

APRIL 25, 2016

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 25th day of April, A.D., 2016 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 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 were present.
- 2) Pledge of Allegiance
- 3) Moment of Silence
- 4) Community Forum: None
- 5) County Correspondence: None
- 6) Precinct Cooperation/Coordination:

Kennedy told the court that he and Burns will be installing water gates at CR 3250 and CR 3390 (in Precinct 4 that crosses into Precinct 2) that can be closed and locked because people are taking barricades and signs for use elsewhere. Kennedy stated gates will be installed on CR 3225 (Pct. 4) to prevent people from going through the high water.

- 7) Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to approve the minutes of the meetings dated March 29, 2016; April 11, 2016 and April 11, 2016 NCTCOG Thoroughfare Plan Workshop, as presented. (No attachments)

8) Motion made by Kennedy seconded by Lamance and unanimously adopted by the Court to approve the Final Plat of Russell Ridge, Lots 1 & 2 located in Precinct No. 4 with a letter of general conformance from Kimley-Horn and Associates, Inc. and including a variance on drainage study and a variance on the 150' road frontage requirement. (See attachment)

9) Motion made by Burns seconded by White and unanimously adopted by the Court to appoint Elections Administrator Sabra Srader as the Early Voting Clerk for the May 24, 2016 Democratic and Republican Primary Runoff Election. (See attachment for items 9-13)

10) Motion made by Kennedy seconded by Lamance and unanimously adopted by the Court to approve the Elections Office (200 S Trinity Street, Decatur, TX) to serve as the main early voting polling place for the May 24, 2016 Democratic and Republican Primary Runoff Election. (See attachment for items 9-13)

11) Srader presented a list of early voting and Election Day consolidated polling locations for the May 24, 2016 Democratic and Republican Primary Runoff Election. (See attachment) Srader stated the party chairs agreed to consolidate locations in order to save money as they don't anticipate a high voter turnout. Srader stated it is important to get the voters used to using consolidated locations. Srader discussed voter turnout history.

Clark and Srader discussed polling locations. Srader confirmed publication and notification of consolidated locations. Clark asked why Decatur is designated as the main polling location? Srader stated the Elections Code requires that the Elections Office be the main polling location. Srader stated that, in the future, she'd like to have more early voting locations but discussed connectivity issues necessary to communicate between voting locations.

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve the dates/times/locations for early voting period for the May 24, 2016 Democratic and Republican Primary Runoff Elections. There are no local candidates on the ballot. (See attachment for items 9-13)

12) Motion made by Burns seconded by Lamance and unanimously adopted by the Court to appoint Sabra Srader as the Central Counting Station Manager; Karen Valenzuela as the Tabulation Supervisor; D.A. Sharpe as the Presiding Judge; and, Annette Brookens as the Alternate Judge for the Central Counting Station for the May 24, 2016 Democratic and Republican Primary Runoff Elections. (See attachment for items 9-13)

13) Motion made by Burns seconded by Lamance and unanimously adopted by the Court to appoint D.A. Sharpe (Judge), Annette Brookens, and Katy Marquis as the Early Voting Ballot Board for the May 24, 2016 Democratic and Republican Primary Runoff Elections. (See attachment for items 9-13)

14) Clark provided the court with a simplified version of the Sick Leave Pool Program Policy stating that it has been reviewed by Texas Association of Counties (TAC). Clark also provided the court with a one page "summary" of the program and eligibility. (See attachments)

Clark reviewed all items on the one sheet summary for the court. (See attachment)

Clark proposed the following policy change to the sick leave policy for the court's consideration: Currently full-time employees earn 3.37 hours of sick leave time each month (five days per year). Clark proposed changing the policy to allow full-time employees to earn eight (8) hours of sick leave time each month. Clark discussed the benefits to the employee of making this change. County Treasurer Katherine Hudson clarified that full-time employees currently accrue 3.34 hours of sick leave per month, not 3.37.

