

NOVEMBER 3, 2014

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 3<sup>rd</sup> day of November, A.D., 2014 at 9:03 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 (3<sup>rd</sup>) 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 9:03 AM. All court members were present.
- 2) Motion made by Burns seconded by Potts and unanimously adopted by the Court to approve the minutes of the following meetings, as printed:  
September 29, 2014 (8:30 AM Public Hearing); September 29, 2014 (8:45 AM Public Hearing);  
September 29, 2014 CCM Special Meeting; October 13, 2014 Regular Meeting;  
October 23, 2014 Special Meeting.
- 3) Asset Control Officer Diana Alexander told the court that only one bid was received on pea gravel and none were received on precoat rock for Bid No. 15-600-016 for the purchase of rock and base materials, pea gravel precoat rock only. Alexander told the court that vendors want to bid precoat rock by the job and asked if a commissioner needs to discuss this further with vendors?

Motion made by Lamance seconded by Burns and unanimously adopted by the Court to award Bid No. 15-600-016 for the purchase of rock and base materials, pea gravel precoat rock only for pea gravel to Trinity Materials (3/8" size only) in Arlington, TX. (See attachments)

The court further discussed precoat rock. The court recommended calling vendors for further discussion and action was TABLED until a future meeting.

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Motion made by Burns seconded by White and unanimously adopted by the Court to award Bid No. 15-541-017 for the purchase of a rescue truck for Emergency Medical Services (EMS) to Steele Fire Apparatus, Haskell, TX for \$159,607.00. (See attachment)

Emergency Medical Services (EMS) Director Charles Dillard stated this is approximately \$5,000.00 less than budgeted.

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to award Bid No. 15-600-018 for the purchase of concrete culverts for all precincts to Hanson (Grand Prairie, TX), as printed. (See attachment)

Asset Control Officer Diana Alexander provided information to the Court regarding Public Power Pool (P3) and stated the court can opt out of electric power supply services or can automatically stay in the program.

Burns discussed price negotiations. County Auditor Ann McCuiston stated the county saves a lot of money using P3. Alexander stated a new contract will come up in a few years and requested court action to opt out or stay in the program.

Motion made by Burns seconded by White and unanimously adopted by the Court to stay in the Public Power Pool program as an electric power supply provider for all county properties. (See attachment)

Alexander stated that Sheriff David Walker has a few things to discuss.

Walker talked to the court regarding the purchase of 2014 and 2015 Chevrolet Tahoes for the Sheriff's Department with Capital Expenditure Monies and the equipment to outfit those vehicles. Walker stated he backed out of the credit option from the equipment vendor as there was approximately \$13,000.00 worth of purchase equipment with only a \$4,000.00 credit offer.

Walker requested to utilize Buyboard and use a company in Temple, TX called Cap Fleet Outfitters (subsidiary of Caldwell Country Chevrolet) to purchase six more 2014 police SUVs. Walker continued that Cap Fleet Outfitters will pick up the 2015 models and outfit those as well as the six purchased 2014 models with an approximate two week turnaround. Walker stated funds are available in capital expenditures.

Walker also stated that 271<sup>st</sup> Judicial District Judge John Fostel requested to purchase a 2014 fully-outfitted Tahoe for the court bailiff via Buyboard at approximately \$33,000.00. Walker discussed the outfitting services provided by Cap Fleet Outfitters. Walker discussed ease on Sheriff's Department employees as well as the county auditor.

Walker's request also includes the additional \$650.00 cost from Cap Fleet Outfitters to send a semi-truck car-hauler to Wise County to pick up the Tahoes and take them to Waco for the work

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to be performed. Walker and Burns agreed that six vehicles can't be delivered to Waco for that cost.

Walker discussed the radio system with the court as it was discussed with Cap Fleet Outfitters. Walker stated the equipment installation is guaranteed for the life of the vehicle.

McCuiston stated the one Tahoe for the District Court bailiff is coming out of courthouse securities fund. Burns discussed the use of the current District Court bailiff vehicle. Walker stated the Sheriff's office will acquire the vehicle and do away with it. Walker confirmed the twelve Tahoes will be patrol vehicles. Walker stated these are two-wheel drive.

Motion made by Burns seconded by Potts and unanimously adopted by the Court to approve the purchase from Cap Fleet Outfitters (a subsidiary of Caldwell Chevrolet) via Buyboard of six 2014 Chevrolet police protection vehicles for the Sheriff's Department to be outfitted with county-owned equipment(capital expenditures); one 2014 Chevrolet police protection vehicle for the 271<sup>st</sup> District Court bailiff (paid out of courthouse security) and equipment to outfit the bailiff's vehicle and pick up six 2015 Chevrolet Tahoes that the county doesn't have equipment for (cost \$650.00) and outfit the vehicles with equipment, as presented.

