SEPTEMBER 29, 2014

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 29th day of September, A.D., 2014 at 9:01 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:

Glenn Hughes (Interim)		County Judge
Danny White		Commissioner, Precinct No. 1
Kevin Burns	(Absent)	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 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.

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

1) Hughes called the meeting to order at 9:01 AM. All commissioners were present with the exception of Burns.

Hughes commented about the untimely death of Donald Joe Clark on Friday, September 26, 2014.

2) Motion made by Potts seconded by White with Lamance voting aye to approve the minutes of the meetings on September 8, 2014 (Public Hearing re: FY2015 Budget); September 8, 2014 (Special Meeting to adopt FY2015 tax rates and budgets for Wise County and Weatherford College Wise County); and September 15, 2014, as printed. (No attachments)

Skip to agenda item 18: Discuss and consider adding additional School Resource Officer. Take appropriate action.

Sheriff David Walker stated this need for a school resource officer situation wasn't going on during the FY2015 budget planning process or it would have been addressed at that time. Walker stated that Glenda Beam from Northwest ISD (NWISD) contacted the Wise County Sheriff's Office regarding a School Resource Officer (SRO) at the three NWISD campuses in Wise County with approximately 1,800 to 2,000 students total. Walker continued that NWISD has recently lost the SRO position that was provided by the City of Rhome and contacted the county in an emergency situation to provide SRO for the three campuses. Walker stated a

temporary "fix" has been to provide off-duty officers to NWISD and continued this can't be a long term "fix."
Walker met with NWISD last week and provided NWISD's proposal to the court. Walker stated that he and NWISD both recognize this is occurring after the FY15 budget has been approved. Walker stated that NWISD is requesting the county provide a SRO for FY2015 (and years to come) and has offered to fund the position at $40,000.00 with the county providing the benefits package at approximately $14,000.00 to $18,000.00.

NWISD Director of Safety and Security Glenda Beam addressed the court on behalf of NWISD. Beam stated NWISD determines the salary and benefits based on average salary over 177 to 180 school days per year.

Walker stated SROs are currently in four Wise County school districts with the district paying $15,500.00 per year for the officer. Walker stated that NWISD wants to continue with the salary set-up. Walker stated there is a vehicle available and funds budgeted for uniforms. Walker stated the biggest issue is salary and benefits.

Hughes asked County Auditor Ann McCuiston for comments? McCuiston stated that she reviewed the FY2015 budget, commented that it is a tight budget and stated she didn't know where the funds were going to come from. McCuiston stated there is $50,000.00 budgeted for FY2015 in payroll contingency. McCuiston stated this is the court's decision and if used would not leave much for FY2015 payroll contingency.

Hughes asked for clarification that approximately $15,000.00 would be needed on the county's part to fund the position? Walker confirmed approximately $14,000.00 to $18,000.00 depending on the insurance package. Hughes confirmed that there is $50,000.00 in payroll contingency that can be utilized.

McCuiston confirmed this and stated the court will need to watch any changes in payroll contingency in FY2015 [if these funds are used for the SRO]. Walker stated he will budget this position in the FY16 budget and work year-to-year. Walker continued that NWISD will continue paying their portion and will not be a full position (funded by Wise County) in FY16.

Hughes asked Beam if she has an alternative plan for the SRO funding? Beam told Hughes she doesn't and that the ISD prefers to go to the county where the schools are located.

Lamance and Walker discussed utilizing existing staff to fill the position. The court reviewed the funding of the position as well as cost of deputy including benefits. Lamance and Walker discussed qualifications of existing deputies for the SRO position.

Motion made by Lamance seconded by Potts with White voting aye to add an additional school resource officer (SRO) to NWISD with funding as stated above. (No attachment)

Asset Control Officer Diana Alexander confirmed with Commissioners Court Attorney Thomas Aaberg that a contract will be created for the NWISD SRO position. Walker stated it will be the same contract as the other ISD SRO contracts with a name change and dollar amount change unless otherwise necessary.

Skip to agenda item 8: Consider adoption of Fiscal Year 2015 County Budget, consider approval of the Technology Fund fee for the District Clerk, said fee not to exceed ten dollars ($10.00) per filing. (This item in conjunction with the Technology Fund Plan Public Hearing that was held at 8:30 AM this date by Wise County Commissioners Court.) Take appropriate action.

