SEPTEMBER 15, 2014

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 15th day of September, A.D., 2014 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:

Glenn Hughes (Interim)	County Judge
Danny White	Commissioner, Precinct No. 1
Kevin Burns	Commissioner, Precinct No. 2
Harry Lamance	Commissioner, Precinct No. 3
Gary Potts (Interim)	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.

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

1) Hughes called the meeting to order at 9:00 AM and announced all court members were present.

2) Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve the minutes of the following meetings, as printed:

August 19, 2014 – FY2015 Budget Workshop No. 1
August 25, 2014 – Special meeting
September 2, 2014 – Public Hearing No. 1 Wise County tax rate
September 2, 2014 – Public Hearing No. 1 WCWC Branch Maintenance tax rate
September 5, 2014 – Public Hearing No. 2 Wise County tax rate
September 5, 2014 – Public Hearing No .2 WCWC Branch Maintenance tax rate

Skip to agenda item 14h: Correspondence

14h) Correspondence:

Hughes presented a letter from Paradise High School regarding the Agrilife Extension Office. (See attachment)

Hughes stated that Public Works Director Tom Goode has received bids for panels for the Wise County Fairgrounds. Hughes asked Agrilife Extension Agent Todd Vineyard for further

explanation. Hughes stated this information is for discussion purposes only and further action may be taken at the next court meeting.

Vineyard recognized the work of Goode and others regarding the improvements at the fairgrounds. Vineyard presented bid information regarding animal penning systems for the fairground. Vineyard told the court that last year a FFA chapter had to rent tents in order to build pens at the fairgrounds and discussed a more efficient method of penning in the current buildings.

Vineyard presented bids from AGvantage for Priefert panels for pen ($79,235.51) and WW Livestock Systems ($88,477.00). Vineyard discussed the better quality product being the WW Livestock Systems penning product and requiring less maintenance.

Coast2Coast Rx representative Zach Barrett appeared before the court to discuss the prescription discount card available to Wise County residents. Barrett discussed distribution of cards at various Wise County locations. Barrett stated the card averages up to 60% off and the percentage discount can change. Barrett referenced the current county-used NACO card. Barrett stated the Coast2Coast has a $1.25 return to Wise County if the card is used. Barrett stated the card covers medical, dental, vision, hearing, pet prescriptions. Barrett referenced source information regarding dental coverage. (No attachments)

Back to agenda item 3: Discuss and consider construction, initiation and/or approval of: (i) specifications 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.

Alexander stated no bids were received on Bid No. 15-600-013 for the purchase of concrete culverts. Alexander asked the court's direction regarding contacting concrete culvert vendors or purchasing on an as needed basis? Burns asked the number of times required to bid for an item before it can be out-right purchased? Alexander told Burns she thinks it has to be bid until bids are received and the bid is awarded. Burns told Alexander and the court that he thinks it only has to be bid twice.

Motion made by Burns seconded by White and unanimously adopted by the Court to authorize Asset Control Officer Diana Alexander to re-advertise for bids for the purchase of concrete culverts for use by all precincts. (See attachments)

Motion made by Lamance seconded by Burns and unanimously adopted by the Court to authorize Asset Control Officer Diana Alexander to advertise for road materials: pea gravel and precoat rock as no bids were received on Bid No. 15-600-014 for those items for all precincts. (See attachments)

Motion made by Burns seconded by White and unanimously adopted by the Court to award Bid No. 15-600-015 for road repair for all precincts to SPI Asphalt (formerly TH Paving) Flower Mound, TX. (See attachments)

Alexander presented and update on the Extension Office truck request from August 25, 2014 regarding Bid No. 14-600-047 for the purchase of one or more new ¾ ton trucks. Alexander stated that Prestige Ford advised the in-stock trucks awarded in this bid were sold over the weekend (prior to the meeting) and Alexander gave Prestige ten days (per bid) to provide an in-stock truck that met the Extension Office's specifications; and, Prestige was unable to supply a vehicle.

