

SEPTEMBER 28, 2015

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 28th day of September, 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 (ABSENT)	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 except Commr. Pct. 4 Kennedy.
- 2) Pledge of Allegiance
- 3) Moment of Silence
- 4) Community Forum: None
- 5) Correspondence:

Clark noted that a new historical marker will be placed on the northwest corner of the courthouse lawn honoring Col. Absalom Bishop who is considered to be the "Father of Decatur". Clark stated the marker was sponsored by the Decatur Women's Club and there will be dedication at a later date.

Clark reminded the court of the "Commissioners Court On-The-Road" mobile meeting tomorrow, Tuesday, September 29, 2015 at 7:00 PM at the Boyd Community Center.

- 6) Precinct Cooperation/Coordination: None

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7) Motion made by White seconded by Burns with Lamance voting aye to approve the minutes of September 14, 2015 for the three public hearings and the regular meeting, as presented. (No attachments)

8) Clark introduced Boyd City Administrator Greg Arrington, Boyd ISD Superintendent Ted West, and Boyd ISD Asst. Superintendent Barbara Stice to discuss the proposed Resolution requesting TxDOT do a school traffic study along Hwy 114 in front of the Boyd High School.

West stated when the district built the new high school five years ago on Hwy 114 frontage the district began communicating with TxDOT about a school zone in front of the school. West stated the current speed limit is 45 mph in front of the school. West stated the speed limit approximately ½ mile west of the campus is 65 mph; there is a blind hill at that location and there is a lot of student traffic going into the campus off of Hwy 114.

West stated a traffic analysis study hasn't been performed to-date. Arrington stated the City of Boyd will redo Knox St. being the number one school-traffic road and will be shut down for about six months. Arrington stated 85% of Hwy 114 that runs through Boyd is 35 mph and the only area that is 45 mph is in front of the school. Arrington stated joint resolutions have been done by both the city and school district and requested the same of the county.

White asked if both the city and school are requesting TxDOT lower the speed to 35 mph in front of the school? West stated the city and school are requesting TxDOT perform a traffic analysis. Clark stated it is good for the county to team up with the city and school requesting this study.

White asked the new speed limit information? Arrington stated it would be whatever TxDOT determines based on traffic analysis study evidence.

Motion made by Burns seconded by Lamance with White voting aye to adopt a resolution requesting the Texas Department of Transportation to perform a study and examine the need to establish a school zone in the 500 block of E Hwy 114 in Boyd, TX. (See attachment)

9) Motion made by Burns seconded by Lamance with White voting aye to adopt the change from "Writ of Retrieval" to "Order of Retrieval" and the addition of words "and orders" in the statement "On all writs, all time spent over 2 hours will be \$50.00 per hour/per deputy." In the 2016 Wise County Sheriffs' and Constables' Fees that were approved on September 14, 2015 in accordance with Local Government Code § 118.131(d) with all said fees having an effective date of January 1, 2016. (See attachment)

10) Upper Trinity Groundwater Conservation District (UTGCD) General Manager/Executive Director Doug Shaw appeared before the court to update the court on the UTGCD. Shaw provided the report for court record. (See attachment)

Shaw outlined the following:

- Four-county district: Hood, Parker, Montague, Wise
- Well monitoring – 160 wells monitored quarterly
 - Decline in well levels
- Education and Outreach to public/school districts
- Importance of registering wells
 - 80 domestic wells registered last month.
 - domestic wells are protected by state law (exempt from monitoring)
 - non-domestic wells are metered and charged \$0.22 per 1,000 gallons.
- Northern Trinity and Woodbine Groundwater Availability Model
 - predict what the groundwater is going to do in the future as county growth increases.
- Spacing requirements for new domestic well installation.
- Approximately 100 groundwater districts in the state. Surface water is managed by the state. Groundwater is a private property right and best managed locally. Local board of director management.
- Groundwater districts meet to discuss desired future conditions (DFC) based on a five year (5 yr.) time frame into the future.
- Cross-section of the Trinity Aquifer (page two of handout). Shallow in the west and deeper with more water in the eastern part of the aquifer.
- Average water-level declines between 2010 and 2070 for Wise County (page two of handout).
- Socioeconomic impacts.

Shaw asked if there are any questions? None were made. No action taken by the court.

11) Clark stated that Dr. Robert Marlett's term on the UTGCD Board of Directors has expired and a replacement needs to be nominated. Clark stated that Precinct No. 4 resident Don Majka has expressed interest in serving on the board of directors. Clark stated that Majka's term on the NCTCOG Area Agency on Aging board has expired and Majka wants to continue to serve in the county.

Burns asked if Majka's on a well or on city water? Lamance asked if this is a restriction? Burns stated it is a factor to consider. Burns and Lamance both commented that they do not have anyone who has expressed interest. Clark stated Majka is knowledgeable about the government aspect having been mayor of Bridgeport. Burns stated it is a two-year appointment. Burns stated Majka would be good for the board and is not a stakeholder in the district. Burns stated that most people that live in the city are competitors to the groundwater district.

