

JUNE 17, 2019

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 17th day of June, A.D., 2019 at 9:15 A.M. came on to be had a Public Hearing 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	(ABSENT)	Commissioner, Precinct No. 2
Harry Lamance	(ABSENT)	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.

Clark opened the public hearing at 9:15 AM for public comment regarding the proposed Wise County Development Rules and Regulation (DRR) changes.

Kimley-Horn and Associates, Inc. Professional Engineer Kyle Welden outlined the proposed changes to the DRR for the public:

- Internal Administrative Procedure: all plats go through Wise County Development Services including plat payment; plat submission; and depending on size of development review may be done by Wise County Development Services.
- Preliminary Platting Procedure requirement change: three lots or less can be done as a final plat; more than three lots a preliminary plat and final plat will be required.
- Modify the variance procedure. Variance fee to be paid on all requests except road frontage and drainage study plan.
- Update to septic permit letter in an extraterritorial jurisdiction.
- Private Road installation clarification. Private Roads (not built to county standards) still have to be granted by Commissioners Court must have minimum lot size of five acres with a maximum lot number of six lots. Construction plans are still required whether the private road is built to county standard or not.
- Breach Analysis
- Supporting documents/letters to school districts that they're letters of acknowledgement and not letters of acceptance.
- Performance bond language

- Additional language on the bond to include 20% contingency in addition to the cost of the improvements.
- Additional required design driveway locations
- Requirement of coordination with the USPS for mailbox locations that must be shown on the construction plans.
- 100 year flood elevation 0.0 rise.
- Fire code language recommendation to coordinate with the Wise County Emergency Management Coordinator or Fire Marshal regarding ingress/egress of roadways for emergency service vehicles.
- Added requirements for Recreation Vehicles (RV). A RV park is now considered the same as a manufactured home rental community and is subject to the requirements of Article 7.
- Appendix to include an example of an Irrevocable Letter of Credit.

Andrew Rottner asked if there will be a redline of existing rules with changes noted? Clark stated it is on the county website. Welden told the public that if the county chooses to a redline can be placed on the website alongside the current rules. Clark stated the summary sheet provided by Kimley-Horn and Associates, Inc. is a good resource.

Jody Adams (Double Creek) asked if the redline will be available before or after DRR adoption? Clark stated the county has worked on this since October and have held several public meetings giving the public opportunities to discuss this with the court. Clark continued that the county is getting ready to put something in place. Adams told Clark that he wishes developers had time to review before court adoption. Clark told Adams the public has had time. Welden commented that this has been discussed at several Commissioners Court meetings. Aaberg stated the Development Rules and Regulations committee meetings are public meetings.

Don Allen asked the court if the county has had any conversations with Wise County post masters about providing mailbox locations early in the process and expressed frustration with dealing with the USPS? Welden commented that the coordination with the USPS for mailbox locations has not been discussed with every postmaster. Welden stated that each operate independently and continued that this may be something where there is flexibility in working with the USPS. Welden clarified that mailbox location is to be addressed before the construction process.

Allen requested the county provide correspondence to all Wise County post offices of the county requirements in the Development Rules and Regulations.

County Engineer Chad Davis told the court and public that he has had several conversations with the post offices regarding the proposed changes for safety purposes. Davis stated all have been receptive. Davis commented about single boxes or multiple boxes.

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Allen asked if Davis has any flexibility in the 0.0 rise for the 100 year flood plain? Davis told Allen that it is not a 0.0 rise as much as it is a 0.0 change. Davis told Allen that he can work with the developer as long as the change is reasonable.

Rottner asked about the clarification of language regarding the TCEQ requirements for minimum acreage for the Upper Trinity Groundwater Conservation District (UTGCD)? Welden commented that it is basically the same as it has always been but is making sure that each plat states the requirement that developments are still subject to the UTGCD requirements.

Mark Starnes asked clarification about the RV park requirements whether it's the ingress/egress only; under the RV pad sites; and whether the county will maintain the RV park roadways? Clark stated RV parks will have to have the same county standard road as is required for manufactured home parks and will be held to the same public safety standards. Public Works Director Joey Highfill said this is for ingress/egress only. Starnes asked about commercial road standards and why RV Parks are being singled out? Clark stated the county can regulate RV Park roads can be regulated under LGC 232 like manufactured home rental communities. Welden commented that parking lots cannot be regulated statutorily by a county but residence based roads can be regulated.

Connie Swain asked how this applies to tiny home communities? Clark stated that tiny homes fall under manufactured homes and will apply the same.

Starnes clarified this is for the ingress/egress only. Clark confirmed. White confirmed this rule is for the safety and protection of the residents of that community. Don Allen confirmed the county will not take over maintenance. Clark stated it will be just like how a manufactured home park maintains its own roads. Highfill confirmed there is currently one under construction.

Clark called for additional comments/questions.

Adams commented that he cannot find the DRR information on the county website. Clark told the public that the county did not rush this DRR proposed update process and reiterated his previous comments about proposed changes to the DRR. White commented that the county is able to furnish a copy of the proposed DRR to anyone that wants the information.

Davis will furnish the proposed changes to Adams. Clark asked if there are any more questions from the public? Clark asked Adams if he has any concerns? Adams asked about the geotech requirements.

Clark closed the meeting at 9:46 AM there being no further comments or questions from the public.

Minutes approved this 24th day of June, 2019, as printed.

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

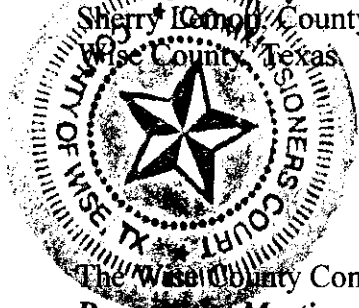
Danny White
Danny White, Commr. Pct. No. 1

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

Harry Lamance
Harry Lamance, Commr. Pct. No. 3

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

ATTEST:
Sherry Lemon by Amanda Knox, Chief Deputy
Sherry Lemon, County Clerk and Ex-Officio Clerk of Commissioners' Court,



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