Alexander stated the next step will be to: review other vendors advertised on Bid No. 14-600-047, re-advertise for bids for one or more new ¾ ton truck; or, utilize HGAC, Buyboard or other state contract/cooperative.

Motion made by Burns seconded by White and unanimously adopted by the Court to utilize buyboard, HGAC or state contract for the purchase of one new ¾ ton truck for the Extension Office.

Burns asked if the bid can remain open? Alexander stated it can remain open until all options are known. Burns requested to do this in case a precinct wishes to purchase a truck (reference Precinct No. 2). Alexander stated the court awarded Bid No. 14-600-047 to Prestige Ford based on in-stock only and at some point will need to award the bid or reject all bids. Alexander stated this can be addressed at the next meeting.

4) Donations:

Motion made White seconded by Potts and unanimously adopted by the Court to accept the following donations with the court's thanks: Alvord Cemetery $500.00 (Fund 77); Cans for Canines and Cats $279.60 (Animal Control). (No attachments)

5) Motion made by Potts seconded by Lamance and unanimously adopted by the Court to donate $1,700.00 to the Wise County Veterans Group toward an exhibit at the Wise County Veterans Museum in Bridgeport. (See attachment)

6) Motion made by Burns seconded by Potts and unanimously adopted by the Court to accept the bid of $808.00 from Bob Mayo for struck-off property in Suit #9064 Bridgeport ISD vs Nickia Ann Harris (located in Precinct No. 4). (See attachment)

7) Motion made by Burns seconded by Lamance and unanimously adopted by the Court to accept the bid of $4,000.00 from Jason E Brown, Sr. for struck-off property in Suit #7710 Boyd ISD, et al vs Mercedes Enterprises (located in Precinct No. 3). (See attachment)

8) Motion made by Burns seconded by Potts and unanimously adopted by the Court to accept the bid of $4,000.00 from Jason E Brown, Sr. for struck-off property in Suit #TX11410 Boyd ISD, et al vs Cacharel Companies (located in Precinct No. 3). (See attachment)

9) Motion made by White seconded by Lamance and unanimously adopted by the Court to TABLE action regarding acceptance of road improvements in the maintenance period for Montecito Estates located in Precinct No.1. (No attachments)
10) Motion made by White seconded by Burns and unanimously adopted by the Court to TABLE action regarding approval of the final plat of Montecito Estates located in Precinct No. 1. (No attachments)

11) Commissioners Court Attorney Thomas Aaberg told the court that two months ago Attorney General Greg Abbott issued AG Opinion GA-1076 concerning constitutional questions regarding funding of the County Energy Transportation Reinvestment Zone (CETRZ). Aaberg stated the CETRZ funding is subject to challenge under the equal and uniform tax act requirement of the Texas Constitution Article Viii, Section 1-g(b). Aaberg told the court the Attorney General's interpretation of the law is that the CETRZ would be established and all monies would be spent within the CETRZ. Aaberg clarified this was never the court's intention; and, the CETRZ is just a revenue generator. Aaberg presented a general order outlining that CETRZ funds will be spent county-wide. Aaberg continued this order does not affect the grant funds received from TxDOT.

Motion made by Burns seconded by White and unanimously adopted by the Court to approve the General Order regarding disbursements from County Energy Transportation Reinvestment Zone Increment Fund (CETRZ), as printed. (See attachment)

12) Sheriff David Walker told the court that the county is eligible for a modular building located at Fort Hood via the TX1033 Program. Walker stated the building purpose would be for a crime lab at the Sheriff's Office and would be used by Officer Tim Lambkin. Walker estimated the value of the building at $100,000.00 and told the court it is free to the county through the TX1033 Program. Walker told the court he would work with Asset Control Officer Diana Alexander regarding removal of furnishings from the building to make it a crime lab.

Walker told the court he met with the City of Decatur last week regarding location of building and stated the building would be placed on the south end of the Sheriff's Office building grounds inside the fence (on surveillance camera). Walker stated the city has no problem with "us" if the court oks the Sheriff to get the building, put it "there" and then apply for permitting. Walker continued that sewer, electric and concrete slab work would be needed for the building.

