

JUNE 15, 2015

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 15th day of June, A.D., 2015 at 9:00 A.M. came on to be had a Regular 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 were present.
- 2) Pledge of Allegiance
- 3) Moment of Silence: Clark requested that all present keep the Little Family in mind.
- 4) Community Forum: None
- 5) Correspondence: None
- 6) Motion made by White seconded by Burns and unanimously adopted by the Court to approve the minutes of May 26, 2015, as presented. (No attachment)
- 7) Clark introduced Deputy Fire Marshal Joe Washburn to the court. Fire Marshal/Emergency Management Coordinator Chuck Beard stated that Washburn is a good addition to Wise County. (Original Oath of Office was presented for court record and is recorded in Official Bond and Oath Requirements by the Wise County Clerk.)
- 8) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the reappointment of Wise County Fire Marshal/Emergency Management Coordinator Chuck Beard for another two (2) year term of office in accordance with Local Government Code 352.011 and approve a bond for a two (2) year period. (No Bond provided for court record.)

9) County Treasurer Katherine Hudson stated the county has to have a policy in place in case part-time employees work more than thirty (30) hours per week if they have to go on county insurance. Hudson stated this policy has been approved by Texas Association of Counties (TAC) and describes how the measurement policy works as part of the Affordable Care Act (ACA).

Hudson stated this measurement period is used to determine if part-time employees who work over 30 hours on a continual basis qualify for county health insurance. Hudson stated it is a twelve (12) month measurement.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to adopt the Order Setting Policy for the Affordable Care Act Measurements Period, as presented. (See attachments)

10) Clark presented information regarding the National Association of Counties (NACO) initiative to reduce the number of people with mental illness in jails. Clark stated this is a new initiative that will allow counties to take a look at the county jail population and form a group of offices/agencies with knowledge of mental health issues can determine where the gaps in services are for those with mental health issues.

Sheriff David Walker stated the county jail is a criminal holding facility not a mental health holding facility. Walker stated it costs the county money to provide mental health services for those in the jail population. Walker stated some is legitimate mental illness and some is "self-brought" mental illness. Walker

Burns stated the state average is 20% of the jail population and is higher in more rural areas.

Clark outlined the NACO resolution, as printed. (See attachment)

Walker commended Wise Regional Health System for the mental health services the hospital provides. Lamance and Walker discussed current mental health evaluation/process for the Wise County Law Enforcement/Jail facility in conjunction with local MHMR and Wise Regional Health Systems.

Clark referenced correspondence received earlier in the year regarding provision of mental health services in the jails.

Motion made by Burns seconded by White and unanimously adopted by the Court to adopt the "Resolution of Support and Call to Action – Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails." (See attachment)

11) Motion made by White seconded by Burns and unanimously adopted by the Court to approve the final plat of Hawk Ridge Addition Phase 4, Lots 1-3, 32R and 33R located in Precinct No. 1, as presented, with a letter of general conformance from Kimley-Horn and

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Associates, Inc. and including a variance that the roads that will never be taken in by the county and be accepted as private roads. (See attachment)

12) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the Re-Plat of Wrangler Estates, Lots 2R1-5, 7R, Block 1, located in Precinct No. 2, as presented, with a letter of general conformance from Kimley-Horn and Associates, Inc. and including a variance that the road frontage be 150' from the building line. (See attachment)

13) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the Re-Plat of West Wind Subdivision, Lots 10R-1, 12-4R1, located in Precinct No. 2, as presented, with a letter of general conformance from Kimley-Horn and Associates, Inc. and including a variance that the road frontage be 150' from the building line and a variance on a drainage plan. (See attachment)

14) The court recognized the Wise County Historical Commission for receiving the 2014 Distinguished Service Award from the Texas Historical Commission (THC).

Commission chairman Kerry Clower stated the THC considers work performed throughout the year to preserve the history of the county and community outreach.

Clark read the award for the record. (No attachment)

Clower stated that on Thursday, June 25, 2015 at 2:00 PM the Commission will dedicate a plaque honoring Ms. Rosalie Gregg for fifty (50) years of service on the commission. Clower outlined Gregg's history with the commission and invited court members to attend.

No action taken by the court.