Shaw briefly gave information about the board members.

Motion made by Burns seconded by White with Lamance voting aye to appoint Don Majka as a Wise County representative on the Upper Trinity Groundwater Conservation District board of directors for a two-year term.

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Clark stated he will draft a letter notifying Majka of the appointment.

12) Clark stated Wise County nominations to the Wise County Appraisal District board of directors must be received by the district by October 15, 2015. Clark stated there is another Commissioners Court meeting before that time and stated the previous nominees.

No action taken by the court at this time.

13) Lamance stated there is a private roadway in Precinct No. 3 a few miles north of Boyd along property owned by former JP3 Patricia "Plum" Rasbury. Lamance stated the man's grandfather used to say "Let's go to the place" and the grandson is building a home in the area and wishes to name this unnamed private road Rasbury Place with the court's permission, as there are no other landowners near the road other than Rasburys. Lamance confirmed that the proper name will be "Rasbury Pl."

Clark confirmed that the court's only involvement in the renaming of a private road is for 9-1-1 Addressing purposes.

Motion made by Lamance seconded by Burns with White voting aye to approve the private road name request in Precinct No. 3 for "Rasbury Place." (No attachments)

14) Motion made by Burns seconded by White with Lamance voting aye to adopt Resolution FY16-04 for Indigent Defense Grant Program, as printed. (See attachment)

15) Elections Administrator Sabra Srader stated the Election Day (November 3, 2015) polling locations were not presented on September 14, 2015 for consideration of approval because Srader was waiting to hear from Paradise ISD who is joining with the county for the November 3, 2015 Constitutional Amendment Election because the district has a school trustee election. Srader stated when the county consolidates down during odd numbered year elections (due to low voter turnout) the county has a polling location in each of the four commissioner precincts. Srader stated that Paradise ISD agreed to pay the cost of a polling location in Paradise.

Srader stated that two polling locations in Precinct No. 4 will allow voters to vote at Bridgeport Lions Hall or Paradise ISD. Srader stated this will test connectivity issues because the Lions Hall does not have the connectivity needs for election purposes, and Srader is working with Systems Administrator Steven Melton to remedy this issue. Srader stated the equipment located at both location must "talk to each other" to prevent a voter from voting in both locations.

Srader stated that legislation allows no more than double the polling locations in any precinct where the locations are consolidated. Srader stated this will give five (5) Election Day polling locations for the November 3, 2015 Constitutional Amendment Election (Decatur City Hall; Assumption Catholic Church; Boyd Community Center; Bridgeport Lions Hall; and Paradise ISD).

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Motion made by Lamance seconded by White with Burns voting aye to approve the recommended consolidated polling locations to be used on Election Day for the November 3, 2015 Constitutional Amendment Election. (No attachment)

16) Donations:

Motion made by Burns seconded by Lamance with White voting aye to accept the following donations with the county's thanks:

- \$500.00 from Alvord Cemetery for Fund 77 (County Park)
- \$1,000.00 from Hanson for Emergency Medical Services (EMS)
- \$1,000.00 from Hanson for the Sheriff's Department
- \$499.00 value recliner from Carolyn's Home Furnishings to Emergency Medical Services (EMS).

17) Bids:

Asset Control Officer Diana Alexander stated for the record that the two (2) vehicles authorized for purchase via State Contract for the Sheriff's Department on September 14, 2015 were purchased via Tarrant County Co-Op due to the easier process.

Motion made by Burns seconded by White with Lamance voting aye to authorize Asset Control Officer Diana Alexander to advertise for bids for the purchase of a used backhoe for Public Works or to utilize an auction for the purchase based on available capital expenditure funds.

Public Works Director Tom Goode stated he will get with County Auditor Ann McCuiston to review fund balances.

18) Consent Agenda item

Department Head Reports:

- Auditor's Report – August 2015 (See attachment)
- Appointment of 271st Judicial District Court Reporter (See attachment; Original filed in Official Bond and Oath Records by the Wise County Clerk)
- Appointment of County Auditor and Assistant Auditors (See attachment; Original filed in Official Bond and Oath Records by the Wise County Clerk)
- FY2016 County Auditors Budget (See attachment)
- FY2016 District Court Budget (See attachment)
- Emergency Medical Services (EMS) fees of office (See attachment)
- Treasurer's Report August 2015 (See attachment)
- Animal Control monthly report August 2015 (See attachment)

b) Budget Amendments:

- FY15-24 additional certified revenues, increased expenses in attorney fees, records management; and various line items. (See attachment)

- FY16-01 request from Sheriff David Walker to move \$16,000.00 from impound (Fund 83) to General Fund for Chief Deputy allowance. (No attachment)

McCuiston stated she would have to have that approved now because it would take effect October 1, 2015. Walker stated he wants to move it from Impound Fund to keep from having to buy another vehicle, move his chief deputy's vehicle down the line and allow the chief deputy to use his personal vehicle.