Motion made by Lamance seconded by Potts and with White voting aye to approve the Technology Fund Fee for the District Clerk, said fee not to exceed ten dollars ($10.00) per filing, as presented. (See attachment)

9) Motion made by Potts seconded by Lamance with White voting aye to adopt the Fiscal Year 2015 Archive Fund fee for the County Clerk's office, said fee not to exceed ten dollars ($10.00) per filing. (See attachment)

Back to agenda item 3: 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.

Motion made by White seconded by Potts with Lamance voting aye to approve the purchase of a wheel loader from Holt CAT via Buyboard for Precinct No. 2, as presented. (See attachment)

Motion made by White seconded by Potts with Lamance voting aye to rescind the previous court motion dated February 10, 2014 to rent a dozer for fire safety as it is the end of FY2014 with said motion stating: "Motion made by Hughes seconded by Lamance with White voting aye to authorize Fire Marshal Chuck Beard to rent a dozer for fire purposes as the need arises."

McCuiston stated that Burns requested she remove dozer rental from the FY2015 budget "if it was not absolutely necessary we didn't budget for it."

Alexander stated the court will need to address leaving the ¾ ton truck bid (Bid No. 14-600-047) open. Alexander indicated that White and Burns expressed interest in purchasing a truck. Alexander stated this can be discussed at a future meeting as Burns is not present today.

Motion made by White seconded by Lamance with Potts voting aye to dispose of excess jeans via donation to a local charitable organization or incineration. McCuiston stated the jeans came from Unifirst (uniform company).

Alexander requested court direction regarding advertising for bids for concrete culverts as no bids were received on Bid No. 15-600-004. Alexander asked if the court wishes to bid on an as-needed basis or answer the vendor questions regarding bidding? Alexander stated the vendors she has contacted are leaning toward an as-needed basis.

White asked if the county is spending over $50,000.00 in concrete culvert material? McCuiston and Alexander both told White that the concrete culverts falls under culvert purchases. Alexander asked if the commissioners know in advance the concrete culvert size needed? Lamance told Alexander commissioners usually don't know until they are in the middle of a project. Alexander confirmed that she will get with County Engineer Chad Davis re: specifications for concrete culverts. No action taken by the court.

Public Works Director Tom Goode discussed the animal penning systems at the fairgrounds. Goode stated the cost of pens quoted at the last meeting included hog, sheep and goat pens. Goode stated sheep and goat pens are not needed at this time and requested to purchase the hog pens now. Goode told the court it will require minimal concrete work and the cost will be less than the bidding limit of $50,000.00.

Goode told the court that the vendor is W.W. Livestock Systems (Thomas, OK) that has an office in Bowie, TX. Goode estimated the cost at $40,000.00 to $45,000.00 total. McCuiston cautioned Goode to make sure the cost doesn't exceed $50,000.00.

Goode stated the existing pens will be removed. McCuiston confirmed with Goode the cost will come from capital funding. Goode stated the new pens are portable.

No action taken by the court.

4) Donations:

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

- $1,000.00 Hanson Materials for Emergency Medical Services (EMS).
- $200.00 from Hawkins Funeral Home for the Sheriff's Department.

5) Motion made by White seconded by Lamance with Potts voting aye to TABLE action at this time regarding acceptance of improvements in Maintenance Period for Montecito Estates, located in Precinct No. 1 as the developer is not present at this time. (See attachment)

6) Motion made by White seconded by Lamance with Potts voting aye to TABLE action at this time regarding discussion and consideration of approval of the Final Plat for Montecito Estates, being located in Precinct No. 1 as the developer is not present at this time. (See attachment for #5)

7) Motion made by Lamance seconded by Potts with White voting aye to TABLE action regarding consideration of approval of Re-Plat for Grasslands Estates, Lots 1-4, Block B, being located in Precinct No. 2. (See attachment)

10) County Engineer Chad Davis stated the Texas Department of Transportation (TxDOT) sent letters to the county regarding two bridges located in CR 2327 (Pct. 1) and CR 1590 (Pct. 2) respectively.