15) Donations:

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

- \$360.00 from SSRA for Emergency Medical Services (EMS). (No attachment)
- \$75.00 from Bridgeport Mexican Cemetery for Fund 77. (No attachment)
- \$1,399.99 invoice paid by Wise County Crimestoppers for the Ray Allen invoice for the Ultra Kimono Training Bite Suit (dog-bite suit). (No attachment)

16) Bids:

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 15-600-036 for the sale of a lot of tires to Bret Lamb for \$375.00. (See attachment)

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Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve the following:

- “Proposed Bid List for FY16” (See attachment)
- “Proposed Bid Extensions List for FY16” (See attachment)
- “Special Requests FY16” (See attachments)

Alexander presented information from Decatur Iron and Metal canceling Bid No. 15-600-011 for Aluminum Cans due to the fluctuation of the market. (See attachment) Alexander asked for direction regarding advertising for bids for the sale of aluminum cans until the FY2016 bid can be advertised/awarded.

Public Works Director Tom Goode asked about bid requirements for aluminum cans. Goode estimated the trailer is hauled every two weeks (approximately). Alexander confirmed the re-bid for the other metal products. Goode discussed other metals.

Motion made by Burns seconded by White and unanimously adopted by the Court to authorize Asset Control Officer Diana Alexander to advertise for bids for the sale of aluminum cans, as presented. (No attachment)

Goode asked the court about a company that is picking up tires at the dumpsite with a company-provided trailer? Goode stated that according to state law the county is not supposed to have over five-hundred (500) tires at a time. Commissioners Court Attorney Thomas Aaberg stated the company advised him that they’ll get with their attorney and get back with Aaberg. Aaberg stated that was several weeks ago. Aaberg asked Goode if he’s contacted the company about picking up the tires that are at the dumpsite? Goode advised Aaberg that the company is waiting on action by both attorneys.

Aaberg stated the company presented him with a contract that Aaberg has revised. Aaberg was told the company would have to take the revised contract to their attorney for review. Aaberg stated this is the last contact.

White asked about disposition of tires? Aaberg stated the trailer at the dumpsite is the company’s property. Kennedy discussed paperwork required for the removal of the tires. Aaberg commented that the county has done business with this company without a contract for years, and now that the company name has changed names and requires a contract.

Aaberg stated he will contact the company again, today.

17) Consent agenda item:

Department Head Reports:

- County Clerk monthly activity report for May 2015. (See attachment)
- Asset Control Annual Property Report (See attachment)

- Auditor's Report May 2015 (See attachment)
- a) Budget Amendments: FY15-18 (See attachments)
- b) FY14 & FY15 3 Year Capital Expenditure Plan: None
- c) Claims/Payroll:
 - Walk to Court/Claims Register dated 6-12-2015 (See attachment)
 - Payroll Register dated 6-12-2015 (See attachment)

Assistant Auditor Pat Trail presented a claim from Lowes and a claim from La Quinta for housing of Emergency Medical Services (EMS) employees when the Emergency Medical Services (EMS) building flooded. (No attachments)

- d) Utility Permits/Right of Way: None
- e) Interlocal Agreements:
(Original Interlocal Agreements are filed in the Asset Control Office by Diana Alexander.)

Contract for the Assessment/Collection of Ad Valorem Taxes for City of Alvord. Aaberg requested the court not approve this contract as some changes are being made by Aaberg. (See attachment)

- f) Contracts:
(Original Contracts are filed in the Asset Control Office by Diana Alexander.)
 - Comptroller of Public Accounts annual cooperative purchasing program membership renewal. (See attachment)
 - Snow, Garrett Williams CPA for FY2015 outside audit of financial records. (See attachment)
 - **Renewals:** Tyler Technologies (County Clerk and Sheriff), Intermedix (Emergency Medical Services (EMS)), Securus (Sheriff), Dustin (Veterans), and LexisNexis Accurint for Fire Marshal (See attached list only)
 - County Clerk Plat Copier maintenance plan renewal (See attachment)
 - Agreement to Supply Surplus or Salvage Property – Greenwood/Slidell VFD (See attachment)
 - **Fully Executed:** LexisNexis Law Library and OTIS Elevator (See attachments)
 - ESRI renewal quotation (Public Works) (See attachment)
 - Department of State Health Services Contract No. 2015-001108 (Cities Readiness Initiative). (See attachment)

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Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve all items listed under agenda item 17, as presented, with the removal of the "Contract for the Assessment/Collection of Ad Valorem Taxes for the City of Alvord."

18) Project Agreements/Road Repair: None

19) Right-of-Way Improvements:

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve Burns to enter onto the property of Steve Johnson on CR 1270 in Precinct No. 2 for drainage issues. (No attachment)

20) Burn Ban: None

21) Committee Reports:

Aaberg reminded the court of court action taken in 2008/2012 to form a committee (McElhaney, Burns, and Aaberg) concerning the EPA Non-Attainment situation. Aaberg stated a lawsuit was filed by the County in early 2013; arguments were made in October 2014 and as of June 2, 2015 the Supreme Court upheld the EPA's decision to include Wise County in a Non-Attainment zone.

