

MAY 13, 2019

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 13th day of May, A.D., 2019 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:

Precinct No. 2 resident Tim Meyer (831 FM 1810) addressed the court about storm water runoff onto his property from an adjoining development and the problems it has created on his property. Public Works Director Joey Highfill told the court the property is in the City of Decatur ETJ; that he spoke with the developer and the city will set the rules/regulations on their development process. County Engineer Chad Davis told the court that part of the septic system is over the edge of the floodplain. Both Davis and Highfill told the court they are watching this development issue. Burns asked if the .1 foot applies to the property that has a development plan? Davis told Burns that the 0.0 is required in the flood plain permit. Meyer told the court that he discussed the flood plain with Davis and as of today part of the grading is in the floodplain.

- 5) Correspondence:

Clark stated he received correspondence from Wise Hope Crisis Center thanking the court for jury funds received.

6) Precinct Coordination/Cooperation:

Burns told the court that he will need help on a couple of roads with the asphalt machine. White told the court that he has one road ready to asphalt soon.

7) Motion made by White seconded by Kennedy and unanimously adopted by the Court to grant a variance on a setback line from thirty-five feet to 33/12 feet from the setback for Prairie View Estates, Block 1, Lot 11 located in Precinct No. 1. (No attachment)

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

9) The court tabled action regarding approval of a replat of Nickell School Oaks, Lots 8R1 and 8R2, Block 2, located in Precinct No. 2 as no plat was presented for approval. (No attachment)

10) Motion made by Lamance seconded by Burns and unanimously adopted by the Court to approve the final plat for Winter Oaks, Lots 1&2, located in Precinct No. 3 as presented, including granting variances on a drainage study and lot frontage, and including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

Skip to agenda item 12: Tax Bid Sale, Lot 82, Block 1, Runaway Bay, Unit 6, Wise County, Texas. Take necessary action.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award the Tax Bid Sale for Lot 82, Block 1, Runaway Bay, Unit 6, Wise County, Texas to Shawn Williams who bid \$1,500.00 for the property. Kennedy clarified that this property is on a private road and not a county road. (See attachment)

13) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the order authorizing the issuance of Wise County, Texas Certificates of Obligation, Series 2019; levying an ad valorem tax in support of the certificates; approving a paying agent/registrar agreement and official statement; and, authorizing other matters related to the certificates. (See attachments)

14) Kimley-Horn and Associates, Inc. Professional Engineer Kyle Welden outlined the proposed changes to the Wise County Development Rules and Regulations as follows:

- Remove County Consulting Engineer throughout the DRR and replace with Wise County Development Services

- Outlined requirements for variance request fees
- Modify platting process for all submittals to go to Wise County Development Services
- Remove requirement for letter from municipality within ETJ for septic permitting requirements in Sections 3.01.B; 3.05.I; and 6.09.B.
- Added requirement for Recreational Vehicles

Clark stated the process going forward is to set a public hearing for Monday, June 17, 2019 at 9:00 AM with a special meeting to follow at 9:30 AM to adopt the proposed rules.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to take all necessary measures to set a public hearing date and subsequent meeting to adopt the Wise County Development rules in the present form. (See attachments)

Back to agenda item 11: Final Plat Review, Deats Farm, Phase I, Precinct No. 3. Take necessary action.

Motion made by Lamance seconded by Burns and unanimously adopted by the Court to approve the final plat of Deats Farm, Phase I, located in Precinct No. 3, as presented, including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)

15) Donations:

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

- Vested Interest in Canines donation of a vest for the Wise County K-9 Officer Tom. (No attachment)
- \$6,000.00 that was initially provided by the county to the Wise County Teen Court program that is now dissolved. Funds returned to the county.

16) Bids:

Motion made by Burns seconded by White and unanimously adopted by the Court to approve purchase two new Chevrolet Tahoes for the District Attorney investigators at a cost of \$32,460.00 each with the 2019 series capital expenditure funds via Tarrant County Cooperative with delivery once funds are available.

Asset Control Officer Diana Allen stated for court record that the purchases requested on January 28, 2019 for Precinct No. 4 (trailer) and Precinct No. 2 (truck at auction) have not been purchased as of this meeting.

Allen also stated for court record that Supply Works cooperative (janitorial supplies) has changed names to Home Depot Pro.

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Motion made by White seconded by Burns and unanimously adopted by the Court to ratify the disposal of Precinct No. 3 mower deck parts as it disposed of already.

Motion made by White seconded by Burns and unanimously adopted by the Court to approve the transfer of two dump trucks to 911 Address for lakes and dams.

