

APRIL 22, 2019

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 22nd day of April, A.D., 2019 at 9:00 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 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) Correspondence:

Burns submitted for court record photographs of flooding at CR 2175 in Precinct No. 2 to justify possible future expenditures related to watershed programs. (See attachment)

- 6) Precinct Cooperation/Coordination:

Burns requested assistance when he begins work on the Chico ISD football parking lot in the near future.

- 7) Motion made by White seconded by Burns and unanimously adopted by the Court to approve the Final Plat/Maintenance Period Acceptance of Hillcrest Meadows, Phase 3, located in Precinct No. 1, as presented, including a letter of general conformance from Kimley-Horn and

Associates, Inc. with the subdivision entering into the 2 year maintenance period. (See attachment)

8) Motion made by White seconded by Burns and unanimously adopted by the Court to approve the Final Plat of James Ranch, Lots 1-2, Block 1, located in Precinct No. 1, as presented, granting a variance on the drainage study and including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

9) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the Final Plat Review of Partin Addition (on CR 1560) located in Precinct No. 2, as presented, including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

10) Baird, Hampton & Brown professional engineer Tyler Scott told the court that at the previous meeting an incorrect set of construction plans for Rolling Meadows subdivision were presented for approval/signature. Scott advised that the plat is here but the roads have not been constructed in the subdivision yet and the unsigned plans were removed. Clark told Scott that unsigned plans were presented at a previous meeting; were taken even after the county told the party that the plans weren't signed; and, then some construction began on the development. Clark cautioned Scott regarding plats in the future.

Motion made by Lamance seconded by Burns and unanimously adopted by the Court to approve the **construction plans only** for Rolling Meadows, Lots 1-29, and Lot 1X, Block 1, located in Precinct No. 3, as presented, including a letter from Kimley-Horn and Associates, Inc. (See attachment)

11) Motion made by Lamance seconded by Kennedy and unanimously adopted by the Court to approve the Final Plat of Classic Manor Subdivision, Lots 1 and 2, Block 1, located in Precinct No. 3, as presented, granting variances on both road frontage and drainage plans, and including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

12) The court discussed the previously adopted rule that allows a developer to install a chip/seal road during the maintenance period with a hot mix road installed for inspection by the county before the maintenance period ends and the county releases the bond.

Motion made by Kennedy seconded by Lamance and unanimously adopted by the Court to approve the Final Plat/Maintenance Period Acceptance of Oakwood Hills Estates, Lots 1-13, Block 1, located in Precinct No. 4, as presented.

13) Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve the re-appoint Don Majka to an additional four year term beginning June 1, 2019 to the Upper Trinity Groundwater Conservation District (UTGCD) board of directors.

14) Clark addressed the court about Emergency Medical Services (EMS) Director Charles Dillard's upcoming retirement. Clark reminded the court the committee appointed to interview and recommend for the Emergency Medical Services (EMS) Director position is: Clark, Burns, Fire Marshal Jeff Doughty, and, Emergency Management Coordinator, Cody Powell.

Clark, on behalf of the committee, recommended current Emergency Medical Services (EMS) shift supervisor Randall Preuninger be appointed to the position. Clark presented letters of recommendation from Dillard, other Emergency Medical Services (EMS) employees, Wise County Emergency Medical Services (EMS) Medical Director Dr. Roger Leaton and others. (See attachments)

Clark also presented Preuninger's resume for court record. (See attachment) Clark asked Preuninger to tell the court about himself? Preuninger told the court that he has been with Wise County Emergency Medical Services (EMS) for 10 years fulltime and 2 years part-time. Preuninger told the court that he was promoted in 2012 to supervisor; has an Associate's degree in fire administration and has seventeen (17) years fire-fighting experience. Clark confirmed that Preuninger is a licensed peace officer and certified fire-fighter.

Clark asked Dillard to further discuss his recommendation of Preuninger to the position? Dillard told the court that Preuninger makes good decisions and handles day-to-day operations well. Dillard told the court that he keeps the supervisors close so they know what Dillard does administratively.

Doughty told the court can't ask for a better person than Preuninger and discussed working with him both on the EMS side as well as volunteer fire department side. Doughty discussed Preuninger's experience and rapport with Emergency Medical Services (EMS) and the VFDs.

