

NOVEMBER 16, 2015

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 16th day of November, A.D., 2015 at 10:01 A.M. came on to be had a Regular 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 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.

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:

Clark told the Court that Emergency Management Coordinator Chuck Beard's assistant Caryn Dunn no longer occupies the county office space at the Wise Area Relief Mission (WARM) building on Trinity Street and is now located with Beard. Clark stated that Voices Advocating for Children (VAC) will be occupying the space. Clark stated this will allow VAC to get out of a sizable lease payment.

County Treasurer Katherine Hudson reminded the court of the FMLA/ADA training led by Texas Association of Counties (TAC) at the Sheriff's Department training room on Tuesday, November 17, 2015 from 9:30 AM to 11:00 AM. Clark commented that this training extends to all county employees in supervisor roles.

Page Two, November 16, 2015 Mtg...

Hudson reminded the court of the Thanksgiving luncheon on Wednesday, November 18, 2015 at 11:30 AM at the Women's Building at the Wise County Fairgrounds.

County Engineer Chad Davis told the court that FEMA contacted him a week and a half ago regarding the bridge on CR 4668 (Pct 3) to see if the county could get preapproved for Pre-Flood Condition Repairs totaling approximately \$289,000.00 with approximately 75% reimbursable. Davis stated he submitted all documentation on Friday, November 13, 2015.

6) Commissioner Cooperation: none

7) Motion made by White seconded by Burns and unanimously adopted by the Court to approve the minutes of the meeting October 26, 2015. (No attachment provided)

8) Burks Land Surveying surveyor Quint Burks stated that the mortgage company pays the taxes on one of the lots and will pay sometime in December and the tax certificates do not show a zero balance due. Burks stated the last time this happened the court did not approve the final plat until all taxes were paid. Burks stated he is not sure if the taxes will be paid before the next meeting and last year taxes are paid but current year taxes aren't paid yet.

Motion made by Lamance seconded by Kennedy and unanimously adopted by the Court to table action regarding approval of the replat plat of Platinum One Addition Lots 1R, 2R1R and 2R2R pending receipt of tax certificates.

9) No action taken by the court regarding the Wise County Appraisal District Board of Directors Election nominations. Clark stated that votes are due by December 15, 2015 and the court will meet on December 14, 2015. (See attached ballot document)

10) Davis asked the court about implementing a policy for bridge abutment failure? Davis stated during the spring/summer floods there were bridges that weren't structurally damaged but the abutments underneath them were washed out. Davis stated TxDOT had a policy when he worked for that agency where TxDOT put in flow-able backfill two-sack concrete that solves the problem of settling behind bridge abutments. Davis requested this policy be implemented for future bridges so the county won't have this problem again. Davis stated there were several bridges where there was two inches of hot-mix holding up traffic and Davis said he doesn't want structural hot-mix. Davis also requested, if approved, the county can go to TxDOT and request they continue to use flowable back fill on bridges in the off-system bridge program. Davis stated this was part of TxDOT policy and hasn't been done in the last four or five years. Burns asked Davis if the county can require TxDOT to use flowable back fill on contracted off-system bridges? Davis and Burns discussed this. Davis stated this will save in flooding issues in the future like it has this year.

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to "use a two sack concrete flow-able mixture behind head-walls and bridge abutments to mitigate flooding and settling issues on county bridges."

11) Beard told the court this mitigation plan has been going on for two and a half years and that FEMA and state have finally requested a plan. Beard stated this will allow the county to get grant funding for natural disaster. Clark asked Beard to state the cities under the county's mitigation plan. Beard stated the following: Alvord, Bridgeport, Chico, Paradise and Runaway Bay. Clark stated this allowed those municipalities (under the county mitigation plan) to "jump in" on FEMA issues.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to adopt Resolution DR 1931-004 adopting the Wise County Hazard Mitigation Action Plan, as presented. (See attachment)

12) Motion made by Burns seconded by White and unanimously adopted by the Court to authorize Clark to nominate Wise County as the site of the 2016 NACo Rural Action Caucus Fall Symposium.

Clark stated if the county is chosen as a finalist then he will need a resolution supporting this. Clark stated if selected NACo handles all booking and the host county is responsible for coordinating a meal and Clark would be responsible for local interest site trips.

13) Motion made by Burns seconded by White and unanimously adopted by the Court to award the subsequent bid for Tax Suit# 9507 Alvord ISD, et al v. Nathan Wheatley, et al from Tommy Q. Burke for \$2,500.00. (See attachment)

14) Election Administrator Sabra Srader provided canvass reports for the November 3, 2015 Constitutional Amendment Election. Srader stated that everything went smoothly and briefly discussed polling location consolidation and proposed sending out post cards and in all future elections advising voters of their consolidated polling locations. Srader stated people still called about where to vote. Lamance asked the cost of this? Srader didn't have a dollar amount but estimated 36,000 registered voters. Srader presented an order canvassing the election.

