

**OCTOBER 28, 2019**

**WISE COUNTY COMMISSIONERS' COURT MEETING**

On this the 28<sup>th</sup> day of October, 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 (3<sup>rd</sup>) 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	(Absent)	Commissioner, Precinct No. 4

Sherry Lemon, County Clerk and Ex-Officio Clerk of Commissioners' Court by Amanda Knox, Chief Deputy 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 except Kennedy.
- 2) Pledge of Allegiance
- 3) Moment of Silence
- 4) Community Forum: None
- 5) County Correspondence:

Clark told the court that he received correspondence from TCEQ downgrading the DFW ozone non-attainment zone from moderate to serious. Clark expressed his feelings about Wise County being included in that non-attainment zone as no air monitor has ever been placed in Wise County and there is no data specific to Wise County.

- 6) Precinct Coordination/Cooperation: Burns told the court that he may need help on two roads in Chico in the next few weeks.
- 7) Plats:

Motion made by Burns seconded by White with Lamance voting aye to approve the following plats, as presented:

- Deats Farm, Phase 2, Construction Plans Acceptance located in Precinct No. 4, as presented, including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)
- Paradise on the Creek Estates Lots 1-6, Block 1, Preliminary Plat Review, located in Precinct No. 4, as presented, including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)
- The Ranches at Rolling Hills, Phase 2, Final Plat and Letter of Credit (No attachment) located in Precinct No. 2, as presented, including a letter of general conformance from Kimley-Horn and Associates, Inc. (See attachment)
- Bayshore Ranch Lot 6R-1 and 6R-2 Replat/Final Plat located in Precinct No. 2, as presented, granting a variance for a drainage study, and including a letter of conformance from County Engineer Chad Davis. (See attachment)
- Lily Acres, Lots 1-2, Block 1, Final Plat located in Precinct No. 4, as presented, granting a variance for a drainage study, and including a letter of general conformance from County Engineer Chad Davis. (See attachment)
- Pine Cove, Lot 1, Block 1, Final Plat located in Precinct No. 1, as presented, including a letter of general conformance from County Engineer Chad Davis. (See attachment)
- Triple D Estates, Lots 3R and 5R, Block A, Replat/Final Plat located in Precinct No. 3, as presented, including a letter of general conformance from County Engineer Chad Davis. (See attachment)
- Paradise Acres II, Lots 4R-1 and 4R-2, Block 1, Final Plat (replat) located in Precinct No. 4, as presented, granting a variance on a drainage study, and including a letter of conformance from County Engineer Chad Davis. (See attachment)
- Noble Development Plan (Manufactured Home Rental Community) located in Precinct No. 4, as presented, granting a variance on a drainage study, and including a letter of conformance from County Engineer Chad Davis. (See attachment)
- Hillside Addition, Lots 1-12, Block 1, Preliminary Plat located in Precinct No. 1, as presented, including a letter of conformance from County Engineer Chad Davis. (See attachment)
- Hillside Addition, Lots 1-12, Block 1, Final Plat located in Precinct No. 1, as presented, including a letter of conformance from County Engineer Chad Davis. (See attachment)
- Legacy Ridge Estates, Lots 1-8, Block 1, Preliminary Plat located in Precinct No. 1, as presented, including a letter of conformance from County Engineer Chad Davis. (See attachment)
- Legacy Ridge Estates, Lots 1-8, Block 1, Final Plat, located in Precinct No. 1, as presented, including a letter of conformance from County Engineer Chad Davis. (See attachment)
- Legacy Lane Estates, Lots 1-7, Block 1, Preliminary Plat located in Precinct No. 1, as presented, including a letter of conformance from County Engineer Chad Davis. (See attachment)

- Legacy Lane Estates, Lots 1-7, Block 1, Final Plat located in Precinct No. 1, as presented, including a letter of general conformance from County Engineer Chad Davis. (See attachment)

Clark presented in the above-listed plats Twin Oaks Estates, Lots 1-9, Block 1 Preliminary and Final Plat located in Precinct No. 2 and Salt Creek Properties Addition, Lots 1-2, Final Plat located in Precinct No. 4 for court consideration. No action was taken by the court because plats were not presented. (See attached letters from County Engineer Chad Davis.)

8) Motion made by Burns seconded by White with Lamance voting aye to adopt a resolution of support for Wise County Committee on Aging application for Texans Feeding Texans grant. (See attachment)

9) Motion made by Burns seconded by Lamance with White voting aye to approve a blanket position bond for 175 positions, as presented. Clark noted that elected officials are bonded individually. (See attachment)

10) Motion made by White seconded by Burns with Lamance voting aye to approve the 2020 Wise County Resolution for Indigent Defense Grant Program, as presented. (See attachment)

11) Donations: None

12) Bids:

Komatsu Architecture representative Charlie Kearns appeared before the court to discuss the requests for qualification (RFQ) for Construction Manager at Risk for the Wise County Court Center Building. Kearns recommended MSB Constructors (Boyd, TX) over the other three companies because in the RFQ scoring process MSB came out as one.

The court discussed the process of contracting with a construction company for this service.