Clark commented that Wise County has a great EMS department and doesn't need a culture change. Clark told the court that he and Preuninger had a good conversation about the future of Wise County EMS and the growth trends in Wise County. Clark asked Sheriff Lane Akin to comment? Akin commented that all of his input is positive about Preuninger.

White asked Preuninger if he lives in Wise County? Preuninger told the court that he currently lives in Bowie; he sold his home a few months ago and is waiting to see the outcome of this position. Preuninger said that he would be willing to live in Wise County.

White asked Clark if there are any other applicants? Clark stated the position has not been advertised yet. Clark told White that when the committee first met both Powell and Doughty recommended looking in-house first. Clark explained that EMS staff felt the same way. White commented that he is always in favor of advancing from within. Clark discussed that this item may be discussed under the Executive Session line item if more personal discussion needs to be had.

Clark requested feedback/guidance from the court. Clark confirmed the committee is comfortable with recommending Preuninger.

17) Donations: none

18) Bids:

Motion made by White seconded by Burns and unanimously adopted by the Court to approve the disposal of two mower decks as scrap metal and a radio that was accidentally sold with a truck.

Asset Control Officer Diana Allen stated for court record that Animal Control is swapping out copiers under Kyocera state contract and is cancelling the current contract. (under item 19g)

Motion made by Kennedy seconded by Lamance and unanimously adopted by the Court to approve the purchase of a Bomag MB120SL5 double steel finishing roller for \$37,372.00 from RB Everett via Sourcewell cooperative purchase to be purchased using current Precinct No. 4 capital expenditure funds. (No attachment) Kennedy noted this if available for use by all precincts.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve pending capital expenditure purchases via bid, state contract or cooperative purchase to speed up the process before the new series begins pending County Auditor Ann McCuiston's verification of capital expenditure fund availability.

Allen noted that anything purchased under the current capital expenditure plan must be invoiced and received by May 31, 2019.

Allen noted for court record that iOffice (Decatur, TX) is now a Buyboard cooperative purchase member which will provide better pricing. Allen stated that iOffice will be reaching out to county departments regarding office supply purchases.

Kennedy commented that he and Burns are both looking for one-ton dually trucks. Allen commented this will be purchased with current capital expenditure funds.

19) Consent Agenda Item:

a) Minutes

- March 26, 2019 – Special Meeting
- April 8, 2019 – Regular Meeting

b) Department Head Reports:

- Resolution in Opposition to Removing County Fireworks Regulation Authority (See attachment) Doughty briefly addressed this resolution and concerns

- regarding removal of county approval authority. Doughty told the court that HB 2063 includes additional holidays/dates for firework use.
- c) Budget Amendments:
- FY19-07 for various line item transfers (No attachment)
- d) Capital Expenditures:
- May 1, 2019 new capital expenditure funds will be available.
- e) Claims/Payroll:
- Walk to court, claims, and payroll registers (No attachments)
- f) Utility Requests: None
- g) Contracts/Interlocal Agreements:
- Verbal from Akin re: Equitable Sharing oversight program when working with the Drug Enforcement Agency; US Department of Justice and the US Department of Treasury. Akin briefly explained it as an oversight program that the county agrees to abide by all rules and regulations when the county submits procedure (i.e., a traffic stop where someone has funds directly related to drug trafficking). Akin explained there is an agreement about the amount that would go to the county. Akin stated the least amount the federal government program receives is 20%. Akin stated the county currently has pending funds but has not been a member of the Equitable Sharing Program since 2012. Akin stated the agreement mandates the governing body has oversight over the way the department spends the money. Clark asked if there are designated areas where the funds can be expended? Akin stated the funds can be used for law enforcement investigations, training, etc.
 - Verbal from Clark: remove the Interlocal Agreement for parking agreement as it is not ready for action.
 - NCTCOG NCT 911 Interlocal Agreement (No Attachment)
 - Cancellations list: Dustin Copier for Animal Control (See attachment)
 - Kologik LLC for Wise County IT department for the COPsync 911 software support. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve all items listed under item 19, as presented, including any changes noted.