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve the canvass of the November 3, 2015 Constitutional Amendment Election and adopt the order canvassing the election, as presented by Election Administrator Sabra Srader. (See attachments)

15) Donations:

Motion made by White seconded by Burns and unanimously adopted by the Court to accept the following donations with the court's thanks:

East Mound Cemetery Association \$300.00 and Alvord Cemetery Association \$500.00 for Fund 77. (No attachment)

16) Bids:

Page Four, November 16, 2015 Mtg...

Asset Control Officer Diana Alexander clarified discussion from the last court meeting when the court talked about Tyler for the CAD system. Alexander stated the actual cost is not coming from Tyler for the CAD system and will be Dell purchases through the state DIR contract cost for equipment and not the software portion of the purchases.

Alexander presented Bid No. 16-520-017 for the purchase of a roll off truck for Public Works. Public Works Director Tom Goode requested to go with Southwest International as the other vendors did not meet all bid specifications.

Clark confirmed this is a capital purchase.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 16-520-017 for the purchase of a roll off truck for Public Works to Southwest International for \$163,939.66, as presented. (See attachments)

Davis stated that CR 4511 in Precinct No. 1 has sustained quite a bit of oilfield traffic damage. Davis continued the road is on the CETRZ prioritized list of road repairs and estimates the cost of repair at ½ million dollars. Davis stated there is a process called full-depth reclamation (FDR) that goes in and grinds up a road adds an engineered emulsion that is pressed in with a roller. Davis stated a vehicle can drive on the road immediately behind the roller. Davis stated it would take three passes on the approximately 3 mile long road. Davis requested to advertise for bids for the FDR process on CR 4511 in Precinct No. 1.

White stated a stabilizer can be added for whatever the soil needs. Davis stated that if the cost goes over the budgeted amount in the CETRZ grant it would cut into the next project cost and that grant funds were extended to 2017 and may go away if not used by 2017. Burns stated the county didn't get another round of grant funds even though funds were requested. Davis stated if the county doesn't use the money it will be difficult to go back to the state requesting funds if current funds are expended. Clark and Davis confirmed the process can't be done within the county. White listed the cost of asphalt and other materials, labor, etc. if the county did the project itself.

Motion made by White seconded by Burns and unanimously adopted by the Court to authorize Asset Control Officer Diana Alexander to advertise for bids for full depth reclamation (FDR) process for CR 4511 located in Precinct No. 1. (No attachments)

Alexander stated the inmate pharmacy was cancelled at the last court. Alexander stated Hood County has a contract with Maxor Pharmacy and requested to utilize Maxor Pharmacy with an Interlocal Agreement with Hood County. (See attachment under Interlocal Agreements)

Motion made by White seconded by Kennedy and unanimously adopted by the Court to utilize the Maxor Pharmacy contract for inmate pharmacy via Interlocal Agreement with Hood County for the contract Hood County currently has in place.

Sheriff David Walker told the court a few things his department will use capital expenditures are the following:

- Request to purchase eight (8) handheld radios from Warner Radio for \$6,325.44.
- Quartermaster software program for Sheriff's Department for equipment and fleet management. Walker stated that the THOR in-house system has been up to now by Sgt. Blake Walls. Walker stated the Quartermaster cost is \$5,528.34.
- Advertise for bids for purchase or purchase via Buyboard for one or more two-wheel drive four-door pickups. Walker stated they are less costly to outfit for transport. Walker stated there are times when inmate property won't fit in the Chargers. Walker stated there is an option for a \$900.00 cover on the back of a vehicle and leave it unmarked. Walker didn't provide the current vehicle mileage.

White asked the kind of property a defendant will have? Lamance asked about county obligation for retrieving property? Walker discussed inmate property.

Clark asked Systems Administrator Steven Melton about the Quartermaster program? Melton stated the Quartermaster program will work fairly well. Melton stated this will help with the fuel pieces of the program and will save Walls several hours-worth of work. Melton stated THOR was an in-house program and is running out of space.

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve the following capital expenditure purchases, as presented:

- Eight hand-held radios from Warner Radio for the Wise County Sheriff's Department for \$6,325.44. (No attachment)
- Quartermaster program for the Sheriff's Department inventory for \$5,528.34. (No attachment)
- Authorize Asset Control Officer Diana Alexander to advertise for bids or purchase via Buyboard one or more two-wheel drive four door pickups for Sheriff's Department transport vehicles. (No attachment)

Burns requested to purchase a skidsteer loader on Buyboard and to purchase at (possibly) Ritchie Bros. Auctioneers Inc. a truck tractor and bobtail equipment trailer. Burns confirmed this will be purchased using capital expenditure funds.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize Burns to purchase a skid-steer via Buyboard for Precinct No. 2.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize Burns to purchase a truck tractor and bobtail via Ritchie Bros Auctioneers Inc. or at another auction for Precinct No. 2.