Aaberg stated the decision wasn't even close. Aaberg stated the county is currently in non-attainment as of July 2012 and a new plan will come up in 2018 for approval by the EPA. Aaberg stated he is working on a more detailed report of the court's decision. Aaberg stated he was told it would be a very limited non-attainment zone mostly applying to the oil and gas industry; Aaberg stated he hasn't seen anything in writing about that. Aaberg commented that this has been going on since July 2012 (when NCTCOG put Wise County in the non-attainment zone).

County Engineer Chad Davis confirmed that NCTCOG is the agency responsible for making plans for the whole COG area. Aaberg stated it covers the ten counties that are in the non-attainment zone. Davis stated for court record that "they" used 2008 readings from outside the county and used 2011 criteria to put the county in the non-attainment zone. Davis confirmed there is no monitor within the county at this time. Burns, Clark and White all confirmed there is no monitor in the county. Aaberg stated the court didn't find that very compelling and took EPA data; said they're the experts and made their decision.

Clark stated "If you really believe there was an air quality issue you'd be willing to drop a monitor in the county like we asked, but they're not interested in that. They've got the data to say what they want it to say."

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Aaberg stated they advised the monitor at Eagle Mountain Lake is close enough.

Davis stated he volunteered at a NCTCOG meeting to have one put in Wise County. Clark stated the data says what they want it to say. Davis continued that at many of the NCTCOG Regional Transportation Council (RTC) and STAC committees the majority of the meetings are about funding due to non-attainment environmental conditions.

Aaberg stated he will provide more information under a future agenda item.

Back to agenda item 16: Discuss and consider construction, initiation and/or approval of: (i) specification pursuant to advertising for bids on one or several different items and/or services for purchase (or sale of items); (ii) purchase of specific items; (iii) consider awarding of bids; and (iv) consider giving notice of cancellation(s) as/if necessary. Take necessary action.

Burns confirmed with Alexander that the last bid for $\frac{3}{4}$ ton trucks has expired.

Motion made by Kennedy seconded by White and unanimously adopted by the Court to approve the purchase of a $\frac{3}{4}$ ton pickup truck for Public Works via Buyboard with designated Capital Expenditure Funds. (No attachment and no cost stated)

22) Clark stated the next meetings as Monday, June 29, 2015 and Monday, July 13, 2015.

Clark also noted that all July meetings will be conducted at the Election Administration building 200 S. Trinity Street in Decatur, Texas, as the courthouse elevator will be repaired during the month of July.

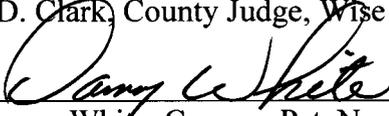
23) Clark announced the Commissioners Court Mobile Meeting on Tuesday, June 23, 2015 at 7:00PM at Alvord City Hall (215 Elm Street, Alvord, Texas)

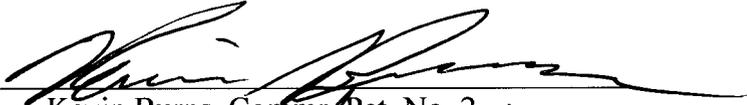
24) Clark adjourned the meeting at 9:37 AM, there being no further business to be had.

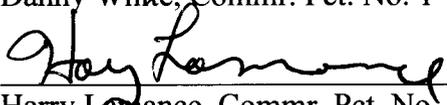
Minutes approved this 13 day of July, 2015, as printed.

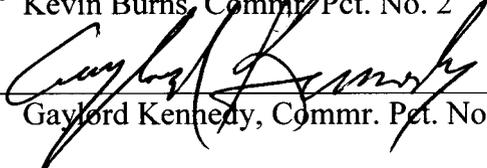
ABSENT

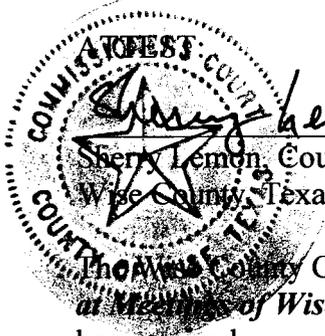
J.D. Clark, County Judge, Wise County


Danny White, Commr. Pct. No. 1


Kevin Burns, Commr. Pct. No. 2


Harry Lammance, 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