Walker received three different quotes for moving the building from Fort Hood to Decatur and provided an estimate for relocation cost at $16,575.00 from H.D. Snow and Son House Moving, Inc. (See attachment) Walker outlined the relocation process. Walker stated in effort to reduce cost to $14,825.00, the inmates could replace the underpinning on the building.

Walker told the court he did not ask the city the cost of permits but thought if the county is able to get the building and get it "up" then he could get with the City of Decatur and discuss processing latent prints for the City of Decatur as well as the City of Bridgeport.

Walker stated the current crime lab is in the back of the sally port and discussed chemical vapors getting into the jail ventilation system. Walker stated the modular building as a crime lab will provide a secure place for processing of bloody clothing evidence (for example) as well as a secure place for drying marijuana. Walker stated the odor of marijuana gets into the jail ventilation system as well. Walker discussed the self-sufficiency of the Wise County Law Enforcement Center.

Walker stated he doesn't know where the money will come from to move the building. Lamance asked if Walker can complete the entire process for under $50,000.00? Walker told Lamance he thinks he can do it for much less. Burns asked the size of the building? Walker stated the company will move the building in one piece. Lamance asked about round-the-clock staffing of the crime lab? Walker reiterated the building being inside the fenced area of the Law Enforcement Center and not being an area for evidence storage; only processing. Walker discussed the City of Decatur's question/concern about disposal of fingerprinting chemicals into the city sewer line. Walker stated those chemicals are sewer safe and referenced a chemical disposal "thing" for disposal of hazardous chemicals that aren't sewer safe. Walker discussed expense of building a new structure.

Walker told the court "We're not building a certified crime lab." Walker commended the crime scene deputies. Walker asked Burns about city permitting costs. Walker stated the building can tie into the sewer line that extends out of Juvenile Probation. Walker questioned where electricity would come from?

Hughes asked Walker the deadline for approval of this item? Walker stated the building was awarded by the state with a possession deadline of September 9, 2014 that was extended until September 19, 2014. Walker stated he was unable to get it on an agenda prior to September 9, 2014. Burns asked Walker if the building could be used as an office at the impound yard if the building cannot be used as intended and isn't permitted by the City (or some other issue comes up)? Walker stated City of Decatur Senior Building Inspector Jackie Miller came out on Thursday and walked the area with Walker advising Walker he had no issue with the building location. Walker stated Miller has discussed this with Planning and Zoning Director Dedra Ragland and they have no issues with this. Aaberg requested Walker get those statements in writing from the City of Decatur if Walker is able to do so. Walker stated "we need to meet with them." Walker stated the building has to be off of Fort Hood by September 19, 2014. Walker and Lamance discussed leveling the building. Walker told the City of Decatur that the county will paint and put shrubs around the building. County Auditor Ann McCuiston confirmed all of this will be done in FY2014. Walker confirmed the building must be off of Fort Hood property by September 19, 2014. Walker stated the only thing the county will have to do is pull the fence down and pull three posts and can use county labor to do this. Walker continued there are things that must be removed before the building can be used as a crime lab. Walker stated there will

not be a telephone system in the crime lab; the deputy has a cell phone that can be used.

Walker told the court he doesn't want to drain the impound account and requested to use other funds for the relocation of the building. McCuiston estimated the impound yard account has about $70,000.00. McCuiston stated if purchased in FY2014 that funds can come from Fund 510 (Courthouse and Associated Buildings) at the court's decision. Walker told the court set-up of utilities may slow the process down; he and was told by City of Decatur "they would move it through pretty quickly".

Hughes commented to Walker that it is "so vague" on the total and gave a ballpark figure of $25,000.00 for total cost (relocation, permits, utilities, etc.). Hughes recommended Walker use $15,000.00 from Impound Yard and $10,000.00 from Fund 510. Walker commented about passing up an opportunity to obtain a $100,000.00 building at no cost to the county. Hughes commented about adding the inmate work on underpinning to any motion made.