Motion made by Burns seconded by White and unanimously adopted by the Court to either authorize Asset Control Officer Diana Alexander to advertise for bids for purchase of a 80-100 horsepower tractor (farm type) or purchase via Buyboard (whichever is the best deal) for use by Precinct No. 2. (No attachment)

Motion made by Burns seconded by White and unanimously adopted by the Court to either authorize Asset Control Officer Diana Alexander to advertise for bids for purchase of a side-mount mower (drag type half bat-wing mower) via Buyboard (whichever is the best deal) for use by Precinct No. 2 as an attachment to the tractor listed above. (No attachment)

8) Zimmerman Addition Scott Grazier appeared before the court to request a variance on the ten foot easement on the forty to fifty acre property purchased by Grazier.

Motion made by Lamance seconded by Potts and unanimously adopted by the Court to approve the Replat of Zimmerman Addition located in Precinct No. 3; grant the variance request for easement all including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

7) Motion made by White seconded by Burns and unanimously adopted by the Court to approve the final plat of Vista Oaks Addition, Lots 1-6 located in Precinct No. 1 including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

6) Motion made by Potts seconded by Burns and unanimously adopted by the Court to approve the replat for Stonegate Park, Lots 35A and 35B located in Precinct No. 4 including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

4) Donations:

Motion made by Burns seconded by White and unanimously adopted by the Court to accept the following donations with the court's thanks: (No attachments)

\$65.00 from Bridgeport Mexican Cemetery for Fund 77

\$500.00 from Alvord Cemetery for Fund 77

\$500.00 from Friendship Cemetery for Fund 77

\$1,000.00 from Hanson for the Sheriff's Department K9 unit

\$2,000.00 from Devon for the Sheriff's Department K9 unit

5) Commissioners Court Attorney Thomas Aaberg requested the court review the draft of the county committee list. Aaberg noted that statutorily required committees will remain on the list and requested the court review the other committees. No action taken by the court. (See attachment)

9) Motion made by Burns seconded by Potts and unanimously adopted by the Court to approve the E-Filing Recovery Cost Fee for the County Clerk and District Clerk pursuant to Government Code Section 72.031(c), as presented. (No attachment)

10) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the Western Surety Company Official Bond and Oath of Jimmy Parker (Bond No. 71593392) as Interim County Elections Administrator for a bond term of 180 days dated September 29, 2014. (Original bond is recorded in Official Bond and Oath Records by the Wise County Clerk.)

11) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the Western Surety Company Official Bond and Oath of Ann McCuiston (Bond No. 68918842) as Auditor for a bond term of two years dated October 21, 2014. (Original bond recorded in Official Bond and Oath Records by the Wise County Clerk.)

12) Hughes presented a notice of vacancy on the Wise County Appraisal District Board of Directors for Jimmy Parker effective September 26, 2014 as Parker is the Wise County Interim Elections Administrator.

13) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the FY2014 Chapter 59 Asset Forfeiture Report tentative to McCuiston's verification of the dollar amounts. (See attachment)

14) Aaberg stated that the court has appointed several people to complete vacated positions and those interim appointments will end December 31, 2014. Aaberg continued that when a general election occurs the appointed person continues the term until December 31, 2014 with the newly elected official will take office January 1, 2015. Aaberg clarified some misconception that there is no automatic turnover of the appointed official to the newly elected official after the

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election is canvassed. Aaberg continued that the newly elected official is not qualified for a term of office until January 1, 2015. Aaberg stated that the newly elected official is not elected to a four year and one month term. Aaberg cited attorney general opinions as well as information from the Texas Secretary of State's office (SOS).

Hughes added it also states the appointed official can resign the position. Hughes continued that he would like to resign after the votes are canvassed so whoever wins the election can start his term for continuity of county business.

Potts commented about resignation from Commr. Pct. 4. Lamance asked Aaberg whether this (resignation) is acceptable with the information Aaberg has provided? Aaberg stated the SOS's letter stated the appointed official is to stay in office unless they resign. Hughes confirmed that it will be legal for Hughes to resign after the canvass of the November 4, 2014 General Election.

Commr. Pct 4. Democratic candidate Kristina Kemp commented that the newly elected official is not obligated to take office upon the resignation of the appointed official and does not have to take office until January 1, 2015. Aaberg confirmed this. Hughes stated unless the candidate has a problem then he will resign; otherwise he will resign.

