

**AUGUST 9, 2021**

**WISE COUNTY COMMISSIONERS' COURT MEETING**

On this the 9<sup>th</sup> day of August, A.D., 2021 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 (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
John "Biff" Hayes	Commissioner, Precinct No. 1
Kevin Burns	Commissioner, Precinct No. 2
Danny Lambert	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) Invocation
- 3) Pledge of Allegiance
- 4) Community Forum:

Diane Rasor of Precinct No. 4 appeared before the court to discuss closure of part of PR 3874 off of CR 3860 in Pct. 4 to land that belongs to her family. Kennedy reported that he visited with Rasor and drove the road. Kennedy commented that resolution was not achieved between the landowners on this road and because it is a private road it is a civil matter.

- 5) County Correspondence: None
- 6) Precinct Cooperation/Coordination: Burns thanked Hayes for assistance on road work. Kennedy commented that he will need a chipper by the end of the week.
- 7) Plats:

Motion made by Burns seconded by Hayes and unanimously adopted by the Court to approve the following plats as stated below:

- Estate of Bison Creek (Performance Bond and Final Plat) located in Precinct No. 1, as presented. (No attachments provided for court record)
- Crooked Oak Estates, Preliminary Plat, Lots 1-14, Block 1 located in Precinct No. 2, as presented, granting a variance for road frontage, and including a letter of conformance from Wise County Development Services. (See attachment)
- Crooked Oak Estates, Final Plat, Lots 1-14, Block 1 located in Precinct No. 2, as presented, granting a variance for road frontage and including a letter of conformance from Wise County Development Services. (See attachment)
- Beau Town, Final Plat, Lots 1&2, Block 1, located in Precinct No. 2, as presented, granting a drainage plan variance, and including a letter of conformance from Wise County Development Services. (See attachment)
- Twin Lakes, Replat Review, Lots 25R-1 & 25R-2, Block 1 located in Precinct No. 3, as presented, and including a letter of general conformance from Kimley-Horn and Associates. (See attachment)

8) Motion made by Burns seconded by Lambert and unanimously adopted by the Court to award the Tax Sale Bid for Tax Suit #TX4496 Boyd ISD, vs. Vernon H. Tedrow being 1.00 acre, more or less, part of the John Jordan Survey, Abstract 457, more particularly described in deed recorded in Vol. 346, Page 404, Deed Records of Wise County Texas to Jason Kirschbaum for \$1,065.00, as presented. (See attachment)

9) Motion made by Kennedy seconded by Hayes and unanimously adopted by the Court to approve the FY2022 Wise County Holiday Schedule, as presented. (See attachment)

10) Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to designate the second and fourth Mondays of the month at 9:00 AM as the days of the week on which court will convene in a regular term each month in FY2022.

11) Clark presented a copy of the FY2022 proposed budget for court record and review. (See attachment)

Clark presented and reviewed the FY2022 Wise County Budget Proposal. Clark reviewed anticipated population growth in the county; property values; new construction values and sales tax strength.

Clark reviewed proposed changes to the tax rate. Clark stated the current tax rate of \$0.35/\$100.00 valuation and proposed dropping the tax rate to \$0.34/\$100.00 valuation. Clark

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broke down the proposed tax rate as \$0.295/\$100 valuation for General Fund and \$0.045 for Road and Bridge (Farm-to-Market Lateral Road). Clark stated this shift of a quarter-cent from general fund to road and bridge will generate an additional \$551,800.00 to Road and Bridge Fund and \$1,350,000.00 generated for General Fund.

Clark reviewed the revenue and tax bill impact of changing to this proposed tax rate amount.

Clark reviewed the following budget details and changes as stated on the attachment. Clark stated that the primary focus is increasing public safety staffing and pay. Clark reviewed additional patrol deputy recommendations and purpose; courthouse security/transport officers; competitive pay increase for sworn officers; and additional jail medical position to be paid from Commissary.

Clark reviewed proposed changes to Emergency Medical Services (EMS) including use of a portion of American Rescue Plan funds to purchase a fifth ambulance; fully staff it and provide three shifts with two employees per shift. Clark told the court the fifth ambulance will be stationed in New Fairview to cover the rapidly growing area. Clark continued that the City of New Fairview will provide a space in an existing city-owned building to house the ambulance. Clark stated the city is working with Emergency Medical Services (EMS) Administrator Randall Preuninger on the logistics.

Clark stated the purpose of the fifth ambulance is to alleviate call-loads for Boyd and Decatur. Clark told the court that three two-person shifts will total \$618,200.00; and, the ambulance and equipment will total \$439,000.00.

Clark continued the Budget Details and Changes review by discussing changing a part-time Assistant District Attorney position and making that position full-time for a cost of \$49,700.00. Clark stated the purpose is to help the criminal justice system move through the growing and backlogged felony court docket. Clark stated the likelihood that the District Court will be running double dockets of felony cases in both the 2<sup>nd</sup> and 3<sup>rd</sup> floor courtrooms.