Lamance asked if the county is going to give him an allowance to drive his own vehicle? Walker stated he'll just stay with his as it is. Burns told Walker, "I thought we talked about this during budget." Walker confirmed they did. Walker stated he pulled his own vehicle from budget and added the chief deputy's vehicle to keep from having to purchase a vehicle. Clark asked Walker, "What if it's not available out of Impound next year?" Lamance asked, "He just won't get it?" Walker told the court that Impound Fund stays pretty steady all the time. Lamance asked Walker if he uses Impound monies for other things? Walker confirmed he does. Lamance asked if this will put Walker in a bind.

Clark asked how he came up with \$16,000.00? Walker stated it came off the county budget being what the commissioners get in allowance as well as other department heads. Walker stated he'll be running like he already does; he'll have his equipment in his vehicle, etc. Lamance confirmed he won't use a police car when he goes to a crime scene. Walker discussed the equipment already used by the chief deputy.

Clark asked Walker's thoughts on the chief deputy making more than the sheriff? Walker stated "Fine with me!" Lamance stated it could create a backlash down the road. Walker commented, "It doesn't matter; if I was in it for the money, I wouldn't be here." Walker stated it can always be changed back. Walker stated that he and Chief Deputy Benton talked about it quite a bit during budget and about moving vehicles around. Lamance commented, "I don't like the idea of the chief deputy making more than the sheriff."

Walker stated, "That's why I proposed it way back in budget." Burns commented, "...but that's why we said 'No.' because no raises." Walker told Burns that he was told, "We won't do yours but we will do the chief's." Clark confirmed Benton drives an Expedition. Lamance talked about county versus personal vehicle.

Walker stated it would be easier for the Sheriff's Department and we can move the vehicle into something else.

- c) Claims/Payroll:
 - Claims register and Disaster Walk to Court dated September 28, 2015 (See attachments)
- d) Utility Permits/Right-of-Way: None

e) Interlocal Agreements: None

f) Contracts:

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

- Everbridge for the Sheriff's Department mass notification (See attachment)
- Hart Intercivic for Election software annual license and support renewal (See attachment)
- Texas 1033 Surplus Property Program (See attachment)
- Snow Garrett Williams (CPA) CSCD audit (See attachment)
- Renewals (List only):
- Texas Soil & Water Conservation Board Grants Site 17, 23A&B

Cancellations (List only):

- Community Development Building Tyco

Fully Executed

- Mettler-Toledo Decatur and Bridgeport Weigh Station Maintenance (See attachments)
- Library – Rhome, Chico (See attachments)
- CASA (See attachment)
- Wise Hope Shelter (See attachment)
- Wise County Council on Alcohol and Drug Abuse (See attachment)
- Animal Control – Aurora (See attachment)
- Physio Control (See attachment)
- Beavers Contracting (See attachment)
- Wise County Committee on Aging (See attachment)

18b) White asked if this would stop the county from having to buy a vehicle? Walker confirmed that it would keep the county from having to buy so many under Capital Expenditures next year. White stated he can see the issue with the pay, but at the same time is looking into the difference between cost and vehicle. Clark commented that you buy a vehicle one time but have to provide an allowance repeatedly. White stated it doesn't have to be approved next year. Burns commented the money wasn't in there this year.

Motion made by Burns seconded by Lamance with White voting aye to approval all items listed under the consent agenda item, as listed, except Budget Amendment FY16-01 (Sheriff's Department request).

19) Project Agreement for Road Repair: None

20) Right-of-Way Improvements:

Motion made by Burns seconded by Lamance with White voting aye to authorize Burns to enter Kevin Medlin's property off of CR 1590 in Precinct No. 2 for drainage purposes to clear a creek. (No attachment)

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21) Burn Ban: None

22) Committee Reports:

Goode thanked White and Kennedy for assistance with recent Denton Creek Watershed Site 17 repair.

Projects Manager Glenn Hughes reported that the offices (911 Addressing, Public Works and County Engineer) are now moved into the portable buildings located on FM 51 at Public Works and are open for business.

23) Clark announced the next meetings as Monday, October 12, 2015 and Monday, October 26, 2015.

Clark announced the next Commissioners Court mobile meeting as being Tuesday, September 29, 2015 at 7:00 PM at the Boyd Community Center in Precinct No. 3.

24) Clark adjourned the meeting at 9:52 AM there being no further business to be had.

Minutes approved this 12 day of OCTOBER, 2015, as printed.

J.D. Clark
J.D. Clark, County Judge, Wise County

Danny White
Danny White, Commr. Pct. No. 1

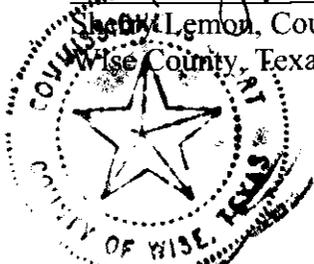
Kevin Burns
Kevin Burns, Commr. Pct. No. 2

Harry Lamance
Harry Lamance, Commr. Pct. No. 3

Gaylord Kennedy
Gaylord Kennedy, Commr. Pct. No. 4

ATTEST:

Sheri Lemon
Sheri 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