Davis stated these letters are for waivers of county participation in the federal off-system bridge program. Davis stated the ten percent (10%) county match can be waived on these two bridges and used on other bridges in the county. Davis continued that two to three bridges will cover the participation match amount and Davis has to submit the other bridges to the state.

Motion made by Potts seconded by Lamance with White voting aye to enter into an advanced funding agreement (AFA) request for waiver of ten percent (10%) of local match fund participation requirement as part of the federal off-system bridge program project for two bridges located in CR 2327 (Pct.1) and CR 1590 (Pct. 2), as presented. (See attachments)

Davis reported to the court that there are bridge beams available at the TxDOT yard for the county to pick up and TxDOT isn't certain of the county's allotment.

11) Aaberg reported that this item is regarding land acquired by the county. Aaberg told the court the only property he knows of that may apply is property on US 81/287 S where the road is being worked on even though the county didn't acquire the right-of-way. Aaberg told the court he is inquiring with TxDOT about this.

Davis stated the county didn't acquire the right-of-way and didn't directly purchase the right-of-way. Davis stated this is an exchange in property and not a direct acquisition.

Motion made by Potts seconded by Lamance with White voting aye to approve the report based on any new information obtained by Aaberg. (See attachment)

Skip to agenda item 14: Discuss and hear update from Department of Information Resources (DIR) Randy Joy. Take appropriate action.

Joy commented that he has had several meetings with Prince Computing Consulting (Prince) and several jointly with Prince, Centurylink, and Tyler Odyssey.

Joy stated that Prince worked quite a bit with Centurylink to change the pricing structure. Joy stated at the last estimate he saw regarding Centurylink the county will be able to do much more with less money. Joy stated the biggest issue the county is having is connectivity issues. Joy continued that because of Prince's negotiations, Centurylink can offer better connectivity services at a lower cost to the county.

Joy stated Prince has given the county many good ideas on how to improve the system. Joy told the court he is happy with the progress that is being made. Joy continued that progress will not be overnight.

Hughes stated that he has met with Prince as well and expressed his happiness with the progress being made.

Precinct No. 4 resident Kristina Kemp asked Joy about the changes being made? Joy told Kemp the bulk of the connectivity is DSL; speed and reliability. Joy stated that fiber connections tend to be very stable.

Hughes expressed appreciation to Joy about the work being done for county technology.

McCuiston told the court that Tyler Technologies has been contacting departments to work on issues.

Kemp commented about Centurylink service to county residents.

No action taken by the court.

Back to agenda item 12: Discuss and consider Resolution FY15-02 for Indigent Defense Grant Program, to be submitted to the Texas Indigent Defense Commission (TIDC) with grant application. Take necessary action.

McCuiston stated the annual grant award for criminal Indigent Defense is approximately $40,000.00 and does not cover all of county expenses.

Motion made by Potts seconded by Lamance with White voting aye to adopt Resolution FY15-02 to apply for Indigent Defense Grant Program funding, as presented. (See attachment)

13) Hughes commented that the Election Administration office needs to do something (facility-wise) soon as the department is running out of space. Hughes told the court he contacted the owners of the Guardian Title Company (GTC) building on S. Trinity Street with interesting in purchasing the building. Hughes told the court the owner is not interested in selling the property. Hughes commented this item is for discussion purposes only and is not an action item. Aaberg provided the court a lease building recap for discussion only; no action. (See attachment)

Aaberg stated the GTC building is available for rent at $3,400.00 per month with 3,700 square feet of space and would provide 40 parking spots near the square.

Aaberg stated the rented First Financial Bank Building (Wise County Development Services Buildng) is $3,858.00 per month with 2,700 square feet of space with no out clause and the county is under contract until October of 2015.

Aaberg stated the rented space for Election Administration is $1,400.00 per month with 1,200 square feet of space and no out clause with the county being under contract until October 2015.

Aaberg stated the current lease property expense is $5,280.00 per month and provides 3,900 square feet of space total.

Aaberg stated that he spoke with Gary Shelton (owner of Wise County Development Services Building) and Shelton is willing to work on some items but the out-clause has not been negotiable at this point.

Potts asked about terms of lease for the GTC building. Aaberg stated the lease should be annual with a 30-day out clause.

Hughes stated 911 Addressing could move into the GTC building but all of Development Services couldn't fit in the one building along with Election Administration. Hughes reminded the court that something is going to have to be done with elections as they are running out of room and have no parking. Hughes stated the biggest gain would be the forty (40) parking spaces.

