

AUGUST 12, 2019

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 12th day of August, 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: None
- 5) Correspondence: None
- 6) Precinct Cooperation/Coordination: Burns thanked White for the use of Pct. No. 1 employees.
- 7) Motion made by White seconded by Burns and unanimously adopted by the Court to approve the Maintenance Period Acceptance for Walnut Grove Estates, Phase 1-B, located in Precinct No. 1, as presented, including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)
- 8) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the Final Plat of Thornton Addition, Lots 1 and 2, Block 1, located in Precinct No. 2, as presented, granting a variance for a 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 of Antler Ridge Estates, Block 1, Lots 1-4, located in Precinct No. 2, as presented, including a letter of general conformance from Wise County Development Services. (See attachment)

10) Motion made by Burns seconded by White and unanimously adopted by the Court to approve the Final Plat of Black Grove Addition, Block 1, Lot 1, located in Precinct No. 2, as presented, including a letter of general conformance from Wise County Development Services. (See attachment)

11) No action taken by the court regarding approval of the Final Plat of Ortman Acres, Lots 1 & 2, Block 1, located in Precinct No. 3, as no plat was provided for court consideration. (See attachment from Kimley-Horn and Associates, Inc.)

12) Motion made by Burns seconded by White and unanimously adopted by the Court to award the Tax Bid Sale for Lot 5, Block 6, Unit 1, Runaway Bay, Wise County, Texas to Navitas Investments, Inc. for \$2,500.00. (See attachment)

13) Motion made by Burns seconded by White and unanimously adopted by the Court to award the Tax Bid Sale for Tract 1, 0.50 acres more or less, Charles Thompson Survey, Abstract 1039, Wise County, Texas to Larry Ragle for \$5,010.00. (See attachment)

14) County Engineer Chad Davis reported to the court about the right-of-way acquisition for the TxDOT bridge project on CR 2224 in Precinct No. 1. Davis discussed the federal process required for right-of-way acquisition. Davis stated that the appraisal for one piece of property is \$2,928.00 (more than the original offer to the landowners). Clark asked Davis to discuss costs required by TxDOT for appraisers for this acquisition process.

White asked court direction on the offers based on appraised value? Davis stated TxDOT advised that if the county doesn't offer the amount appraised then that could affect federal funding.

Motion made by White seconded by Burns and unanimously adopted by the Court to offer \$2,000.00 (Original offer) to one landowner based on appraised value and \$2,928.00 (appraisal value) for the other piece of property (divided four ways).

15) Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve the FY2020 county holiday list, as presented. (See attachment)

16) Motion made White seconded by Burns and unanimously adopted by the Court to designate the second (2nd) and fourth (4th) Mondays of the month as the days of the week on which Commissioners Court will convene during FY2020. (No attachment)

17) Clark reviewed the FY2020 proposed budget that was delivered to the County Clerk as required by statute (See attachments). Clark reviewed current population and population growth trends for the county. Clark discussed important factors affecting the Proposed Budget.

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Clark stated the current tax rate is \$0.36/\$100 valuation and stated the proposed budget is based on a \$0.35/\$100 valuation tax rate. Clark broke down the rate as being \$0.3075 for General Fund and \$0.0425 for FMLR (Road and Bridge). Clark stated this will add an additional \$600,000.00 to the road and bridge funds. Clark discussed the reduction in FMLR to help General Fund that has taken place for the last few years.

Clark stated the Proposed FY2020 General Fund budget is \$34,610,811.00 and the current budget is \$33,710,000.00. Clark stated the focus for new revenue is for public safety (Sheriff's Office, Emergency Medical Services (EMS) and Fire). Clark stated this proposed budget includes approximately \$100,000.00 added in payroll/benefits for patrol deputies which will allow the county to offer \$50,000.00 starting pay for that position. Clark continued that Sheriff Lane Akin will set the pay for each patrol deputy and will allow for future merit pay increases. Akin commented that the county will need to consider more officers and equipment next year.

Clark stated this proposed budget contains a "defined benefit contribution" for all full time employees at a rate of \$25.00 per month (\$300.00 per year) with the goal of growing this amount each year as the county transitions from the traditional dependent coverage model. Clark stated this amount is pre-tax and the employee will designate how the funds are used (health, vision, dental, retirement).