Aaberg stated the process will be resignation of the appointed official and then appointment of an interim for the remainder of the year until January 1, 2015.

No action taken by the court.

Hughes expressed appreciation of the ethical manner in which Wise County candidates have campaigned.

15) Hughes reminded the court of hiring an IT consulting firm and commented that one of the problem areas he has seen while in office is the IT department and technology systems in general (telephones, radios, etc) . Hughes continued that Prince Computing Consulting (Prince) has recommended hiring a systems administrator for financial reasons as well as efficiency reasons. Hughes stated that "countless thousands" can possible be saved by consolidating purchasing into one position.

Hughes recommended hiring a Wise County Systems Coordinator that will include all technology for the county and will be a central office for technology purchases. Hughes discussed county growth and needs to match that growth.

County Auditor Ann McCuiston stated the DIR department will be restructured as Wise County Systems Department with technicians and assistants within that department.

McCuiston discussed financing the position and advised there is money in reserves that is going to thoroughfare. McCuiston recommended moving the \$300,000.00 budgeted to go from reserves to thoroughfare into general fund for the restructure of the systems department.

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McCuiston continued the funds were to go to Precincts No. 1 and 2 (divided up by year). McCuiston stated the following amounts available in thoroughfare fund: \$150,000.00 for Precinct No. 1; \$300,000.00 for Precinct No. 2; \$150,000.00 for Precinct No. 4; and, that Lamance already transferred out \$150,000.00 for Precinct No. 3. McCuiston suggested transferring the money from reserves to general fund as a one-time only transfer with the funds to be budgeted for FY2016.

McCuiston suggested a salary up to \$85,000.00. McCuiston stated the county is not up to speed to where it should be. McCuiston cited the courthouse security cameras and discussed infrastructure.

Hughes discussed the increase growth at the Sheriff's Department; the growing needs of the entire county. Hughes stated a systems coordinator will have the time and research power to determine the technology needs of the county.

McCuiston discussed past technology purchases that lack support and maintenance.

White commented about the purpose of hiring a consultant and following the consultant's advice. Hughes agreed.

Burns and the court discussed qualifications for the position and how to advertise for the position. Burns asked Hughes if Prince is willing/able to assist in structuring the qualifications for the position? Hughes stated Prince is willing to do this but doesn't want to recommend any particular person for the position. Hughes stated Prince will write up qualifications needed for the position. Burns asked if the court will consider hiring Prince to sit on a hiring committee?

Motion made by Burns seconded by White and unanimously adopted by the Court to approve the hiring of a Wise County Systems Coordinator with the condition that Prince Computing Consulting assist in structuring the position qualifications and interview. (No attachment)

***Court recessed at 9:55 AM and reconvened at 10:00 AM***

16)

a) Department Head Reports:

- County Auditor's report for FY2014 (See attachment)
- County Auditor's report for September 2014 (See attachment)
- County Auditor re: Closing Financials for FY2014 (See attachment)
- County Treasurer report for September 2014 (See attachment)
- Ag Extension monthly activity report for September 2014 (See attachment)

b) Budget Amendments:

- FY15-02 to include the Wise County Systems Coordinator position transfers from thoroughfare as well as thoroughfare fund transfers. McCuiston suggested the transfer to precincts and division of \$900,000.00 in thoroughfare between the precincts at approximately \$225,000.00 each. (See attachment)
- c) FY14 & Fy15 – 3 year Capital Expenditure Plan:  
McCuiston stated there is nothing for this item except the cars which is already approved.
- d) Claims/Payroll:
  - Claims Register dated 10/31/14 (See attachment)
  - AFIX Technologies Inc invoice for \$7,200.00 (See attachment)
  - Payroll Register dated 10/31/14 (See attachment)
  - McCuiston stated there is a Unifirst claim transfer from Precinct No. 4 while the position is under the Wise County Sheriff's Department and is being paid out of Sheriff's budget. (See attachment)
- e) Utility Requests:
  - Atmos Energy for the 200 Block of Wild Horse Road in Precinct No. 2. (See attachment)
  - Atmos Energy for the 700 Block area of S. Old Reunion Road in Precinct No. 1. (See attachment)
- f) Interlocal Agreements:  
(Original Interlocal Agreements are filed in the Asset Control Office by Diana Alexander.)