Hughes asked the court about placing a cost cap on the project? Hughes told the court he hates to leave the project cost open-ended. Walker discussed cost "estimates" for electric and plumbing costs. Hughes recommended approval of up to $30,000.00 total cost being $15,000.00 from Impound Yard and $15,000.00 from Fund 510. Lamance clarified that any cost over the $30,000.00 will come from Impound Yard fund. Hughes confirmed.

McCuiston clarified that the relocation cost for the building will come from impound and any other improvements from Fund 510 and will all happen in FY2014. Hughes stated that impound funds will be used first then funds from Fund 510 up to $30,000.00 total.

Motion made by White seconded by Burns and unanimously adopted by the Court to approve the acquisition of a modular building via the TX1033 program from Fort Hood for the Wise County Sheriff's Department to be used as a crime lab with funding being capped at $30,000.00 (from FY2014) being $15,000.00 from Impound Yard funds and $15,000.00 from Fund 510.

13) FY2015 Budget: None

14)

a) Department Head Reports:

- County Clerk Monthly Activity Report August 2014 (See attachment)
- Agrilife Extension Monthly Activity Reports August 2014 (See attachments)
- Public Works Monthly Activity Report August 2014 (See attachment)

b) Budget Amendments:

- FY14-31 for various line items including the health insurance increases in the department budgets. (See attachment)

Aaberg recommended Goode enter Public Works fees in Department Head Reports.

c) FY14-FY15 Three Year Capital Expenditures: None

d) Claims and Payroll:

- Claims Register dated 9-15-14 (See attachments)
- Payroll Register dated 9-5-14 (See attachment)

e) Utility Requests:

- Enlink Midstream Services LLC for CR 4659 located in Precinct No. 3, as presented. (See attachment)
- Enlink Midstream Services LLC for CR 4668 located in Precinct No. 3, as presented. (See attachment)

f) Interlocal Agreements:
(Original Interlocal Agreements are filed in the Asset Control Office by Diana Alexander.)

Alexander commented to the court about a new combined road maintenance agreement that will go out to cities and schools.

- Fully Executed Interlocal Agreement between Tarrant Regional Water District; Wise County Water Control and Improvement District No. 1; Wise Soil and Water Conservation District and Wise County Commissioners Court. (See attachment)
- Interlocal Cooperation Agreement between Wise and Denton Counties for housing of inmates. (See attachment)
- Interlocal Cooperation Agreement between Wise and Parker Counties for housing of inmates. (See attachment)

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

<u>For Approval:</u>

- Dustin Office Machines for copier at Veterans Service Office. (See attachment)
- Everbridge annual subscription for the Sheriff's Office ($1,500.00) (See attachment)
- Department of State Health Services for remote birth certificates at the County Clerk's office. (See attachment)

- Stenograph for the stenograph machine at County Court at Law No 1. (See attachment)
- Diversified Power Systems, Inc. for the generator at the Sheriff's Department. (See attachment)
- Dustin Office Machines for copier at the Wise County 271st Judiciatl District Community Service and Corrections Department (TWO contracts) (See attachments)
- Holt Company of Texas for machine warranty at Precinct No. 1 (See attachment)
- Sterling Solutions, Inc. for VIMS maintenance agreement for the Veterans Office. (See attachment)
- Janitorial Contract with Kathy Boswell for services at the Bridgeport Adult Probation Office. (See attachment)
- LexisNexis Accurint for Law Enforcement for the Fire Marshal (See attachment)
- North Texas Tollway Authority for toll-tags for the county ambulances. (See attachment)

Renewals: (See listed; no attachments)

- Hired Hands –Sign language interpreter for the courts
- Weatherford College lease
- Dustin Copiers – JP1, JP3 and Emergency Medical Services (EMS)

Cancellations (See list; no attachments)

- Centurylink maintenance on Sheriff's Office phones

Fully Executed:

