000.00 for rental of the Election Administration building and approximately \$165,000.00 for rental of the Development Services Building. Clark stated that this is a lot of tax money being spent with nothing long term to show for it. (See attachment)

Clark stated the “big picture” goal is to move away from rental property and will be solved by moving some departments into the buildings that were moved here from Ft. Hood with the cost of moving and cost of modification being paid by the County.

Clark discussed statutory and practical requirements for Elections Administration and related equipment. Clark stated the county has an opportunity to acquire property to house the Elections Administration offices, warehouse space, training room and early voting held at Elections Administration, and approximately forty parking spaces in the downtown Decatur area. Clark stated the property is the old Guardian Title Company (200 S Trinity Street, Decatur). Clark stated funds are allocated in the Election Administration budget capital expenditures budget for the purchase of the building.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize Clark to negotiate a contract in the best interest of the county and not to exceed \$295,000.00 for the former Guardian Title Company building (200 S Trinity Street), as presented.

20) Project Agreements for Road Repair: None

Back to agenda item 17: Consent Agenda item

17) Motion made by Burns seconded by White and unanimously adopted by the Court to accept the following consent agenda items:

Department Head Reports:

- Texas Department of Public Safety re: 2nd extension request for Project DR-1931-004 North Central Texas COG Planning Grant (See attachment)
 - Public Works monthly activity report January 2015 (See attachment)
 - Treasurer's Report January 2015 (see attachment)
- a) Budget Amendment:
- FY15-10 (See attachment)
County Auditor Ann McCuiston stated that K-9 donation revenue and expense is being recognized.
- b) FY14 & FY15 – 3 Year Capital Expenditure Plan: None
- c) Claims/Payroll:
- Claims Register dated 2-25-15 (See attachment)
 - TDL for insulation repair at the Pct. #3 barn totaling \$7,150.00
 - Darbow Inspection for \$700.00 for the Guardian Title Company building (200 S. Trinity Street, Decatur)
 - Payroll register dated 2-20-2015 (See attachment)
- d) Utility Permits/Right-of-Way: None
- e) Interlocal Agreements: None
(Original Interlocal Agreements are filed in the Asset Control Office by Diana Alexander.)
- f) Contracts:
(Original Contracts are filed in the Asset Control Office by Diana Alexander.)
- Dustin Office Machines Copier at District Judge's office (See attachment)
 - Dustin Office Machines full coverage maintenance agreement for shredders at Adult Probation office (See attachment)

- Quetel Corporation annual software support agreement for Sheriff's Department (See attachment)

Fully Executed:

- Ritchie Bros. Auctioneers, Inc. (See attachment)
- Chase Paymentech for District and County Clerks (See attachment)
- Martin Marietta Materials quote for rock purchase (See attachment)

21) Right-of-Way Improvements:

Motion made by Lamance seconded by Kennedy and unanimously adopted by the Court approve the request to enter onto Brent Wilson's property in Precinct No. 3 CR 4781 at Hog Creek Bridge (being East and South of the bridge) to move the fence three to four feet and replace the fence.

22) Burn Ban:

Clark referenced suspected arson fires set and the subsequent theft of property from East Wise Volunteer Fire Department over the weekend. Firemen had their person trucks stolen.

23) Committee Reports:

Clark introduced Wise County Systems Administrator Steven Melton to the court.

Public Works Director Tom Goode updated the court at Clark's request regarding improvements to the Wise County Fairgrounds. Goode stated that all of the hog pens are installed; the announcement booth has been redone, the scales are in a new location and other improvements have been made.

Projects Manager Glenn Hughes discussed the roofing project at the WCLEJ. Clark read information from an email from Eikon Consulting Group, LLC Project Manager Nathan McQuillan to Hughes about the flow process from this point forward. (No attachment)

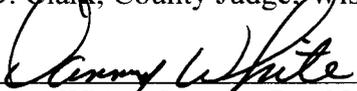
24) Clark announced the next meeting as Monday, March 16, 2015.

25) Clark adjourned the meeting at 2:38 PM there being no further business to be had.

Minutes approved this 16 day of March, 2015, as printed.



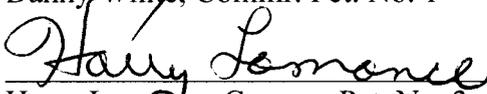
J.D. Clark, County Judge, Wise County



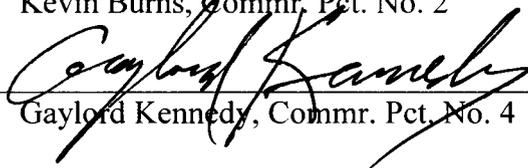
Danny White, Commr. Pct. No. 1



Kevin Burns, Commr. Pct. No. 2

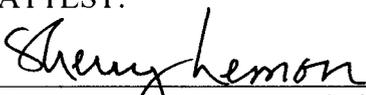


Harry Lamance, Commr. Pct. No. 3

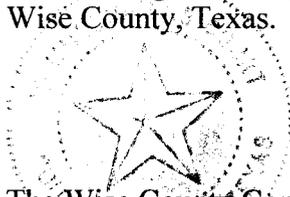


Gaylord Kennedy, Commr. Pct. No. 4

ATTEST:



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 Jeffrey, P.C. (in relation to Wise County facilities Master Study Plan)

WCWC – Weatherford College Wise County campus