County Treasurer Katherine Hudson told the court that open enrollment is Wednesday and Thursday of the first week of September.

Clark stated that the Emergency Medical Services (EMS) budget reflects additional funding as the county shored up longstanding issues with payroll/overtime. Emergency Medical Services (EMS) Director Randall Preuninger explained this to the court.

Clark discussed the proposed change to the traditional fire department stipend (increase \$45/month) to honor the 2.5% of the budget policy.

Clark stated there is a new line item that adds \$75,000.00 for fire funding to address growth in unincorporated areas. Clark stated these funds will be divided based on a formula developed by the Wise County Firefighter's Association and submitted to the Commissioners Court for approval. Clark noted the stipulation that a department can only receive additional funding when the department is in compliance with all terms of the County's fire protection agreement.

Clark stated the proposed budget includes a 3% pay increase (excluding those with larger increases already mentioned) to be allocated by each department head as necessary.

Clark stated the first year of all entity collections will be \$151,925.00 and that no additional funds were requested by the Tax Assessor/Collector's Office.

Clark noted that the county is now required to have a budgetary line item for lobbyist spending even if the amount is \$0.00. Clark stated this has been done and the amount is \$0.00.

Clark noted that all software maintenance has been moved to the Systems/IT budget.

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Clark stated the state legislature mandated salary increases for county court-at-law judges being a minimum of \$185,000.00/year.

Clark noted the County Attorney state supplement increased from \$35,000.00 to \$42,000.00.

Clark discussed restructuring of the Sheriff's Office accounts for easier accounting.

Burns thanked Clark and Auditor Ann McCuiston for their work on the proposed budget.

Clark briefly discussed the timeline of events that must happen for budget adoption. (See attachment)

Clark and Commissioners Court Attorney Thomas Aaberg discussed whether the County Court-At-Law Judge's salaries were to be listed on the List of Elected Officials Salaries. (See attachment)

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to propose the FY2020 budget, as presented. (See attachments)

18) Motion made by Kennedy seconded Burns and unanimously adopted by the Court to propose the tax rate of \$0.35/\$100.00 valuation for FY2020 with a breakdown of \$0.3075/\$100.00 for General Fund and \$0.0425/\$100.00 for FMLR. (No attachment)

19) Clark presented the FY2019-2020 Weatherford College Wise County Branch Campus Proposed Budget for the court record. (See attachment)

No discussion or comments.

20) Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to proposed the tax rate of \$0.044/\$100.00 valuation for the Wise County Branch Campus Maintenance Tax with a record vote as follows:

Precinct No. 1 White - Aye
Precinct No. 2 Burns - Aye
Precinct No. 3 Lamance - Aye
Precinct No.4 Kennedy - Aye
County Judge Clark - Aye

21) Motion made by Burns seconded by Lamance and unanimously adopted by the Court to approve the FY2020 budget planning calendar, as presented. (See attachment)

Clark stated the following dates: August 12, 2019 propose tax rates; August 26, 2019 public hearings regarding tax rates at 8:30 AM and 8:45 AM (County and WCWC Branch Maintenance Tax Rate); August 29, 2019 public hearings regarding tax rates at 6:30 PM and 6:45 PM (County and WCWC Branch Maintenance Tax Rate); and, September 9, 2019 adopt tax rate and budget.

22) Donations: None

23) Bids:

Motion made by White seconded by Burns and unanimously adopted by the Court to approve the purchase of a broom for \$68,008.00 from Closner via Buyboard for Precinct No. 3. (No attachment)

Motion made by Burns seconded by White and unanimously adopted by the Court to purchase a truck for the Maintenance Department for \$33,980.00 via Tarrant County Cooperative using capital expenditure funds with the truck being available 90-120 days after receipt of order.

Motion made by Burns seconded by White and unanimously adopted by the Court to accept the \$1.00/ton increase for the next fiscal year for the transfer station.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to cancel the bid with the landfill in Weatherford as the price is increasing from \$52/ton to \$95/ton. Public Works Director Joey Highfill requested cancellation of the bid and he, Asset Control Officer Diana Allen, and Commissioners Court Attorney Thomas Aaberg are looking at different options.