White and Hudson discussed the ten (10) - hour work day for precincts versus the eight-hour work day for full-time employees. Clark confirmed with Hudson that precinct employees earn 3.34 hours of sick time per month because they work a forty (40) hour work week. Hudson stated the 3.34 hours per month works out to forty (40) hours per year (five eight-hour days). Hudson stated all full-time employees accrue 3.34 hours per month except for Emergency Medical Services (EMS). Clark stated that EMS employees accrue ten (10) hours of sick leave time per month. Clark explained that he discussed this with EMS Director Charles Dillard last week and advised the court that the accrual of 10 hours of sick time per month was before Dillard or Hudson's time in office. Clark stated that he understands Dillard's explanation of EMS employees working twenty-four (24) hour shifts.

Hudson asked if this will be across the board for all full-time employees? Clark stated that would be fair for all but wishes to hear from Dillard and the court about this proposed change. Hudson confirmed that Erath and Cooke County full-time employees accrue 8 hours of sick time per month across the board.

Dillard stated he feels it (sick leave accrual) should be a bit more because EMS employees take off a full week's worth of time and it is paid as "straight time" so they have to add more time to it otherwise their checks are short. Dillard stated EMS employees are earning overtime every paycheck. Burns and Dillard discussed pay cycle and the fifty-six (56) hour work week. Dillard stated a long week is sixty-four (64) hours.

Kennedy commented about the compared four ten-hour work days worked by precinct employees to the eight hour holidays that are paid by the county.

Burns said, "I think this needs to be the same way." Burns stated this is about sick pool, not vacation or anything else. Dillard stated his employees will have to eat up more of their time. Dillard stated he doesn't know where the ten hours ever came from. Clark asked Hudson for her thoughts?

Hudson stated, "It is cleaner for us if everyone is the same. I understand what Charles is saying, but I feel like it is fair to an extent to be across-the-board." McCuiston stated that she agrees

Page Four, April 25, 2016 Mtg...

with Hudson. Hudson stated that years ago it was put into county policy that a workday was eight hours (for holidays) because of all of the different shift work hours. Hudson stated the department will do what the court desires.

Commissioners Court Attorney Thomas Aaberg asked for confirmation about any hours worked over forty by the EMS department and the accrual of overtime? Hudson confirmed that anything worked over forty hours is time and a half. Hudson confirmed that EMS accrues vacation, sick, emergency time and do not accrue compensatory time. Hudson stated EMS employees get paid overtime because there is a law in place that EMS employees must be paid overtime. Kennedy asked Dillard what happens if an employee doesn't work a full forty (40) hours? Hudson stated they are only paid what is turned in on a timesheet. Dillard stated the schedule rotates every third week and averages fifty-six (56) hours per week.

Kennedy confirmed this is only talking about sick leave only and said that if an EMS employee is sick they will not be getting paid any overtime. Burns, Kennedy and Hudson confirmed EMS gets paid for what is physically worked. Kennedy said that 8 hours across-the-board for sick leave accrual is fair. Burns commented that sick leave accrual policy needs to be fair (for all departments). Dillard commented about the differences between shifts worked by EMS and other full-time employees.

Kennedy stated he hopes no one ever has to use the sick leave pool and that sick leave accrual should be fair for all employees.

White asked Sheriff Lane Akin for his thoughts on the proposed sick leave accrual change? Akin commented that he is proud of the EMS department and discussed shift work related to that department.

Dillard asked about EMS employees donating more time into the sick leave pool? Hudson commented that she discussed with Aaberg and determined that donated time cannot exceed the statutory limit of 40 hours donated. Clark and Hudson confirmed that Cooke County sick leave pool policy and sick leave accrual policy is across-the-board for all employees. Dillard confirmed Cooke County is on the same schedule as Wise County.

Clark asked the court about changing the sick leave accrual for full-time employees (except Emergency Medical Services (EMS)) from 3.34 to eight (8) hours per month? Hudson commented that it hasn't been changed in many years. Clark asked about the process of the policy itself? Clark stated the action items are policy and about changing how we do sick leave accrual.

Clark commented this is a voluntary program and if people don't want to participate they don't have to participate. Aaberg discussed the enrollment period. Hudson commented there will be an enrollment period in May 2016 and September 2016 (for the following fiscal year). Clark commented that people that enroll in May are good through September 2017. Clark and Hudson

Page Five, April 25, 2016 Mtg...

discussed new employees and enrollment into the sick leave pool. Hudson discussed when sick leave is available to a new employee and a set enrollment period.

