

DECEMBER 8, 2015

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 8th day of December, A.D., 2015 at 7:02 PM came on to be had a Special Meeting of the Commissioners' Court of Wise County, Texas held at the Bridgeport Community Center (1102 Lawdwin Ave) in the town of Bridgeport with the following members present and presiding:

J.D. Clark	County Judge
Danny White	Commissioner, Precinct No. 1
Kevin Burns (Absent)	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 7:02 PM. All court members were present except Burns. Clark stated Burns was on a flight back from Washington D.C.
- 2) Pledge of Allegiance:

Members of the Bridgeport 4-H Club led the meeting in the Pledge of Allegiance. Clark stated club members participated in a service project sorting 111 boxes of food for a food drive earlier this evening and will leave this meeting to attend their 4-H Christmas party.

Clark introduced elected officials, appointed officials and county employees present at the meeting. Clark also introduced Upper Trinity Groundwater Conservation District (UTCGD) General Manager Doug Shaw who is a Precinct 4 resident and a guest speaker tonight.

- 3) Moment of Silence
- 4) Community Forum: None
- 5) Correspondence: None
- 6) Clark stated that Burns is on his way back from Washington D.C. where he is very active in the leadership of the National Watershed Coalition. Clark stated the group works for the preservation and maintenance of the earthen dams in Wise County. Clark stated the county has

108 earthen dams and erosion control structures (water control structures). Clark stated the county would have had a lot larger problem during the 2015 rains without these earthen dams. Clark continued that the federal government has not allocated funding in a decade for new dam construction and it is very important to push for funding of preservation and maintenance on existing structures. Clark stated Burns is pushing for funding to continue the dam program.

Clark encouraged attendees to keep money local during this holiday season and at other times of the year as well as sales tax revenue is down county-wide. Clark spoke of the benefits to the local economy of keeping our money local.

7) Kennedy stated that at the beginning of the year his department was preparing for road repairs, signage and other maintenance when the storms and tornadoes hit Wise County on May 12, 2015. Kennedy stated that from May 12 to July 1 (thirty-two working days) his Precinct employees worked on disasters thirty-one of those days (27 road repairs, 22 debris removals and approximately \$142,000.00 in FEMA funds). Kennedy stated he had employees working 24 hours a day (after the tornadoes) to clear trees from roadways after the tornadoes.

Kennedy stated the bridges in Precinct No. 4 are in pretty good shape and are waiting for bridge repairs to be made.

Kennedy discussed damages and subsequent repairs from recent rains around the Thanksgiving holiday. Kennedy stated CR 3381 and Golaz Crossing were both closed because of rains. Kennedy stated Golaz Crossing was repaired three times since the spring rains and the third repair was with chip and seal which "held" during this last flood.

Kennedy discussed the washed-out culvert in the Saddle Ridge Addition from the spring/summer rains. Kennedy stated employees from other Precincts assisted in that repair.

Kennedy stated the spring/summer rains slowed down the precinct on paving this year. Kennedy cited Interlocal Agreements with Runaway Bay and Paradise and additional projects of culvert extensions, added signage on county roads including speed limit signs.

Kennedy opened his discussion to questions. Precinct No. 4 resident Whitney Bridwell asked Kennedy if there is a posted list of roads that easily flood. Kennedy stated there is not one printed at this time but the commissioners know which roads flood easily. Kennedy stated that when we experience heavy rains the precinct employees know where to go to barricade the roads.

Kennedy stated that he and Burns have installed lockable gates on Golaz Crossing on either side of the Trinity River (Precincts 2 and 4) to help prevent people from going to the river when the water is high. Kennedy cited three high-water rescues in the spring from the rains. Kennedy talked about missing signs and barricades from the spring rains. Kennedy stated he will provide a list of high-risk areas for Precinct No. 4 to be published on the county website.

Page Three, December 8, 2015 Mtg...

Clark stated the commissioners know the high-risk areas.

Bridwell asked about this list so she can plan an alternate route in storms. Kennedy stated there are known areas that flood but there were so many areas that flooded this year that would not normally flood because of the high volume of water.

Precinct No. 4 resident Jill Autrey commended Kennedy for the road safety and maintenance through the spring storms and asked if there are plans to permanently take care of some of these areas such as raising the roads, etc. Kennedy stated the county needs more dam structures. Kennedy stated that building up the roads will just dam up the water even more and possibly cause other problems.

Autrey asked if it is possible to see what each precinct plans to work on and post it to the website. Kennedy stated they can put it on the county website.

Precinct No. 4 resident William Burrough asked if the county is required to get a permit to build a dam across a "wash or gully" (creek or permanent waterway). Shaw told Kennedy the county would need to talk to TCEQ or the NRCS. Shaw stated TCEQ has jurisdiction on permanent waterways. Shaw recommended talking to TCEQ about any structure.

County Engineer Chad Davis stated "if the property is in a flood plain you cannot." Burrough asked if Salt Creek is in a flood plain. Kennedy confirmed it is.

Precinct No. 4 resident Jerry Cox commented that if you try to solve one problem by raising the roads you cause another problem for a property owner where the water is backing up.

Precinct No. 4 resident Bill Lewis commented about increase in run-off water. Kennedy commented that Decatur has received 66" of rain so far this year.

