OCTOBER 26, 2015

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 26th day of October, 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	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.

2) Pledge of Allegiance

3) Moment of Silence

4) Community Forum: None

5) Correspondence: None

6) Coordination/Cooperation between Precincts:

Burns mentioned that Parker County will be paving without using the electrical system on the same equipment owned by Wise County and recommended that someone go down to observe how it is done without the use of the electrical system.

7) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the minutes of October 12, 2015, as printed. (See attachment)

8) Sheriff David Walker presented a letter of resignation effective December 31, 2015. Walker thanked the court for all of its support and loyalty during his time as elected sheriff.

Walker also expressed appreciation for support during the 23 years he has worked for the Wise County Sheriff's Department.

White wished Walker the best for his future, and Burns expressed appreciation for Walker's level of professionalism as Wise County Sheriff.

Motion made by White seconded by Kennedy with Clark voting aye and Burns and Lamance voting nay to accept the resignation of Wise County Sheriff David Walker effective December 31, 2015. (See attachment)

9) Clark stated that a TABC permit has been denied by the municipality where the store is located because the city feels it doesn't meet ordinance requirements. Clark stated the certification denial has been appealed to the County Judge for hearing and requested to delegate those hearing obligations to County Court at Law #2 Judge Stephen Wren as Clark doesn't have the resources (court reporter, etc) to hear those cases.

Motion made by Kennedy seconded by White and unanimously adopted by the Court to approve the "Order Delegating the Duty to Hear Permit and License Applications Under the Texas Alcoholic Beverage Code", as presented. (See attachment)

10) Motion made by White seconded by Lamance and unanimously adopted by the Court to approve the Final Plat and Construction Plan Review for Heritage Creek North, Phase III located in Precinct No. 1, as presented, with a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

Owner/developer Scott Mauldin told the court he provided vellums and three sets of construction plans for the court and asked about leaving them with the court. White stated he wants County Engineer Chad Davis to have a set of the construction plans.

11) Clark stated he was approached by City of Decatur mayor Martin Woodruff and Mr. Jay Davidson (end of term) about representing Wise County on the Texoma Area Paratransit System (TAPS) board of directors. Clark told the court that TAPS is undergoing some administrative changes and was advised at a NCTCOG meeting on Thursday that TAPS may be cutting one-third of services. Clark continued that he feels it is important that Wise County have a voice regarding those services and is willing to serve on the board.

Motion made by White seconded by Burns and unanimously adopted by the Court to appoint Clark to the TAPS board of directors. (No attachment)

12) Motion made by Burns seconded by White and unanimously adopted by the Court to receive the FY2015 Chapter 59 District Attorney Asset Forfeiture Report, as printed. (See attachment)

13) Motion made by Burns seconded by White and unanimously adopted by the Court to receive the FY2015 Chapter 59 County Attorney Asset Forfeiture Report, as printed. (See attachment)

14) County Auditor Ann McCuiston presented the end of fiscal year 2015 final audit report. McCuiston stated General Fund was hit pretty hard and this was anticipated. McCuiston stated FY2016 budget is lower so it shouldn't be a problem unless revenues do not come in as expected. McCuiston recommended watching the budget monthly as well as monitoring budget amendments closely. Clark stated General Fund was hit hard because sales tax was down significantly than what was budgeted last year. McCuiston stated royalties and fees are down. McCuiston stated taxes were good. McCuiston stated Emergency Medical Services (EMS) spent more in salaries in FY15 because of some cash rollover. McCuiston stated even though funds are budgeted if the revenues aren't available then you don't have the budgeted funds. McCuiston stated there was money in the precincts because of the disaster. McCuiston stated that $2,799,733.95 will be transferred into Precinct Reserves. (See attachments)

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to accept the final Auditor's Report for FY2015, as presented. (See attachments)

15) Donations:

Motion made by Burns seconded by White and unanimously adopted by the Court to accept the donation of $80.00 from Bridgeport Mexican Cemetery for mowing to Fund 77, with the court's thanks. (No attachment)

16) Bids:

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to authorize Asset Control Officer Diana Alexander to add the Buyboard option to the Pitney-Bowes postage machine contract as well as state contract. Alexander stated the Buyboard is an easier process and requested to add this as an additional option for the postage machines.

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 purchase of one or more police sedan(s) and smaller SUV(s) (4WD) for the Wise County Sheriff's Department for FY2016 with the expense being paid from Capital Expenditures Fund.

Walker stated he will provide Alexander with the proper information.

Walker stated the CAD system at the Sheriff's Office has been discussed in the past. Walker stated Tyler Technologies (Tyler) has a new CAD upgrade 2015 and the county is currently unsupported by Tyler. Walker requested approval to move forward on the Tyler CAD project.