Clark discussed increasing a part-time Tax Assessor-Collector/Auto Registration position from part-time to full-time and have this person rotate between the Boyd and Bridgeport auto registration offices and to work with tax collections during heavy collection season. Clark stated the cost at \$41,000.00.

Clark stated the Tax Assessor-Collector/Auto Registration is transferring \$15,000.00 from VIT fund to cover any needed seasonal or part-time help.

Clark continued the review proposing a 3% added to county employee payroll for cost-of-living / merit pay increases for all employees except the previously-mentioned sworn officer who are receiving 5%. Clark stated these funds are allocated by the department heads to employees as necessary. Total cost is \$702,400.00.

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Clark stated the fuel budgets will be adjusted throughout due to increases in fuel cost.

Clark stated that two additional Watershed Maintenance positions are being added to the budget to be paid for by Wise County Water Control and Improvement District Board contingent upon receipt of a letter of commitment from the board and an updated Interlocal agreement.

Clark stated the proposed budget includes \$50,000.00 in contingency and \$50,000.00 in payroll contingency.

Clark reviewed unmet and future needs including large equipment purchases for Road and Bridge precincts and Public Works. Clark presented the following things for the court to think about: capital funding; road and bridge reserves; excess sales tax; and, county reserves.

Clark stated that the budget and tax rate adoption is set for September 13, 2021.

Clark stated the current road and bridge fund budget is divided based on road mileage and not population. Clark stated it is based on road mileage because the county doesn't know final population amounts due to census and redistricting delays.

Burns discussed the loss of two employees in previous budget crunches. Burns requested to bring the road and bridge budget fund back up if percentages increase in future years.

12) Motion made by Kennedy seconded by Hayes and unanimously adopted by the Court to propose the following 2021 property tax rate to fund FY2022 of \$0.34/\$100 valuation broken down at \$.295/\$100 valuation for general fund; and, \$.045/\$100 for road and bridge (FMLR) with the following roll-call vote:

Commr. Pct. 1, Hayes – Aye  
Commr. Pct. 2, Burns – Aye  
Commr. Pct. 3, Lambert – Aye  
Commr. Pct. 4, Kennedy – Aye  
County Judge Clark – Aye

13) Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to propose the following 2021 property tax rate in Wise County for the Wise County Weatherford College Branch Maintenance tax rate to fund the FY2022 budget at \$0.040/\$100.00 valuation with the following roll-call vote:

Commr. Pct. 1, Hayes – Aye  
Commr. Pct. 2, Burns – Aye  
Commr. Pct. 3, Lambert – Aye  
Commr. Pct. 4, Kennedy – Aye  
County Judge Clark – Aye

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Clark noted the public hearings for the proposed tax rates at 8:30 AM and 8:45 AM respectively on September 13, 2021.

- 14) Planning Calendar: No action taken by the court.
- 15) Donations: None
- 16) Bids:

Asset Control Officer Diana Allen stated that she and Burns discussed Burns' request to do the bridge building differently. Allen stated they took the bid back to the way it was originally and requested the court do a separate bid for pile driving only.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize Asset Control Officer Diana Allen to advertise for bids for pile driving for all precincts. (No attachment)

Allen stated that Bid No. 22-BID-001 for the purchase of asphalt road surfacing materials can be co-awarded to all vendors if the court chooses. Allen stated that she received an email from Austin Asphalt that they missed the bid and are not included on this. Allen stated the court needs to take this into consideration. Kennedy asked if Austin Asphalt is going to get in on the bid. Allen stated the only way that can be done is if the court rejects all bids and re-advertises for bids for the purchase of asphalt road surfacing materials.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to reject all bids received for Bid No. 22-BID-001 for the purchase of asphalt road surfacing materials for all precincts due to availability and authorize Asset Control Officer Diana Allen to re-advertise for bids for the purchase of asphalt road surfacing materials. (See attachment)

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to award Bid No. 22-BID-002 for the purchase of bridge building and construction for all precincts to Horton Bridge and Piling. (See attachment)

The court discussed Bid No. 22-BID-003 for the purchase of bulk fuel for all precincts, Public Works and the Sheriff's Office. Allen stated the O'Rourke Petroleum bid is one bid that shows both Transport Loads and Tank Wagon Loads. Allen stated that the court needs to look at the cost for precincts. Allen stated that Sun Coast Resources has a 1,700 gallon minimum for Public Works and the county doesn't have a tank that large. Burns asked how long it will take to pay for a larger tank? Public Works Director Joey Highfill stated his department doesn't go through much gasoline. The court discussed the purchase of a 10,000 gallon tank for Public Works. Allen also pointed out about the current vendor bid doesn't require tank monitors. Allen stated that the other two vendors did not reference monitoring or monitoring costs. Highfill discussed the current vendor's monitoring.

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Burns recommended the court not review Public Works entries on the bid sheet for pricing. Burns commented the county doesn't have time to go back out for bid; purchase a tank; and, meet regulations. Clark asked Allen the re-bid provision terms? Allen stated the county has a 30-day cancellation written into the bid specifications.