The court discussed measurements of the GTC building and building flow. Aaberg stated the main purpose is to develop ideas about office space.

Court recessed at 9:50 AM and reconvened at 10:00 AM.

15) Kimley-Horn and Associates, Inc. Professional Engineer Jenifer Tatum appeared before the court regarding updates to the Wise County Development Rules and Regulations (DRR). Tatum stated that approximately eighteen months ago the county asked Kimley-Horn and Associates, Inc. to update the DRR as there are several updates since the 1997 version.

Tatum stated the primary changes:

- Definition of single family residence
- Updated variance policy; more streamline and consistent with how variances come in
- Changed subdivision restriction language to conform with flood plain ordinance
- Updated language for large lots that may have multiple homes on the lot.
- Updated paving requirements to be consistent with the EPA non-attainment requirements (paving approved by county by construction begins)
- Major revisions to drainage requirements; more consistent with how developments are in Wise County; made more friendly with smaller developments.

Tatum stated the legal review has been changed from Attorney Chris Forbis to

Commissioners Court Attorney Thomas Aaberg and County Attorney James Stainton. Tatum stated the review included the need for a Taking Impacts Assessment (See attachment) to include the DRR, flood plain ordinance, and OSSF order.

Motion made by Lamance seconded by Potts with White voting aye to adopt the updated Wise County Development Rules and Regulations, as presented. (See attachment)

Aaberg commented about Kimley-Horn and Associates, Inc.'s assistance in the DRR revision process.

Back to agenda item 5: Discuss and consider acceptance of improvements in Maintenance Period for Montecito Estates, being located in Precinct No. 1. Take necessary action.

Motion made by White seconded by Lamance with Potts voting aye to accept the improvements in Maintenance Period for Montecito Estates, being located in Precinct No. 1. (See attachment)

6) Motion made by White seconded by Potts with Lamance voting aye to approve the Final Plat of Montecito Estates, being located in Precinct No. 1 with a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachments)

Developer Scott Maudlin stated he will provide the County Treasurer with the maintenance bond for the development.

16) Hughes as Chair of the Wise County Elections Commission notified the court of the appointment of Jim Parker as Interim Elections Administrator. (No attachment)

White exited the meeting at 10:13 AM.

17) Motion made by Potts seconded by Lamance with Hughes voting aye to approve the FY2015 fees of office for the Election Administration; Animal Control; 911 Addressing and Emergency Medical Services (EMS). (See attachments)

19)

a) Department Head Reports:
- County Auditor monthly report for August 2014 (See attachment)
- County Treasurer monthly report for August 2014 (See attachment)

b) Budget Amendments:

FY14-32 for various line item transfers including the transfer of the Texas Association of Counties (TAC) insurance $820,320 for the Wise County Law Enforcement/Jail Facility roof repair/replacement; $450,000.00 from (radios) grant funding to be moved to reserves; $700,000.00 Indigent Health Care Fund to move back to reserve funds. McCuiston stated the county should be at about 17% reserves.

Motion made by Potts seconded by Lamance with Hughes voting aye to adopt Budget Amendment FY14-32, as printed. (See attachment)

c) FY14 & FY15 – 3 year Capital Expenditure Plan:

McCuiston noted Goode's expenditures for the hog pens at the Wise County Fairgrounds will fall under this line item.

d) Claims/Payroll:

McCuiston presented claims and payroll registers including:

- Wal-Mart for $1,042.95
- 2014 Standard Mileage Rates from the Internal Revenue Service (See attachment) 56 cents per mile for business miles driven; lodging in-state up to $85.00 per day; meals in-state/out-of-state up to $46.00 per day
- McCuiston commented that her office is closing out FY2014.

e) Utility Permit/Right-of-Way: None

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

Fully Executed:

- Interlocal Agreement for Animal Services with City of Aurora (See attachment)
- Interlocal Agreement for Animal Services with City of Runaway Bay (See attachment)
- Interlocal Agreement for Animal Services with City of Paradise (See attachment)
- Interlocal Agreement for Animal Services with City of New Fairview (See attachment)
- Interlocal Agreement for Animal Services with City of Newark (See attachment)
- Agreement for Fire Protection with Crafton Volunteer Fire Department (See attachment)
- Agreement for Fire Protection with Salt Creek Volunteer Fire Department (See attachment)
- Agreement for Fire Protection with City of Runaway Bay. (See attachment)
- Agreement for Fire Protection with Sand Flat Volunteer Fire Department (See attachment)
- Agreement for Fire Protection with City of Decatur. (See attachment)
- Agreement for Fire Protection with Cottondale Volunteer Fire Department (See attachment)
- Interlocal Agreement Between Wise County and Decatur ISD for Road Repairs and Maintenance. (See attachment)

- Interlocal Agreement Between Wise County and City of Aurora for Road Repairs and Maintenance. (See attachment)
- Interlocal Agreement Between Wise County and Alvord ISD for Road Repairs and Maintenance. (See attachment)
- Interlocal Agreement Between Wise County and Chico ISD for Road Repairs and Maintenance. (See attachment)
- Interlocal Agreement Between Wise County and Boyd ISD for Road Repairs and Maintenance. (See attachment)
- Interlocal Agreement Between Wise County and Paradise ISD for Road Repairs and Maintenance. (See attachment)

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

Fully Executed:

- Diversified Power Systems for the generator at the Sheriff's Office. (See attachment)
- Holt Company of Texas Wise County Precinct No. 1 equipment warranty (See attachment)
- Ritchie Bros Auctioneers 2001 CAT Wheel Loader (See attachment)
- Wise County Council on Alcohol and Drug Abuse FY14-15 Agreement (See attachment)
- Wise Hope Shelter and Crisis Center FY14-15 Agreement (See attachment)
- Contract of Service with Chico Public Library as a County Library (See attachment)

Cancellations: (See attached list only)

- Telerus (No department stated)
- Progressive Waste – All Service Agreements- agreements are with cities so Wise County does not have to have separate agreements

For Approval:

- ASI Security for McAfee Endpoint Protection Advanced $1,950.20 (See attachment)
- Solarwinds – Annual Maintenance Renewal for Admin per seat license $139.00 (See attachment)
- Tarrant County College Letter of Agreement for the WCSO (See attachment)
- Fleeteyes Web Applications and Services Transactions Agreement (See attachment)
- Texas Facilities Commission Federal Surplus Property Program (See attachment)

Motion made by Potts seconded by Lamance with Hughes voting aye to approve all items listed above, as presented.

19h) Correspondence:

County Treasurer Katherine Hudson presented a tentative date for the County Employee Thanksgiving Luncheon to be held on Thursday, November 20, 2014 at 12:00 PM at the Women's Building located at the Wise County Fairgrounds. Hudson clarified with the court about the provision of meats. The court discussed inclusion of Hughes and Potts at the annual luncheon.

Hughes presented a commendation for three courthouse deputies who assisted a man who was trapped under sheetrock in the vicinity of the courthouse square on September 23, 2014. (See attachment)

20) Project Agreements for Road Repair:

Motion made by Potts seconded by Lamance with Hughes voting aye to approve Project Agreement No. 2010 for Alvord ISD located in Precinct No. 2 for parking lot repair. (See attachment)

21) Right-of-Way Improvements: None

23) Committee Reports: None

24) Motion made by Lamance seconded by Potts with Hughes voting aye to ratify the Proclamation proclaiming September 17-23, 2014 as Constitution Week 2014 in Wise County. (See attachment)

Back to agenda item 22: Burn Ban

22) Burn Ban: None

25) Hughes announced the next regularly scheduled meetings as Monday, October 13, 2014 and Monday, October 27, 2014.

Alexander reminded the court that those present need to sign the Federal Surplus Application presented earlier in this meeting.

26) Motion made by Potts seconded by Lamance with Hughes voting aye to adjourn at 10:25 AM there being no further business to be had.

Minutes approved this 3 day of November, 2014, as printed.

Glenn Hughes, Interim County Judge, Wise County

Danny White, Commr. Pct. No. 1

Kevin Burns, Commr. Pct. No. 2

Harry Lamance, Commr. Pct. No. 3

Gary Potts (Interim), 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 Jeffry, P.C. (in relation to Wise County facilities Master Study Plan)
WCWC – Weatherford College Wise County campus