17) Consent Agenda Item:

a) Department Head Reports:

- County Clerk Monthly Activity Report October 2015 (See attachment)
- Ag Extension Monthly Activity Report October 2015 (See attachments)
- Treasurer's Report September 2015 (See attachment)
- Auditor's Report October 2015 (See attachment)

b) Budget Amendment(s):

- FY16-01 for various line item transfers; transfer precinct funds to Road and Bridge Reserves; transfer contingency to attorney fees and settlement for FY2016 budget. (See attachment)

c) FY14 & FY15 and FY15 & FY16 – 3 year capital expenditure plan: None

d) Claims/Payroll:

- Claims, Payroll and Walk to Court Registers (See attachments)
- Pronto Staffing for Election Workers (\$17,476.58)
- Remove PacTrack invoice from register; not ready at this time.

e) Utility Permits/Right of Way: None

f) Interlocal Agreements:

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

g) Contracts:

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

New

- ASI Security McAfee Endpoint Protection (See attachment)
- Memorandum of Understanding Indigent Healthcare Solutions and Wise County (See attachment)
- Cooperative Purchasing Agreement Wise and Hood Counties for inmate pharmacy (See attachment)
- AFIX Technologies Inc. Automated Fingerprint and Palm Print Technology (See attachment)

Renewals (See attached list only)

- Dustin Office Machines – Treasurer's Office Copier (Verbal not on list)
- TAC Interlocal Participation
- Dustin Office Machines - County Court at Law #2

Fully Executed

- Animal Control: Paradise, Alvord, Lake Bridgeport and New Fairview (See attachment)

Page Seven, November 16, 2015 Mtg...

- Fire: District #1, Crafton, Alvord, Runaway Bay, East Wise and Paradise (See attachment)
- Library: Newark (See attachment)
- Ritchie Bros Auctioneers December #2 (See attachment)
- Ad Valorem Tax Collection: Alvord, Water District #1 and Clearcreek (See attachments)
- Parker County Inmates (See attachment)
- Helen Farabee MHMR (See attachment)
- State of Texas 1033 Program (See attachment)
- City of Bridgeport FD First Responder (See attachment)

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve all items listed under agenda item 17, as presented.

18) Project Agreement for Road Repair:

Fully Executed:

- Agreement #4023 for City of Paradise (Pct. 4) (See attachment)
- Agreement #3017 for City of Boyd (Pct. 3) (See attachment)

19) Right of Way Improvements:

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to authorize Pct. 4. to enter onto private property of Sammy Kaker at CR 3422 and 3424 (Pct. 4) to remove fence and clean ditches with Kaker replacing the fence.

20) Burn Ban: None

Beard stated there have been eleven structure fires in the last few weeks.

21) Committee Reports: None

Court recessed at 9:42 AM for five minutes and reconvened into executive session at 9:47 AM for items 22 and 23 on the agenda.

Court reconvened at 10:21 AM no action was taken under executive session.

22) Executive Session with County Legal Counsel for private consultation allowed under GC 551.071; discussion and legal updates on pending litigation.

No action taken.

23) Executive Session to discuss candidates for the appointment of interim Wise County Sheriff under GC 551.074.

Page Eight, November 16, 2015 Mtg...

No action taken.

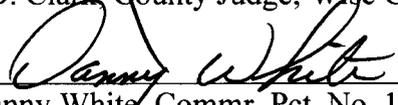
24) Clark announced the next meeting as Monday, December 14, 2015 and advised that he will get with Kennedy to schedule the next Commissioners Court mobile meeting in Precinct No. 4.

Clark adjourned the meeting at 10:23 AM there being no further business to be had.

Minutes approved this 14 day of DECEMBER, 2015, as printed.



J.D. Clark, County Judge, Wise County



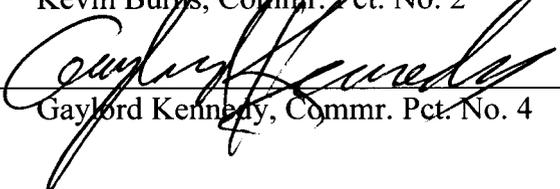
Danny White, Commr. Pct. No. 1



Kevin Burns, Commr. Pct. No. 2

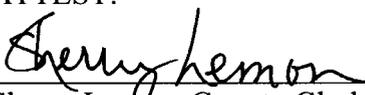


Harry Lamance, Commr. Pct. No. 3



Gaylord Kennedy, Commr. Pct. No. 4

ATTEST:



Sherry Lenton, 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