Fully Executed:

- Parker County inmate housing (See attachment)
- City of Rhome fire protection (See attachment)
- City of Alvord fire protection (See attachment)
- City of Bridgeport fire protection (See attachment)
- Wise County Emergency Services District No. 1 fire protection (See attachment)
- City of Runaway Bay road repairs (See attachment)
- City of Rhome road repairs (See attachment)
- City of Lake Bridgeport road repairs (See attachment)
- City of Alvord road repairs (See attachment)
- City of Bridgeport road repairs (See attachment)
- City of Chico road repairs (See attachment)
- Bridgeport ISD road repairs (See attachment)

- City of New Fairview road repairs (See attachment)
- Lake Bridgeport VFD fire protection (See attachment)
- Slidell ISD road repairs (See attachment)
- City of Rhome animal control services (See attachment)
- City of Lake Bridgeport animal control services (See attachment)
- City of Alvord animal control services (See attachment)
- City of Chico animal control services (See attachment)
- Alvord Public Library public library services (See attachment)
- Bridgeport Public Library public library services (See attachment)
- Boonsville-Balsora VFD for fire protection (See attachment)
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g) Contracts:

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

Fully Executed:

- Advantage Software for 271<sup>st</sup> Judicial District Court Reporter Denise Hill (See attachment)
- Consulting Agreement with Prince Computing Corporation (See attachment)
- SAVNS maintenance grant contract with the Office of Attorney General for Victim Notification Service (See attachment)
- Paradise VFD first responder (See attachment)
- Voices Advocating for Children (See attachment)
- State Case Registry Office of the Attorney General (See attachment)
- NCTCOG Area Agency on Aging (See attachment)

For Approval:

- Denise Hill 271<sup>st</sup> Judicial District Court reporter for Advantage Software Security Key. (See attachment)
- Collin County Community College for Sheriff's Department training. (See attachment)
- AFIX
- POL for power surge

h) Correspondence:

- Linebarger, Goggan, Blair & Sampson LLP re: Activity Report and delinquent tax collections for January 1, 2014 to September 30, 2014. (See attachment)
- County Thanksgiving luncheon November 6, 2014.
- Sheriff David Walker re: two dog kennels for K-9 animals and dog houses. (No attachment)
- Sheriff David Walker re: Tx1033 Program block of houses possibly available.

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Motion made by White seconded by Lamance and unanimously adopted by the Court to approve all items listed under item 16 being the consent agenda item list.

17) Project Agreements for Road Repair:

Motion made by Burns seconded by White and unanimously adopted by the Court to approve the following project agreements for road repair requested by Burns:

Parking lot at Decatur ISD (Pct. 2); part of W. Kentucky Street in Chico (Pct. 2); and various roads in Lake Bridgeport (potholing and minor general repair).

McCuiston stated she will create Project Agreement numbers for these projects. (NO ATTACHMENTS)

18) Right-of-Way Improvements:

Motion made by Lamance seconded by Burns and unanimously adopted by the Court to approve the right-of-way improvement request from Jason Dauenhauer at 1797 CR 4790 in Precinct No. 3 to cut the bank and create a bar ditch with no fence removal or replacement. (No attachments)

19) Burn Ban: None

Fire Marshal Chuck Beard reported that he met with four companies regarding the radio system and advised that none of them want to help with the project but are willing to replace and/or add to equipment.

20) Committee Reports: None

Aaberg stated that he went to Washington D.C. regarding the non-attainment zone hearings. Aaberg stated results may be available after the first of the year.

21) Hughes announced the next holiday as Tuesday, November 11, 2014 being Veterans Day.

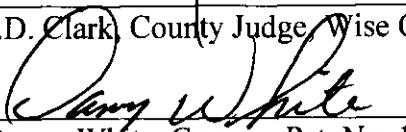
22) Hughes announced the next meetings as Monday, November 10, 2014; Wednesday, November 12, 2014; and Monday, December 12, 2014.

Burns requested that an item be placed on the November 10, 2014 agenda to send either the newly elected county judge and commissioner or commissioner elect to the appropriate schools as they become available before January 1, 2015.

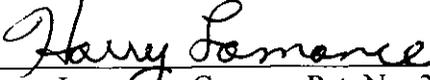
23) Motion made by White seconded by Potts and unanimously adopted by the Court to adjourn at 10:24 AM there being no further business.

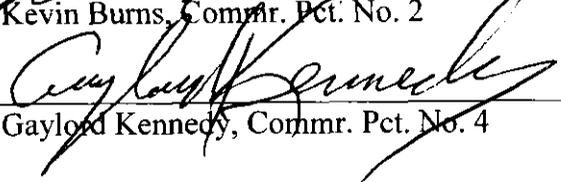
Minutes approved this 15 day of December, 2014, as printed.

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  
COMMISSIONERS' COURT  
  
Sherry Berman  
Wise County, Texas

Sherry Berman, 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