Motion made by Burns seconded by White and unanimously adopted by the Court to co-award Bid No. 20-BID-001 for asphalt road surfacing material for all precincts to Jagoe Public; Texas Bit; Austin Asphalt; Vulcan; and, Reynolds Asphalt. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 20-BID-002 for bridge building and construction for all precincts to Horton Bridge. (See attachment)

Allen reviewed Bid No. 20-BID-003 for Bulk Gasoline and Diesel for both normal needs and normal/emergency needs.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to reject all bids received for the "Normal/Emergency" version of Bid 20-BID-003 and have Allen, Aaberg and Emergency Management Coordinator Cody Powell work out a contract for emergency fuel needs. (See attachment)

Motion made by Kennedy seconded by Lamance and unanimously adopted by the Court to award Bid No. 20-BID-003 for all precincts and public works for bulk gasoline/diesel to Martin Eagle. (See attachment)

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to reject all metal culvert bids for all precincts received on Bid No. 20-BID-004 and request that this item be rebid as alternative items (non-metal) were received for this item. (See attachment)

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Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 20-BID-004 for railroad car culverts for all precincts to The Railroad Yard. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 20-BID-004 for concrete culverts for all precincts to Forterra. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court award Bid No. 20-BID-005 for hauling road materials for all precincts to Watts Excavating. (See attachment)

Motion made by White seconded by Burns and unanimously adopted by the Court to award Bid No. 20-BID-006 for inmate meals to 5-Star Correctional Option #2. (See attachment)

Motion made by White seconded by Burns and unanimously adopted by the Court to award Bid No. 20-BID-007 for magnesium chloride for all precincts to Texas Road and Sign. (See attachment)

Motion made by Burns seconded by White and unanimously adopted by the Court to co-award Bid No. 20-BID-008 for road oils, asphalts, emulsions and liquids for all precincts to Professional Coating Tech; Asphalt Fuel & Supply; Rooker Asphalt; Wright Asphalt; and P2 Emulsions. (See attachment)

Motion made by Burns seconded by White and unanimously adopted by the Court to co-award Bid No. 20-BID-009 for rock and base materials for all precincts to Vulcan; Burnco; Hanson; Martin-Marietta; Cemex; and Arcosa. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 20-BID-010 for scrap metal sale for all precincts to Bridgeport Iron and Metal. (See attachment)

Motion made by Burns seconded by Lamance and unanimously adopted by the Court to authorize Asset Control Officer Diana Allen to re-advertise for bids for uniform service as no bids were received on Bid No. 20-BID-011. (See attachment)

26) Consent Agenda Item:

- a) Minutes: July 25, 2019 (No attachment)
- b) Department Head Reports:
 - County Clerk Monthly Activity Report for July 2019 (See attachment)
 - Auditor Report for July 2019 (See attachment)
 - Treasurer Report for June 2019 (See attachment)
- c) Budget Amendments: None
- d) Capital Expenditures: None
- e) Claims/Payroll: registers as provided to court members (No attachments)
- f) Utility Requests: None
- g) Contracts/Interlocal Agreements:

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

- Cancellations: ESRI (See attached list)
- Fully Executed – TAC Benefit Renewal; State of Texas LEO 1033 Program; State of Texas TxDOT Tax Equipment; USDOJ Equitable Sharing Oversight Program (See attachments)
- Renewals – JE Sullivan (Aggregate Storage Pct. 3); Rick Woods (Aggregate Storage Pct. 3); Security Benefits 457 Plan; BCBSTx COBRA: Fairbanks Decatur and Bridgeport Truck Scale Maintenance; Brandi Bronniman Juvenile Probation Cleaning. (See attachment list)
- Nestle Water for Wise County (See attachment)
- Verbal re: Lubbock County Public Defender (No attachment)
- Obermeyer Biomedical for AED maintenance (See attachment)
- Target Solutions for Emergency Medical Services (EMS) training pending Commissioners Court Attorney Thomas Aaberg (See attachment)
- Stryker – Emergency Medical Services (EMS) stretchers (No attachment)
- Wells Fargo ATM lease paying county \$12,000 per year. (See attachment)
- Centurylink for Sheriff's Office phones (No attachment)
- Agreement to change the 125 plan from AFLAC to Employee Benefits Corporation pending Aaberg's review and receipt of housebill documents. (No attachment)
- Lexisnexis District Attorney (No attachment)
- Lexisnexis County Attorney (No attachment)
- Stenograph County Court at Law #1 (See attachment)
- MOU Wise County Area Agency on Aging (No attachment)
- Denton County Inmate Housing (No attachment)
- Collin County Inmate Housing (No attachment)
- Parker County Inmate Housing (No attachment)
- Sterling Solutions (See attachment)
- Diversified Power Systems for WCSO (See attachment)
- Idemia– Wise County Court (See attachment)