Motion made by White seconded by Burns with Lamance voting aye to award to negotiate a contract for the Construction Manager At Risk (for the Wise County Court Center Building) to MSB Constructors (Boyd, TX) and authorize Clark to sign the contract pending Commissioners Court Attorney Thomas Aaberg's approval and receipt of the house bill documents that are required; and, if a contract cannot be negotiated with the first recommended vendor then authorize to move to the next vendor in line until a successful contract can be negotiated. (See attachment)

Motion made by White seconded by Burns with Lamance voting aye to approve of the disposal at the dump of two chairs that are in the courthouse basement that are irreparable. (No attachment)

Motion made by Burns seconded by White with Lamance voting aye to authorize Asset Control Officer Diana Allen to advertise for bids for the purchase of one or more flatbed truck as no

Page Four, October 28, 2019 Mtg...

flatbed trucks can be found for Precinct Nos. 1 and 2 via cooperative/state as approved on October 14, 2019. (No attachment)

Motion made by Burns seconded by White with Lamance voting aye to approve the purchase of two new ambulances with Emergency Medical Services (EMS) capital expenditure funds from BuyBoard for a total cost of \$515,751.51 for both units after trade-in of three old reserve units. (No attachment)

Motion made by Burns seconded by White with Lamance voting aye to purchase a new Tahoe (to replace one older unit that was wrecked) using \$22,600.00 insurance monies for the totaled Tahoe and \$8,000.00 from WCSO capital expenditure funds for a total cost of \$33,300.00. Sheriff Lane Akin stated that the equipment in the wrecked vehicle can be used in the new vehicle and, if not, then insurance will pay for replacement of equipment. (No attachment)

Clark told the court that there are several places in the Wise County Animal Control Shelter roofs that leak from HVAC condensation and hail damage. Clark presented pre-bid/pre-contracted TIPS (The Interlocal Purchasing System) vendor Texas Pro Roofing and vendor representative Dustin King to discuss his inspection of the roof. King discussed the roof types and roof condition at the animal shelter. King recommended improving the roof system from the current level to a class 4 hail-resistant roof. King told the court that the insurance coverage amount is a little over \$64,000.00. King said that the insurance broke down the claim and said it includes \$407.00 for a back metal building. King said there is no water penetration on that roof and he is not charging the county for that work. Clark said this is for a metal roof over the incinerator. Clark told the court that since the cost is over \$50,000.00 he recommends going with a TIPS vendor. Clark confirmed that animals will not have to be removed from the shelter during the roofing process. King discussed material placement on-site and that he has two crews for the two roof types. King estimated three (3) days required for the office roof repair and ten (10) days on the flat roof repair where animals are housed. White confirmed the insurance cost is \$60,900.07 with a \$1,000.00 deductible. White asked King's cost? King told White he follows the cost on the insurance and confirmed he can do the project for the insurance amount. King commented about payment of the deductible and stated the deductible amount is in the quote.

Clark told the court that with a TIPS contract this particular work does not require architecture/engineering plans or design to complete the project. (See attachment)

Motion made by White seconded by Lamance with Burns voting aye to approve the animal shelter roof repairs as listed above.

13) Consent Agenda Items:

a) Minutes: September 23, 2019 and October 14, 2019, as presented. (No attachment)

b) Department Head Reports: Asset Forfeiture Reports for the County Attorney, Constables Precincts 2 and 3 and Wise County Sheriff's Office (WCSO). County Auditor

Page Five, October 28, 2019 Mtg...

Assistant Auditor Pat Trail stated that all are zero balances except for the WCSO. (No attachment)

c) Budget Amendments: None

d) Capital Expenditure Plan:

Emergency Management Coordinator Cody Powell addressed the court regarding UAS command vehicle project that was discussed last month and requested approval for up to

\$21,000.00 from Emergency Management Capital Expenditure Funds. Powell stated the equipment needed and the outfitting process.

e) Claims/Payroll: registers presented to the court via Dropbox (No attachment)

f) Utility Requests/Right-of-Way:

- Walnut Creek SUD for CR 3341 located in Precinct No. 4. (See attachment)

g) Contracts/Interlocal Agreements:

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

- Renewals (list only): Novacopy County Attorney (See attachment)
- Fully Executed (list):
  - Fire Departments: Sand Flat; Greenwood/Slidell; Crafton; Boonsville/Balsora; Alvord; Lake Bridgeport; Emergency Services District No. 1; Newark; Runaway Bay; and Cottondale (See attachments)
  - Library: Rhome; Alvord; Decatur (See attachments)
  - TAPS (See attachment)
  - Wise Hope Shelter (See attachment)
- Geopliant, LLC Crisis Track (See attachment)
- TAC Automobile Proof of Loss (See attachment)
- Equitable Sharing MOU Sheriff Department (No attachment)
- MOU for Texas Statewide Interoperability Channel Plan. (No attachment)

Motion made by Burns seconded by Lamance with White voting aye to approve all items listed under the consent agenda item, as presented.

14) Project Agreements for Road Repair:

Motion made by Burns seconded by Lamance with White voting aye to approve the project agreement for road repair with the City of Lake Bridgeport to spread recycled asphalt on various roads located in the city in Precinct No. 2. (No attachment)

15) Right-of-Way Improvement Requests:

Page Six, October 28, 2019 Mtg...

Motion made by Burns seconded by White with Lamance voting aye to approve the following right-of-way improvement requests:

- unnamed landowner for property at the intersection of CR 2195 and CR 2395 in Precinct No. 2 for tree removal to improve visibility.
- Bilby property on CR 1590 one mile east of Hwy 101 in Precinct No. 2 for tree removal to improve visibility.

16) Burn Ban: None

17) Committee Reports: Clark told the court the Development Rules and Regulations Committee plans to get another meeting scheduled in the near future.

18) Clark announced the next county holiday as Monday, November 11, 2019 in observance of Veterans Day. Clark noted Veteran's Day ceremonies in the county.

Clark announced the next meeting as Tuesday, November 12, 2019.

19) Clark adjourned the meeting at 9:42 AM, there being no further business to be had by the court.

Minutes approved this 12<sup>th</sup> day of November, 2019, as printed.

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

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 at Meetings of Wise County Commissioners' Court* on March 25, 2019.