

APRIL 13, 2020

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 13th day of April, A.D., 2020 at 9:00 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 Court 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) County Correspondence: None
- 6) Precinct Cooperation/Coordination: None
- 7) Plats:

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve the following plat submittals, as presented, contingent on the changes being made that are listed below. The plats were all reviewed by Wise County Development Services and no letter was provided.

- Preliminary Plat of 4-S Addition, Lots 1-5, Block 1 located in Precinct No. 2, as presented, granting a variance on the drainage study. (No attachment)

- Final Plat of Salios Addition, Lots 1-2, Block 1, located in Precinct No. 2, as presented, granting a variance on the drainage study. (No attachment)
- Final Plat of L.W. Estates, Lots 1-2, Block 1, located in Precinct No. 2, as presented, granting variances on both drainage study and road frontage. (No attachment)
- Preliminary Plat of Hamilton Addition, Lot 1 and Lot 2, Block 1 **contingent to changing the language on the plat from Preliminary to Final Plat**, located in Precinct No. 2, granting a variance on a drainage study. (No attachment)
- Final Plat Holder Subdivision, Lots 1 and 2, Block 1, **contingent to changing the language on the plat from Minor Plat to Final Plat**, located in Precinct No. 3, granting a variance on a drainage study. (No attachment)

8) Clark stated that the State of Texas is currently under Governor Abbott's declarations executive order GA-14 through April 30, 2020. Clark stated this item will continue to be on regular agenda. Clark stated that Abbott anticipates releasing new guidelines this week regarding business operation. Clark expects this to be eased into by local communities.

Clark told the court about confusion on social media about the state's disaster declaration. Clark clarified that the disaster declaration extended into May is separate from executive orders as the declaration allows counties to access resources. Clark stated this is different from the executive order that creates business restrictions.

County Attorney James Stainton discussed that the State has shut down inmate deliveries from county jails. Stainton discussed how Wise County is conducting business during the pandemic. Clark and Stainton discussed problems in some state jail units in Abilene.

No action taken by the court.

9) Clark stated that counties can begin to apply for TxDOT grant program funding from April 27 to May 27, 2020. Clark stated \$250,000,000.00 in grant funds are appropriated for all counties to access. Clark told the court Wise County is eligible for \$840,637.00 and doesn't have to establish a CETRZ for grant eligibility.

Clark and the court discussed administration of the grant if the court wishes to apply for the grant. Clark provided information from Allison, Bass & Magee LLP offering to administer the grant for Wise County. Clark stated the administration fee for Allison, Bass & Magee, LLP is 5% of grant allocation or \$20,000.00 whichever is less. Clark stated an updated road report will be required for grant application. Clark told the court the county man-power hours will count toward the grant match.

County Engineer Chad Davis asked for clarification about Allison, Bass & Magee's involvement in administration? Clark confirmed last time the firm assisted in creation of the CETRZ. Davis expressed desire to keep the grant funds and paperwork within the county. Commissioners Court

Page Three, April 13, 2020 Mtg...

Attorney Thomas Aaberg stated that last time Davis administered the grant for the county. The court agreed to keep the grant in-house.

Davis and the court discussed needing a list of roads and work to be done with grant funds. Burns discussed adding information in the county road report regarding oil-field damage. Davis encouraged the commissioners to list more roads than the amount of the grant because not all counties will apply for the grant funds. Davis stated Wise County may be able to access additional funds as they did in the past.

Motion made by White seconded by Burns and unanimously adopted by the Court to direct staff to begin the application process for the Texas Department of Transportation County Road Repair Grant Program. (See attachments)

10) Donations:

Motion made by Burns seconded by White and unanimously adopted by the Court to accept the donation of a television from James Holland to the Wise County Sheriff's Office with the court's thanks. (No attachment)

11) Bids:

Motion made by White seconded by Burns and unanimously adopted by the Court to approve the price change for Bid No. 20-BID-010 for the sale of scrap metal that was previously awarded to Bridgeport Iron and Metal from \$129.00/ton delivered to \$50.00/ton delivered; and, \$120.00/ton picked up to \$40.00/ton picked up.

Motion made by Lamance seconded by Kennedy and unanimously adopted by the Court to approve the purchase for Precinct No. 3 of a used John Deere excavator from RDO Equipment via Sourcewell cooperative for \$77,631.08 with \$32,000.00 being transferred from Road and Bridge Reserves to Precinct No. 3 Capital Expenditure to cover this purchase along with \$45,500.00 from Precinct No. 3 Capital Expenditure funds. (No attachment)

Asset Control Officer Diana Allen asked the court if the court needs to advertise for bulk metal for bridge construction or if the county is okay? Burns told Allen he will get her a list of supplies. Burns confirmed the county cannot purchase rebar or decking material ahead of time because the length of those materials depends on the length of the bridge.

Aaberg discussed the need to add that the cost of those items will be part of the cost to the builder. White told Aaberg the county cannot ask the builder to furnish materials for our bridges. Aaberg said it will be invoiced by the builder as part of the bridge building process. Aaberg stated that is what happened on the last bridge construction. White commented his builder had to pay \$7,000.00 for rebar that will hopefully be paid today to cover the builder's cost.