Motion made by Burns seconded by White and unanimously adopted by the Court to approve all items listed under the consent agenda item, as presented.

25) Project Agreements for Road Repair:

Burns discussed bridge replacement on Roberts Road and the required closure of the bridge while repairs are being made. Burns discussed the hardship on property owners in that area and the effect this will have on emergency services to that area.

26) Right-of-Way Improvement Requests:

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

- Danny Plymel property on CR 3341 in Precinct No. 4 to clear the curve and brush. (No attachment)
- Landowner lease easement for Roberts Road (re: bridge repair above) in Precinct No. 2. (No attachment)
- John Wold property on CR 4733 in Precinct No. 3 to move the bar ditch back. (No attachment)

27) Burn Ban: None

28) Committee Reports:

Burns discussed agreements with the NRCS and USDA regarding a series of dams to be built on the grasslands. Burns state the US Forest Service denied the agreements and that he spoke with the NRCS who agrees to work with Wise County to get the agreements reinstated.

Court recessed at 10:38 AM and reconvened at 10:47 AM.

Supplemental Agenda item 2: Executive Session with County Legal Counsel for private consultation allowed under Texas Government Code Section 551.071 discussion and legal updates of pending litigation.

3) Court entered into Executive Session at 10:53 AM and reconvened into Regular Session at 11:47 AM.

No action taken by the court regarding items discussed during executive session.

Go back to agenda item 24:

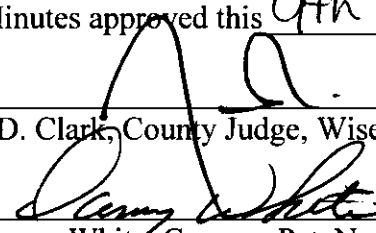
Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize Powell to apply for grant funds.


29) Clark announced the next meeting as Monday, August 26, 2019.

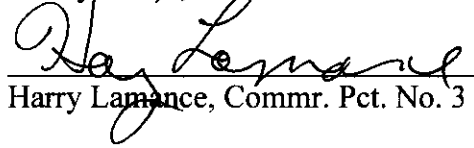
30) Clark adjourned the meeting at 11:48 AM, there being no further discussion to be had by the court.

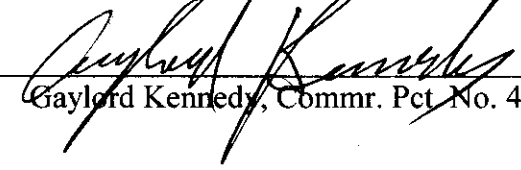
Minutes approved this 9th day of September, 2019, as printed.

J.D. Clark, County Judge, Wise County

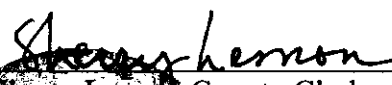

Danny White, Commr. Pct. No. 1

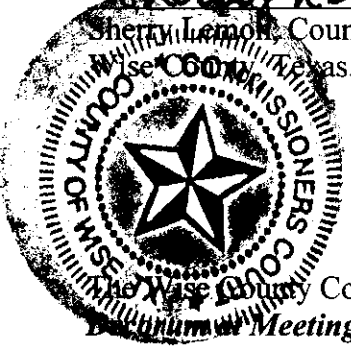

Kevin Burns, Commr. Pct. No. 2


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