20) 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:

- #3023 City of Newark in Pct. 3 (No attachment)

- #3024 City of Boyd in Pct. 3 (No attachment)
- City of Paradise for Old Town Road from the water tower to the county road in Pct. 4. (No attachment; no number assigned)

21) Right-of-Way Improvements:

Motion made by Burns seconded by White and unanimously adopted by the Court to approve the right-of-way improvement request for Larry Short to install a railroad car culvert in Precinct No. 2. (No attachment)

22) Burn Ban: None

23) Committee Reports:

Burns commented there is a subdivision on FM 1810 in Precinct No. 2 where the owner is installing five additional RV/mobile homes. Public Works Director Joey Highfill said the subdivision name is Wildwood. Burns stated there are homes in the subdivision that predate the current Development Rules and Regulations (DRR); the development is upgrading their water system to get on public water supply and requested to put five additional RV/mobile homes on the property and to loop the road.

Burns said that a previous Public Works director approved the changes to get the development into compliance and it doesn't meet Wise County DRR. Burns stated the owner is utilizing a local firm to upgrade the water system and road to make it an all-weather road. Burns said because they were previously approved the court should grant a variance.

Clark asked if it was formal approval? Burns told Clark that it was verbal approval and explained. Burns stated if it is an additional five lots that aren't for sale but for rent. Clark confirmed there are mobile homes on the property. Burns stated it would require a lot of money to bring the whole property up to county standard as it was created before the rules took effect. Burns discussed requirement of updating the road in question when the other roadway is gravel.

Clark confirmed that County Attorney James Stainton met with the owner of Wildwood. Burns said that Stainton said this is a court issue not an attorney issue.

Burns recommended bringing the road up to a good ingress/egress and improve the water system.

The court discussed not allowing any further expansion in this development. Highfill briefly discussed his involvement in this situation. Clark stated mobile home rental required a county road previously. Burns commented the county required an all-weather road for ingress/egress and explained how the previous Public Works director interpreted that development statement.

Clark expressed concerns about development owners approaching the county about verbal agreements. Clark commented that at some point the county is going to have to say "These are

the rules.” and that items must be as variances through Commissioners Court. Clark and Burns discussed setting precedence. Clark stated that the only thing the county should honor is a variance approved by Commissioners Court.

Clark told the court that, in the future, Highfill should ask the person seeking action from him as to whether the court took action or not. Highfill explained his current stance of “Here’s what the DRR says...”.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize an all-weather road in Wildwood subdivision (FM 1810 in Pct. 2) and allow the development owner to bring the water system up to county standards. (No attachment)

Back to agenda item 15: Executive Session for private consultation allowed under Texas Government Code 551.074: discussion of personnel matters.

Motion made by White seconded by Kennedy and unanimously adopted by the Court to enter into Executive Session for private consultation allowed under Texas Government Code 551.074: Discussion of personnel matters at 10:01 AM.

16) Court reconvened into regular session at 10:32 AM.

Motion made by White seconded by Burns and unanimously adopted by the Court to hire Randall Preuninger as the new full-time Wise County Emergency Medical Services (EMS) Director effective May 1, 2019 at the salary of \$67,000.00 plus an \$11,000.00 vehicle allowance with Preuninger commuting from home to work in his personal vehicle.

Clark expressed his appreciation of the current Emergency Medical Services (EMS) employees and their letters of recommendation.

24) Court adjourned at 10:36 AM there being no further business to be had by the court.

Minutes approved this 13th day of May, 2019, as printed.

J.D. Clark
J.D. Clark, County Judge, Wise County

Danny White
Danny White, Commr. Pct. No. 1

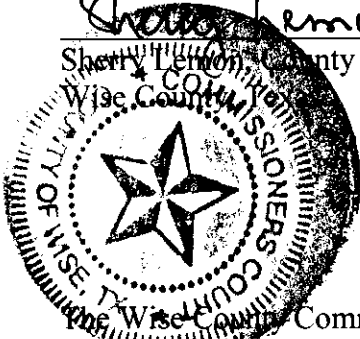
Kevin Burns
Kevin Burns, Commr. Pct. No. 2

Harry Larnace
Harry Larnace, Commr. Pct. No. 3

Gaylord Kennedy
Gaylord Kennedy, Commr. Pct. No. 4

ATTEST:

Sherry Lemon
Sherry Lemon, County Clerk and Ex-Officio Clerk of Commissioners' Court,



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