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to adopt the Wise County Sick Leave Pool Program Policy, as presented. (See attachment)

15) Clark confirmed that the court likes the idea of changing the current sick leave accrual policy from 3.34 hours to eight (8) hours per month for full-time employees. Clark confirmed that Emergency Medical Services (EMS) employees current accrue ten (10) hours of sick leave per month. Lamance asked if this is a budgetary difference? Clark commented that the increase in benefits doesn't change the budget. Clark and Akin confirmed this is an unpaid benefit that is provided by the county.

White asked what elective surgery is? Clark stated it is surgery the employee chooses to have done.

Hudson explained that the way an Emergency Medical Services (EMS) employee is paid right now if they go out on catastrophic illness time or worker's compensation time is that they are paid fifty-six (56) straight hours because that is what an average work week is; no overtime just straight time.

Hudson confirmed that Emergency Medical Services (EMS) is the only county department that is required to have overtime; all other employees accrue compensatory time.

Clark asked for consideration to change the 3.34 hours to eight (8) hours sick time accrual for full-time employees and not change anything with Emergency Medical Services (EMS)'s ten (10) hour per month accrual right now?

Hudson explained Worker's Comp payment related to EMS employees. Clark stated he would have to decrease a benefit amount for someone (EMS) without more information at this time.

Motion made by Burns seconded by White and unanimously adopted by the Court to approve the change in sick leave time accrual for full-time (non-EMS) employees from 3.34 hours per month to eight (8) hours per month; no change to EMS sick leave accrual. (No attachment)

16) Donations:

Motion made by Burns seconded by White and unanimously adopted by the Court to accept the following donations, with the court's thanks: \$70.00 Bridgeport Mexican Cemetery for Fund 77; \$100.00 Pleasant Grove Cemetery for Fund 77. (No attachments)

17) Bids:

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 16-600-024 for ½ Ton Trucks 4WD bid to Caldwell Chevrolet for \$28,885.00 for the Sheriff's Administration vehicle. (See attachment)

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to award Bid No. 16-600-025 for Bridge Building and Construction to Horton Bridge and Piling (Springtown, TX). Clark noted the price per linear foot \$950.00; and, price per linear foot with materials \$2,400.00. (See attachment)

18) Consent Agenda Item:

a) Department Head Reports:

- Clark stated that Wise County Systems Administrator Steven Melton has worked hard with CenturyLink to reduce those items that aren't necessary and has saved the county \$24,000.00 (per year) on the Centurylink bill by removing the following: short code dialing removed; metro line will be removed. Melton commented that Adult Probation is listed on the attached spreadsheet but should not be as they pay their own bill.

Clark commented, "We can dial a few more digits to save \$16,000.00 [in 3-digit dialing alone]."

- Treasurer Report March 2016 (See attachment)
- Ag Extension monthly activity report March 2016 (See attachment)
- County Engineer Chad Davis discussed TxDOT surplus materials. Davis commented that Wise is the only county that has exhausted the allotment and was advised by TxDOT to keep calling regarding uncollected allotments (other counties) as there is no cost to the county except for shipping the materials.
- Public Works Director Tom Goode commented that there was vandalism at Ball Knob Cemetery over the weekend including broken and destroyed headstones (of the approximately 200 only 6 are left), damage to gate and fence. Goode stated that he has discussed this with the Sheriff's Office to get the assistance from Wise County Crimestoppers to determine who vandalized the cemetery.

b) Budget Amendments:

- FY16-13 certifying additional Tobacco Settlement Revenues that go into Indigent Health Care totaling \$51,682.65 (\$2,042.00 more than was budgeted); and various line items. (See attachment)
- FY16-14:

Clark told the court that at the FY17 budget kickoff he felt like the county needs to look at open positions and proposed the decrease in open positions that will be a \$389,548.00 immediate budget savings for FY16 and going forward. Clark proposed removal of the following:

Page Seven, April 25, 2016 Mtg...

- Open Clerk position in the County Attorney's Office (remove \$30,000.00 from line 105)

Clark confirmed there are five positions in the department and this removal has been discussed with County Attorney James Stainton.

