

DECEMBER 17, 2015

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 17th day of December, A.D., 2015 at 3:30 P.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 3:30 PM. All court members were present.
- 2) Pledge of Allegiance
- 3) Moment of Silence
- 4) Clark presented information to the court regarding the Wise County Appraisal District (WCAD) Board of Directors Election. Clark stated Alan White has removed his name from running for the position. Clark stated that both Gerre Joiner and Ray Cook have received enough votes from other entities to be elected. Clark stated that five residents serve on the board with the County Tax Assessor/Collector serves as the sixth member.

Clark stated the county has 1,045 votes that can be divided any way the court wishes. Clark stated the votes divided five ways would be 209 votes per nominee; four ways would be 261 votes per nominee and three ways would be 348 votes per nominee. Clark confirmed Wise County's ballot is due today. The court discussed nominees and representation from all commissioner precincts. The court confirmed Bridgeport and Decatur are already represented with Joiner and Cook.

Motion made by Kennedy seconded by Lamance and unanimously adopted by the Court to divide the county's vote three ways being 348 votes each between Kyle Erwin (Boyd, TX); Audie Morris (Chico, TX); and Bill Lewis (Paradise, TX). (See attachment)

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5) Clark presented for court record his approval (as County Judge) of the Western Surety Company Official Bond and Oath (No. 71025208) for James Harrell Lamance, Wise County Commissioner, Precinct No. 3. (Original Bond filed in Official Bond and Oath Records by the Wise County Clerk.)

6) No action taken regarding approval of the Final Plat of Taylor Estates, Lots 1, 2, and 3 in Precinct No. 4 until the next meeting. (No attachment)

7) Motion made by White seconded by Burns and unanimously adopted by the Court to enter into Executive Session to discuss candidates for the appointment of interim Wise County Sheriff under Texas Government Code Section 551.074 at 3:36 PM.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to end Executive Session, as stated above, at 3:47 PM and re-enter the regular meeting.

8) Clark stated the position of Sheriff needs to be addressed as Sheriff David Walker submitted a letter of retirement with Walker's last official day being December 31, 2015. Clark stated the court opted to wait until the election filing period deadline to determine if there will be an uncontested race, a primary and/or general election. Clark stated there is a primary race for Sheriff (two candidates) with no candidate for contest at the general election in November 2016. Clark stated the elected position of Sheriff will be determined at the March 2016 primary election.

Clark continued that it is best to fill the position from January 1, 2016 until the determination of the March 2016 primary. Clark stated that some may ask about leaving a vacancy of office until the primary and clarified for the public that there is not truly a vacancy until a successor is appointed/elected and Walker would be a hold-over for the office, be liable and would be required to be paid for the position.

Clark stated a true vacancy is when an elected official dies in-office. Clark stated the court requested Walker's recommendations for appointment of successor to the office of Sheriff. Clark stated that Walker recommended Wise County resident J.W. Johnson and asked Walker to discuss his recommendation.

Walker told the court that he has known Johnson for many years; Johnson has excellent credentials (Dallas PD, Denton County Sheriff's Department); his family is law enforcement and understands the goals and structure of the Sheriff's Department and would provide a seamless transition. Walker stated that Johnson has no interest in running for Sheriff. Walker discussed the role of the sheriff as it relates to the Commissioners Court. Walker stated that Sheriff's Department Chief Deputy Kevin Benton and Johnson will both attend court and work with Commissioners.

Benton stated that Johnson's reputation in law enforcement circles is impeccable and, personally, is a great option for the position. Walker stated that Benton, Enforcement Captain Wes Wallace and Jail Administrator Rick Denney all discussed this with Walker and are before the court today to show support for Johnson.

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Clark asked Johnson to discuss his experience with the court?

Johnson stated he started in law enforcement with Dallas Police Department in 1962 on patrol; transferring to motorcycle enforcement; narcotics (3.5 years) and the homicide (12.5 years). Johnson stated he retired from Dallas PD and worked for Denton County District Attorney's office as Chief Felony Investigator for nine years and then transferred to the Denton County Sheriff's Department and worked in that department for 12 years before retiring.

White commented, "You're more qualified than David!"

Clark asked Johnson to discuss his position with Denton County as "manager of operations" at the Sheriff's Department. Johnson stated that he was over everything in the field except the jail. Clark asked Johnson what made him willing to have his name recommended as interim sheriff?

Johnson stated he has known Walker for a long time and has been a resident of Wise County since 1996. Johnson continued that he wants to help when/where he can. Johnson stated he is not looking for a full-time police job and wants to help keep the Sheriff's Department running smooth until the primary.

Clark asked Johnson if it is his intention to serve as Interim Sheriff through the primary election determines the outcome of the elected position?

Clark asked the court if any commissioners have questions for Johnson? White stated he doesn't have any questions for Johnson and there have been others who have expressed willingness to help out. White recognized Johnson's experience and qualifications. Clark discussed the method and questions that led to the recommendation of Johnson.

Burns, Lamance and Kennedy expressed thanks to Johnson for his willingness to serve. Clark briefly discussed the voluntary nature of community service.

Motion made by White seconded by Kennedy and unanimously adopted by the Court to appoint J.W. Johnson as Interim Sheriff effective January 1, 2016 to fill Sheriff David Walker's unexpired term.

Kennedy asked about when the court will swear Johnson in as Interim Sheriff? Commissioners Court Attorney Thomas Aaberg and Clark discussed approval of bond and swearing in of Johnson at a Special Called Meeting of the Commissioners Court on Monday, January 4, 2016.

Court members thanked Walker for his service to the county.

Court adjourned at 4:01 PM, there being no further business to be had.

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Minutes approved this 25 day of January, 2016, 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