Allen and Commissioners Court Attorney Thomas Aaberg told the court that several different auctioneers have sent information to the Asset Control Office for their services. Allen told the court that general office products are currently auctioned through Rene Bates Online Auctioneers and heavy equipment is auctioned through Ritchie Bros Auctioneers, Inc. Allen stated that some vendors are able to do on-site auctions. Allen stated two would require contract review and one is on TxMAS contract. Allen gauged the court for interest in on-site auctions. Burns asked if this is "Iron Planet". Allen described the vendors and asked court direction on this item. Burns requested these be reviewed. Aaberg told the court there are many options and asked if the court wants to consider these options? Allen explained the on-site auction process including onsite photos and then online auction sales. The court agreed that the TxMAS on-site auction would be a good option for on-site auctions. Allen confirmed the court doesn't want any other options other than what was presented to the court under contracts in the Dropbox (TxMAS).

Kennedy told the court he will go to Ritchie Bros. Auctioneers to look for a 24' gooseneck trailer.

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to authorize White to sell a water truck and belly dump trailer via onsite auction discussed previously above and approved under contracts.

Burns told the court there is a one-ton crew cab truck bid that will expire on Thursday. Burns requested the option to purchase a CAT 416 backhoe if he cannot find a truck by Thursday. Allen stated this is covered under the previous capital expenditure purchases.

17) Consent Agenda Item:

a) Minutes for April 22, 2019 Special Meeting (No attachment)

b) Department Head Reports:

- County Clerk monthly activity report for April 2019 (See attachment)
- Auditor Report for April 2019 (See attachment)
- Treasurer's Report for March 2019 (See attachment)

c) Budget Amendments: None

d) Capital Expenditures: Assistant Auditor Pat Trail told the court that per County Auditor Ann McCuiston all capital has been accounted for except for the County Judge's office and the Auditor's Office. Trail explained that those two departments still have funds available.

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e) Claims/Payroll: Registers submitted via Dropbox (No attachments)

f) Utility Requests: None

g) Contracts/Interlocal Agreements:

(Original contracts are filed in the Asset Control Office by Diana Allen.)

- Cancellations (list): Shepherds Benefits/Help MD (See list only)
- State of Texas Comptroller Cooperative Purchase Agreement (See attachment)
- Xerox Plat Copier County Clerk Office (See attachment)
- Time Keeping (See attachment)
- GOVPlanet (No attachment)

The following pending Aaberg's approval and all documents received by Allen:

- Official Payments/Vantiv for credit cards through the Treasurer's office (No attachment)
- West for County Court at Law #1 and the County Attorney's Office (No attachment)
- TxDOT appraisalment easement purchase that Davis has been working on (No attachment)

Motion made by Burns seconded by White and unanimously adopted by the Court to approve item 17, as presented, with additions and changes noted.

18) Project Agreement for Road Repair: None

19) Right-of-Way Improvement:

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve the following right-of-way improvement requests:

- Pct. 4: CR 3555 (Cottondale Road) Jack Skidmore property clean ditch/culvert for drainage
- Pct. 2: CR 1590 Gary Gardner property to clean out debris in the creek
- Pct. 3: 742 CR 4781 Pam Cleary property - ¼ mile of right-of-way to take the bar ditch down and replace wire.

20) Burn Ban: None

21) Committee Reports: None

Back to agenda item 7: Discuss and consider variance on Prairie View Estates, Setback Line of 35 feet, Block 1, Lot 1, Precinct No. 1.

Aaberg asked White to explain the situation? White explained that a realtor approached White on behalf of the potential buyers of the property. White explained that in the survey it was determined that the house was set 33.5 feet off of the property line (possibly road frontage). White stated that the potential home buyer wanted the county to approve this for clarification purposes. Aaberg stated the county cannot approve a variance between property owners. Burns stated the county can approve a road frontage variance. Burns and Aaberg told White that it may be part of deed restrictions or home owner association rules. Aaberg explained his personal property approval process. Burns stated the county cannot grant a variance unless it is lot frontage. White told the court that the property is on a private road. Burns stated the county has no business approving something on a private road; and, the court needs to rescind the action.

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to rescind the following motion: "*Motion made by White seconded by Kennedy and unanimously adopted by the Court to grant a variance on a setback line from thirty-five feet to 33/12 feet from the setback for Prairie View Estates, Block 1, Lot 11 located in Precinct No. 1. (No attachment)*" acted on under agenda item #7.

- 22) Clark announced the next meeting as Tuesday, May 28, 2019.
- 23) Clark adjourned the meeting at 10:02 AM, there being no further action to be had by the court.

Minutes approved this 28th day of May, 2019, as printed.

ASV.

J.D. Clark, County Judge, Wise County

Absent

Danny White, Commr. Pct. No. 1

[Signature]

Kevin Burns, Commr. Pct. No. 2

[Signature]

Harry Lamance, Commr. Pct. No. 3

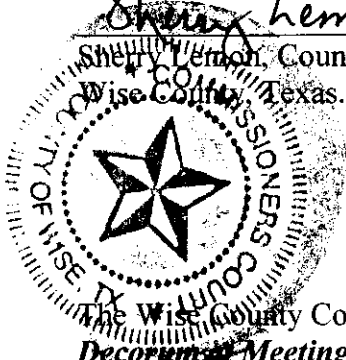
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Gaylord Kennedy, Commr. Pct. No. 4

ATTEST:

[Signature]

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



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