SEPTEMBER 29, 2015

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 29th day of September, A.D., 201 at 7:00 P.M. came on to be had a Special Meeting of the Commissioners' Court of Wise County, Texas held in the Boyd Community Center (420 E Morton Street) in the town of Boyd 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 7:00 PM. All court members were present. Clark thanked everyone for attending and thanked the City of Boyd for hosting the meeting.

2) Pledge of Allegiance:

Boyd Intermediate School 6th Grade D.A.R.E. students led those in attendance in the Pledge of Allegiance to the United States flag as well as the Texas flag.

3) Moment of Silence

4) Community Forum: None

5) County Correspondence: None

6) Clark reported on the following:

- New location of Development Services departments (911 Addressing, Public Works, County Engineer and Projects Manager) to a permanent location on FM 51 S by Public Works barn. Clark stated the county is no longer in rental property and this move will save the county $48,000.00 per year in rental costs.
- FY16 budget adopted and goes into effect October 1, 2015. Clark stated the tax rate remains the same and that appraisal valuations have increased.

- Resolution in support of TxDOT performing a school zone feasibility traffic study for Hwy 114 in front of the Boyd High School in cooperation with the City of Boyd and Boyd ISD.

6) Lamance discussed the following that affects Precinct No. 3:

- Precinct 3 is catching up on roads damaged by the spring/early summer rains.
- County Engineer Chad Davis is working with FEMA as the county qualified for disaster relief monies due to the flooding/storm damages.
- Regular maintenance is going on now on chip/seal and bar-ditch/culvert repairs.
- Bridge on CR 4668 is safe according to the state.

Clark commented that county-wide the county is just short of a half-million dollars in flood damages from the spring/early summer storms.

No questions were presented to Lamance.

Clark introduced County department heads and employees in attendance.

7) Justice of the Peace Precinct No. 3 Mandy Hays gave a brief overview of justice court and the duties of her office including civil small claims, eviction and debt less than $10,000.00 and criminal Class C Misdemeanors.

Hays stated that from 1995 to present justice courts dealt with cases for failure to attend school being a Class C Misdemeanor for students ages 12-17 who missed three or more days of school in a four week period or ten plus days in a six month period if filed by the school district. Hays stated the school districts that file in JP3 court are Paradise, Boyd and Northwest ISD.

Hays stated HB 2398 passed this legislative term effective September 1, 2015 and that these cases are no longer called "failure to attend school" but are called truancy cases. Hays stated the case type is now civil instead of criminal and was changed because of possible negative effects of having a criminal record on a child. Hays stated the "three day" minimum is no longer applicable and is now a ten-day minimum. Hays told the public that before a case can be filed by the district the district must notify the parent and schedule conference with the parents. Hays stated criminal charges can be filed on the parent for contributing to student non-attendance. Hays stated the student has the right to a jury trial with the civil case unless that right is waived in writing.

Hays stated there are often underlying issues as to why a student is truant and that it is the school's responsibility to determine why the student is truant. Hays stated the schools are more involved in daily student life than the justice is. Hays stated school districts can have student truancy measures in place that cannot exceed forty-five (45) days. Hays stated after ten days the court can summons the student and parent to answer true or not true to truancy. Hays stated her court refers the case to the County Attorney for review and the County Attorney has forty-five (45) days from the last absence to accept or reject the case and the County Attorney prosecutes the case.

Hays stated the fine amount for the criminal side (prosecuting the parents) of truancy increases by $100.00 starting with $100.00 for the first offense to $500.00 for the fifth offense (increase by $100.00). Hays stated any subsequent (over the fifth offense) is $500.00.

Hays stated other legislative changes that affect justice courts include changes in magistrate duties regarding emergency protective order (restrictions) and right to counsel, order of retrieval, etc.

Hays asked if anyone has questions? None were made

Clark asked about truancy law for children under 12? Hays corrected her earlier statement to state the truancy law change is for 12-18 year old children. Hays stated there are avenues for truancy prevention in younger children and stated after ten days the school district can file on the parent. Hays commented about the effects of student truancy on students and educators.

9) Clark announced the next meetings as Monday, October 12, 2015. Clark reiterated the purpose of the Commissioners Court on the road meetings. Clark thanked those present for their attendance.

10) Clark adjourned the meeting at 7:27 PM there being no further business to be had or further discussion to be had.

Minutes approved this 12 day of OCTOBER, 2015, 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

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