- Contract of Service Rhome Public Library for public library services (See attachments)
- Weatherford College Continuing Education Instructional Partnership Agreement with the Sheriff's Department for training. (See attachment)
- PhysioControl Technical Service Support Agreement for Emergency Medical Services (EMS). (See attachment)
- Eikon Agreement for Professional Services for the Wise County Law Enforcement/Jail Facility roof repair. (See attachment)
- Agreement for Medical Services with Alvord Medical Clinic, P.A. for inmate medical services. (See attachment)
- Helen Farabee MHMR for behavioral health services. (See attachment)
- Department of State Health Services contract 2015-001108-00 for Cities Readiness Initiative. (See attachment)

h) Goode commented about a change in the current fees for Wise County Public Works. Goode pointed out the Fairgrounds fees specifically Women's Building Deposit

and Rental $500.00 (each); Arena Deposit $600.00; Arena (No Lights) Rental $600.00; and Arena (With Lights) Rental $800.00. Goode commented that most groups that use those areas do not pay anyway. (See attachment)

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve all items listed under agenda item 14, including the change in fees for Public Works.

15) Motion made by Burns seconded Potts and unanimously adopted by the Court to adopt Resolution FY15-01 regarding the timely payment of claims. (See attachment)

16) Motion made by Burns seconded by Potts and unanimously adopted by the Court to order the location of regular Commissioners Court meetings as the third floor courthouse jury room and designate the first Monday on or after the 10th day of the month as being the regular scheduled meeting of the Wise County Commissioners Court. (No attachment)

17) Lemon commented that the Texas Comptroller of Public Accounts mails correspondence to the county clerk of each county to circulate fees for sheriffs' and constables' to be reported (by law) to the comptroller by the county clerk. Hughes and Walker commented on some of the fee changes including the removal of animal control fees that are no longer collected by the Sheriff's Department.

Motion made by Burns seconded by White and unanimously adopted by the Court to adopt the 2015 Sheriffs' and Constables' fees, as presented. (See attachments)

18) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the list of FY2015 county holidays, as presented. (See attachment)

19) Hughes presented a letter of resignation from Election Administrator Lannie Noble with a resignation date of September 26, 2014. Hughes stated Noble will be moving into the Election Administrator position in Denton County. (See attachment)

Hughes stated the Election Commission will meet on September 23, 2014 to discuss appointment of an interim Election Administrator. (See attachment)

Aaberg stated that under statute the Elections Commission appoints the Election Administrator. Lemon stated the reference regarding the appointment of Election Administrator is in the Texas Election Code.

No action taken by the court.

20) Project Agreements for Road Repair: None

21) Right of Way Improvements:

Motion made by White seconded by Lamance and unanimously adopted by the Court to approve White's request to enter Renshaw property (if necessary) to take out some trees on CR 2311 located in Precinct No. 1 with fence removal/replacement. (No attachment)

22) Motion made by Lamance seconded by Burns and unanimously adopted by the Court to approve an order prohibiting outdoor burning for ninety (90) days based on National Weather Service red-flag days. (See attachment)

23) Committee Reports:

Motion made by Burns seconded by Potts with Lamance and Hughes voting aye and White voting nay to TABLE action regarding nominations to the Texoma Area Paratransit System (TAPS) Board of Directors to replace White on the board. (No attachments)

24) Hughes announced the two public hearings to be held on Monday, September 29, 2014 at 8:30 AM and 8:45 AM.

Lemon announced that one of the hearings is to discuss the County and District Clerk Record Archive Fees ($10.00 each department). Lemon stated this is not a new fee and is a renewal of a previously approved fee.

Aaberg discussed the second public hearing that day regarding Wise County Development Rules and Regulations.

25) Hughes announced the next meetings as Monday, September 29, 2014 and Monday, October 13, 2014.

26) Motion made by Potts seconded by White and unanimously adopted by the Court to adjourn at 10:00 AM, there being no further business to be had.

Minutes approved this 29 day of September, 2014, as printed.

Glenn Hughes, Interim County Judge, Wise County

Danny White, Commr. Pct. No. 1

Absent

Kevin Burns, Commr. Pct. No. 2

Harry Lamance, Commr. Pct. No. 3

Gary Potts (Interim), Commr. Pct. No. 4

ATTEST:

Sherry Lemon by Amanda Kurx, 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