- Open Clerical Position (\$36,000.00) and Jail Industries (\$42,000.00) from Wise County Sheriff's Department
- One open position in road hand from each precinct commissioner.

Clark totaled the immediate savings at \$389,548.00 in FY16 and into the future.

Lamance asked Clark if all other departments have been reviewed? Lamance discussed population growth in Precinct No. 3. Clark stated he has reviewed all departments for open positions and is only taking one of the two that Lamance has available. Clark stated there is an open patrolman position in the WCSO and told the court that he doesn't want to remove that position. Clark stated "Not everything is apples to apples comparison in this county and he would rather take a clerical position than a patrolman position." Clark thanked the court for allowing the removal of the open positions to create an immediate budget savings and stated it is a good start to the budget shortfall this year. Clark stated, "Coming from our two biggest departments Road/Bridge and WCSO it shows a great deal of sacrifice and leadership on the department's parts of finding something to give."

Clark stated he and McCuiston will be bringing budget amendments to the court as needed with proposed reductions.

- c) Capital Expenditures: None
- d) Claims/Payroll:
 - Claims Register dated 04/25/2016 (See attachment)
 - Walk to Court Register dated 4/25/2016 (See attachment)
 - Payroll Register dated 4-15-16 (See attachment)
- e) Utility Requests: None

Davis commented that a request will be coming for Precinct No. 3 for a large water line.

- f) Interlocal Agreements: None

- g) Contracts:
(Original contracts are filed in the Asset Control Office by Diana Alexander.)

-

Page Eight, April 25, 2016 Mtg...

- Department of State Health Services Contract 2016-001108-01 for Cities Readiness Initiative. (See attachment)
- NovaCopy for Development Services Building copier (See attachment)
- Renewals (list only): Ad Valorem Tax Collection: City of Alvord; Clearcreek; Wise Water District (See attachment list only)
- Fully Executed (list): NCTTRAC; and Mid-Cities Pest Control Termite Agreement (See attachments)

Motion made by White seconded by Kennedy and unanimously adopted by the Court to approve all items listed under agenda item #18, as presented. (See attachments as listed above)

- 19) Project Agreement for Road Repair: None
- 20) Right-of-Way Improvements: None
- 21) Burn Ban: None
- 22) Committee Reports:

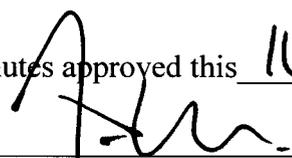
Aaberg commented that the State of Texas General Land Office (GLO) Board approved the vacancy discussed in a previous court without any fees required of the county.

Clark stated that Texoma Area Paratransit Systems (TAPS) is back in the transit business. Clark commented that the first day there were 106 riders and two days later there were 143 riders. Clark stated TAPS isn't out of the woods yet (in their financial crisis), but this is a good step.

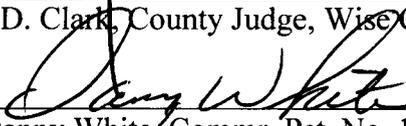
- 23) Clark announced the next meetings as Monday, May 16, 2016; and Tuesday, May 31, 2016.
- 24) Clark announced the Memorial Day holiday as Monday, May 30, 2016.

Clark adjourned the meeting at 10:08 AM, there being no further business to be had.

Minutes approved this 16th day of May, 2016, as printed.



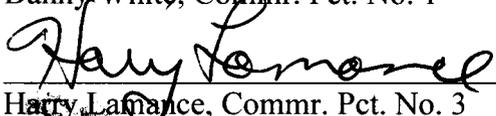
J.D. Clark, County Judge, Wise County



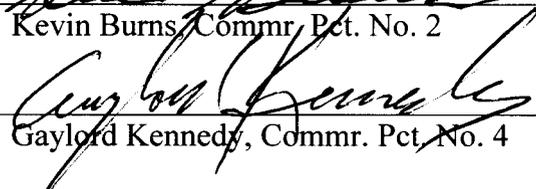
Danny White, Commr. Pct. No. 1



Kevin Burns, Commr. Pct. No. 2



Harry Lamance, Commr. Pct. No. 3



Gaylord Kennedy, Commr. Pct. No. 4



Sherry Lemon, 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