Clark stated there is $1,000,000.00 in Capital Expenditures for a CAD System which was intended to be a completely new system. Clark stated the Sheriff's Department has been working with Tyler to get a new system. Clark stated Tyler wants to make amends. Clark stated the current version is two upgrade versions behind so there are problems with computers in Sheriff's Department vehicles. Clark also stated the upgraded system will provide a backup server. Clark estimated the total cost at approximately $180,000.00. Burns asked about using Capital Expenditure funds for the new CAD upgrade? McCuiston and Clark confirmed this can be done.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve the CAD upgrade to the Sheriff's Department system from Capital Expenditures.

McCuiston and Clark discussed training expense, etc., hopefully at no charge to the county.

Motion made by Burns seconded by White and unanimously adopted by the Court to approve Burns to sell a skid-steer and bucket truck at the next Ritchie Bros. Auctioneers, Inc. auction in December. (No attachment)

17) Consent Agenda Item:

Department Head Reports:

- Auditor September and Closing FY2015 (See attachment)
- Ag Extension September 2015 (See attachments)

a) Budget Amendments: None

McCuiston stated that the inmate phone revenue will most likely drop drastically. Walker stated the FCC put out a new regulation reducing inmate calling rates. McCuiston estimated the county brings in $75,000.00 per year. Walker stated this will have to be discussed further with Securus (inmate telephone provider)

b) FY14/FY15 and FY15/FY16 – 3 Year Capital Expenditure Plan: None

c) Claims/Payroll:
- FY 15 Claims Register (See attachment)
- FY 16 Claims Register (See attachment)
- Wise County Accounts Payable to be Paid Beginning FY16 (See attachment)
- Claims Register dated 10/23/2015 (See attachment)
- Payroll Register 10/16/2015 (See attachment)

d) Utility Permits/Right of Way: None

e) Interlocal Agreements: None

f) Contracts:
(Original Contracts are filed with Asset Control Officer Diana Alexander.)

- Nestle Waters (See attachment)
- Election Administrators, LLC for EA Pollbook Annual License Fee (See attachment)

- Cancellations (See list):
  1) USDA Forest Service
  2) Contract Pharmacy

- Fully Executed (See list):
  1) Everbridge (See attachment)
  2) Animal Control: Cities of Boyd, Chico and Rhome (See attachments)
  3) Fire Agreements: Cities of Newark, Chico, Rhome and Cottondale VFD and Greenwood/Slidell VFD (See attachments)
  4) Library: City of Bridgeport (See attachment)
  5) Denton County Inmate housing (See attachment)
  6) Netdata – Jury Selection and Tax Collection Software for Tax Assessor/Collector (See attachments)
  7) Weatherford College Training (See attachment)
  8) TargetSolutions (See attachment)
  9) Tyler Technologies – ENotices and Judges Edition (See attachments)

Motion made by Burns seconded by White and unanimously adopted by the Court to approve all items listed under consent agenda item #17, as presented. (See attachments)

18) Project Agreements for Road Repair:

Burns stated he would like to enter into an Interlocal Agreement with the Tarrant Regional Water District for road repair in order to enter into Project Agreements for Road Repair with that entity to pave lake roads at Lake Bridgeport.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to initiate entering into an Interlocal Agreement with Tarrant Regional Water District for road repair. (No attachment)

Lamance asked about Project Agreements for Road Repair with the City of Aurora and stated he can't complete the project this year? Commissioners Court Attorney Thomas Aaberg and Clark reminded Lamance that county projects come first and the project agreement can carry over to the next year.

19) Right-of-Way Improvement: None

20) Burns Ban: None

Clark stated that Fire Marshal/Emergency Management Coordinator Chuck Beard was headed to a two-story house structure fire. Clark stated no changes were recommended.

21) Committee Reports: None

Back to agenda item 5: County Correspondence

County Engineer Chad Davis updated the court on FEMA disaster review from the spring/summer 2015 rains/natural disasters.

Davis stated the FEMA representative that has previously been out to inspect/view damages will return soon to go through debris as debris is a different category from road/bridge repair. Davis stated reimbursements will begin from FEMA once itemized project lists are provided from the Auditor. Davis stated the bridge on CR 4668 has estimates and everything is ready to go on the project. Davis reported information he received at the CERA conference last week. Davis stated that the Waller County Engineer told him that after Hurricane Ike FEMA awarded the county $40 million and now have to go to court because FEMA wants reimbursement of $9 million. Burns stated Wise County has experienced that (with FEMA).

Clark recessed the regular meeting at 9:34 AM and Reconvened into Executive Session.

22) ***Executive Session with County Legal Counsel, for private consultation allowed under Texas Government Code § 551.071: Discussion and legal updates of pending litigation.***

Clark adjourned Executive Session at 10:49 AM.

23) Clark announced the next meeting as Monday, November 16, 2015.

Clark adjourned the meeting at 10:50 AM, there being no further business to be had.

Minutes approved this 16 day of November, 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 by Brenda Knox, 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