Aaberg commented the county can't bid it and if it separated out it will be in violation of the bidding process. Burns and Aaberg discussed this further. White commented the bidder bids based on bridges by the square foot. Burns commented this is the county's shortcoming not the bidder's. The court discussed this further. Burns commented the bid is 100% or labor only and the vendor bid it both ways. Burns commented the county might be able to get sources to bid the items but every bridge is different. Kennedy discussed ordering rebar to be cut by a supplier and the county picked it up. Burns commented the county could do four or five bridges and not meet the \$50,000.00 bid minimum. Aaberg stated that the purchase/use of rebar and decking is part of the bridge building process and not something the county is trying to get around the bidding process. Clark compared this issue to working with Komatsu on the building project.

Burns, White and Aaberg discussed this further. Aaberg and Clark clarified this matter for court record. Clark stated the county is not trying to get around bid laws. Clark stated there are pieces of the bridge project that are unknown at the time of bidding. Aaberg stated that the builder will have to let the county know in advance the size of the bridge so the county can order those items from another vendor and be directly invoiced.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to advertise for bids for the purchase of bulk metal for bridge building and construction with Burns providing a list to Allen of these items. (No attachment)

Motion made by Burns seconded by White and unanimously adopted by the Court to advertise for bid for the purchase of a 5,000 gallon tank for emulsion storage with heater and agitator. Allen will get with Burns on details of the tank. (No attachment)

White asked Allen for an update on the recent truck purchase via bid? Allen stated the trucks have an ETA of the end of April and if not here she will follow-up with the vendor.

12) Consent Agenda Item:

- a) Minutes: March 23, 2020; March 31, 2020 and April 6, 2020, as presented. (No attachments)
- b) Department Head Reports:
 - Auditor's Report March 2020 (See attachment)
 - Resolution in Support of Texas Historical Commission Historic Courthouse Preservation Grant (See attachment)
 - Treasurer's Report February 2020 (See attachment)
 - Asset Control Report for January through March 2020 (See attachment)
 - County Clerk monthly activity report for March 2020 (See attachment)
- c) Budget Amendments: FY20-09 and FY20-10; moving 90 days-worth of funds from Cities Readiness Initiative personnel fund to General Fund for temporary part-time

administrative work for Emergency Management Services to assist Cody Powell and Emergency Medical Services (EMS) director Randall Preuninger. (No attachments)

d) Claims/Payroll: Registers provided to court via Dropbox. (See attachments)

e) Utility Requests: None

f) Interlocal Agreements/Contracts:

(Original Interlocal Agreements and Contracts are filed in the Asset Control Office by Diana Allen.)

- Verbal from Allen stating that Emergency Medical Services (EMS) was able to get Certificates of Insurance from Texas Association of Counties to satisfy the state requirement.
- Verbal from Allen stating that the previously approved Emergency Management software contract pending Aaberg's review is being replaced by a DIR contract for the Smartsheet Emergency Management software platform.
- Renewals (Correctional Dental) (See attachment list only)
- Fully Executed: ENA Services; Texas, State of DSHS CRI Amendment 4; 20-BID-003 Bulk Fuel US Oil Acquisition; Correction Solutions First Amendment. (See attachments and list)
- Southern Tire Mart (Ultimate Purchaser Exemption Certificate.)

Motion made by White seconded by Kennedy and unanimously adopted by the Court to approve all items listed under item 12, as presented, with verbal amendments made. (See attachments)

13) Project Agreements for Road Repair: None

14) Right-of-Way Improvements: None

15) Burn Ban: None

16) Committee Reports: None

17) Clark announced the next meeting as being Monday, April 27, 2020.

18) Clark adjourned the meeting at 9:53 AM, there being no further business to be had by the court.

Minutes approved this 28th day of April, 2020, as printed.



J.D. Clark, County Judge, Wise County



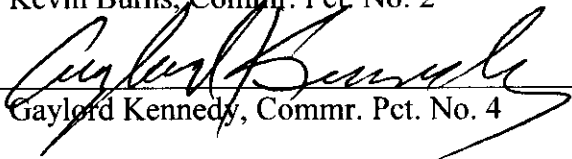
Danny White, Commr. Pct. No. 1



Kevin Burns, Commr. Pct. No. 2

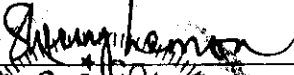


Harry Lamarce, Commr. Pct. No. 3

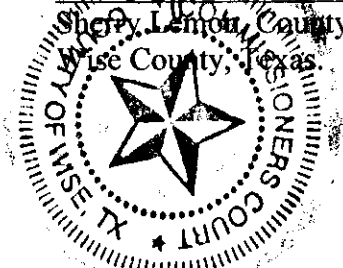


Gaylord Kennedy, Commr. Pct. No. 4

ATTEST:



Sherry Lenton, County Clerk and Ex-Officio Clerk of Commissioners' Court,
Wise County, Texas



The Wise County Commissioners' Court adopted revised *Rules of Procedures, Conduct & Decorum at Meetings of Wise County Commissioners' Court* on March 25, 2019.