Davis commented that anything that affects the flood plain requires a flood plain permit. Davis stated the 2015 floods have exceeded the floods of 1957 and commented that Gainesville has received 78" of rain at this point. Davis asked that anyone needing to discuss anything regarding flood plains come see him as he is the Flood Plain Administrator for Wise County. Davis stated that FEMA has been through Precinct No. 4 and are closer to try to get the county reimbursement for Precinct No. 4 and stated paperwork and reimbursement is ongoing.

8) Shaw told attendees the UTGCD was approved legislatively in 2006/2007. Clark stated the voters of Wise County chose to form a district of similarly sized counties.

Shaw stated TCEQ created Priority Groundwater Management Areas (PGMA) which are areas of decline where the counties are told they have to create a groundwater management district or join an existing district. Shaw stated there was some concern among smaller counties of being lumped in with larger counties (Tarrant, Denton and others east). Shaw stated that leadership

from Wise, Hood, Parker, Montague counties discussed forming a groundwater district for those counties.

Shaw stated the mission of the UTGCD is to protect, preserve and conserve the groundwater in the district. Shaw stated the district has all power granted under Texas Water Code Chapter 36. Shaw stated that surface water in Texas is owned by the state but groundwater is a private property right. Shaw stated that in the 1940's and 1950's there were tremendous water level declines in the Texas panhandle due to agriculture irrigation use. Because of that decline legislators decided local control is the best way to protect private property rights. Shaw stated that each county in the UTGCD has two board members appointed by the Commissioners court. Shaw stated that all members have to live under the same rules they create for the UTGCD.

Shaw stated the UTGCD is not here to meter domestic wells and discussed domestic well exemptions. Shaw stated the district will be moving to more permanent rules in the next 18-24 months. Shaw stated the well spacing requirements. Shaw stated when a well pump turns on and pulls water it creates a cone of depression around the well. Shaw stated spacing is required for water pressure and "pull" purposes. Shaw discussed current water well construction issues in new subdivisions. Shaw stated there is a path for a resident who doesn't meet the spacing requirements.

Shaw outlined the Trinity Aquifer and stated Wise County is in the outcrop being where the aquifer comes up to the surface. Shaw briefly discussed the geology of Wise County and the area. Shaw told those in attendance about the mobile public education trailer that the UTGCD takes to local schools to educate children about groundwater and conservation. Shaw stressed the importance of conservation education to children in order to make a change in the future.

Shaw presented information about monitoring water wells for oil and gas uses (non-exempt wells) and discussed that briefly.

Elections Administrator Sabra Srader asked Shaw if there were elected officers on the UTGCD Board of Directors. Shaw stated that two Board of Directors members are appointed by each of the four Commissioner courts for a staggered two year term.

County Clerk Deputy John Curry asked Shaw if the information regarding spacing requirements is on the UTGCD website. Shaw confirmed it is.

Clark asked about private well water testing. Shaw stated the UTGCD can test (in-house) for bacteria only and tests for coliform and E. coli bacteria at no cost to the property owner. Shaw stated he would like to set up a water quality testing program in the future.

Burrough asked Shaw about salt concentrations in water wells in Wise County as opposed to other areas. Shaw explained the Paleozoic formation under Bridgeport (older than Trinity Aquifer) is much more salty. Shaw stated the Trinity Aquifer is usually more fresh water and

Page Five, December 8, 2015 Mtg...

that the Paleozoic formation slides up under the western part of the Trinity Aquifer so a well can penetrate both aquifers.

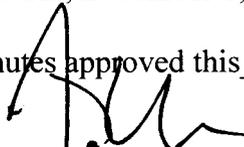
Lewis asked Shaw about licensing for water well drillers. Shaw stated the Texas Department of Licensing and Regulation issues licenses for water well drillers and told Lewis that well spacing and application process falls under the jurisdiction of the UTGCD.

Shaw asked if there were other questions.

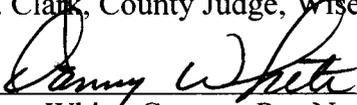
- 9) Clark announced the next meeting as Monday, December 14, 2015.
- 10) Clark adjourned the meeting at 8:00 PM there being no further discussion to be had.

Page Six, December 8, 2015 Mtg...

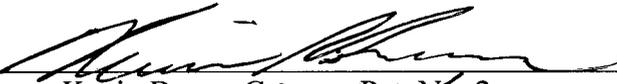
Minutes approved this 14 day of DECEMBER, 2015, as printed.



J.D. Clark, County Judge, Wise County



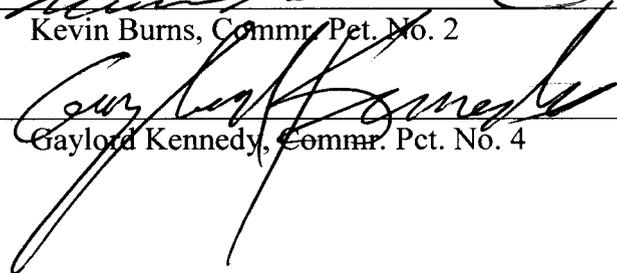
Danny White, Commr. Pct. No. 1



Kevin Burns, Commr. Pct. No. 2

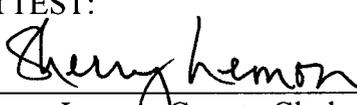


Harry Lamance, Commr. Pct. No. 3



Gaylord Kennedy, Commr. Pct. No. 4

ATTEST:



Sherry 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.

Adendum:

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 Jeffrey, P.C. (in relation to Wise County facilities Master Study Plan)

WCWC – Weatherford College Wise County campus