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 22-BID-003 for the purchase of bulk fuel for all precincts, Public Works; and, Sheriff's Office to O'Rourke Petroleum. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to reject all bids received for Bid No. 22-BID-004 for the purchase of ready mix concrete because of availability and authorize Asset Control Officer Diana Allen to advertise for bids for the purchase of ready mix concrete for all precincts. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 22-BID-005 for the purchase of metal culverts only to Wilson Culverts and the purchase of polypropylene culverts only to Advanced Drainage for all precincts. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize Asset Control Officer Diana Allen Diana to re-advertise for the purchase of railroad and concrete culverts for use by all precincts. (See attachment)

Motion made by Burns seconded by Hayes and unanimously adopted by the Court to authorize Asset Control Officer Diana Allen to re-advertise for bids for the service of hauling road materials for all precincts as no bids were received on Bid No. 22-BID-006. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 22-BID-007 for the purchase of magnesium chloride for all precincts to Scottwood Industries. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to co-award Bid No. 22-BID-008 for the purchase of road oils for all precincts to Wright Asphalt; Ergon Asphalt; Rooker Asphalt; and P2 Emulsions. (See attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to co-award BID No. 22-BID-009 for the purchase of rock and base materials for all precincts to Martin Marietta; P&K Stone; Hanson; Vulcan; and, Burnco. (See attachment)

The court discussed the bid for the purchase of rock and base materials for all precincts further because the county received no bids for chip seal rock on Bid No. 22-BID-009. Burn stated that the county needs to re-advertise for bids for this item that includes TxDOT specs and additional non-state specifications. Burns commented that the county rarely gets what it asks for.

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Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize Asset Control Officer Diana Allen to re-advertise for 3/8", 1/2" and 5/8" chip seal rock for use by all precincts with TxDOT specifications and non-TxDOT specifications. (No attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to award Bid No. 22-BID-010 for the sale of scrap metal to Bridgeport Iron & Metal from all precincts. (See attachment)

17) Consent Agenda Item:

- a) Minutes: July 14, 2021 and July 26, 2021 meeting. (No attachments)
- b) Department Head Reports:
  - Items submitted in Dropbox but not provided for court record. (No attachments)
  - County Engineer verbal and printed report on Sunflower Stop Intersection Report. (See attachment) Kennedy added that poles are set and are ready to be put in place. Kennedy discussed message boards alerting the public of the signage on Sunflower. Kennedy told the court he hopes this is done the week before or week when school begins. Clark confirmed for the court that no hearing is required and is only required through court order action today. Aaberg confirmed.
  - County Clerk monthly activity report for July 2021 (See attachment)
  - Auditor's Report for July 2021. (See attachment)

County Auditor Ann McCuiston told the court that there is \$325,000.00 freed up in TxDOT funds and has a call into the state to see how those can be used for road projects. Davis discussed the CTERZ road project list.

- c) Budget Amendments: None
- d) Capital Expenditures: None
- e) Claims/Payroll: registers provided in Dropbox. (No attachment)

McCuiston noted the walk-to-court item for MSB Construction; the County Courts Building furniture; Burns asked about street signage for the new courts building.

- f) Utility Requests:  
Davis discussed an upcoming City of Boyd request. (No attachment)

Davis talked about the need to notify municipalities that they do not have the county's permission to cut into county roads.

- g) Contracts and Interlocal Agreements:

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

- Allen (verbal) re: FARO 3D printer for the Wise County Sheriff's Office annual renewal for maintenance and service. (No attachment)
- 2021 Redistricting Contract with Bickerstaff Heath Delgado Acosta LLP (See attachment)
- Stenograph for Wise County Court at Law #1 software renewal (both software and hardware contract). (See attachment)
- Cellebrite for Wise County Sheriff's Office (See attachment)
- Carahsoft Sole SSL (Bentley) for Wise County Engineer (See attachment)
- Stryker for Emergency Medical Services (EMS) (See attachment)
- Fully Executed (list): Animal Control – City of Aurora; School Resource Officer agreements for Paradise and Boyd ISDs.; City of Grand Prairie Interlocal Agreement; Parker County Inmate Housing; TAC Health Insurance Benefits Renewal; Decatur Conference Center Disaster Relief; Alvord Medical Clinic; Fairbanks. (See attachments)
- Renewals (list): Security Benefits 457 Plan (No attachment)
- Toyo Tires Federal Excise Tax Exemption Certificate for Tires. (See attachment)
- Aaberg (verbal) re: Chico ISD School Resource Officer Agreement price reduction change based on officer availability.

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to approve all items listed under agenda item 17, as presented in writing, verbally; and, including Kennedy's stop sign request referenced in item A in the Sunflower report.

18) Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve the project agreements for road repair for City of Runaway Bay (washout of road) in Precinct No. 4; and City of Lake Bridgeport (chip/seal roads) in Precinct No. 2. (No attachments)

19) Hazard Mitigation Plan:

Emergency Management Coordinator Cody Powell reported that there were two workshops since the last meeting. Powell continued that he is reviewing software with Davis regarding flood modeling. Powell discussed additional funding and fund matching. Powell stated that if the software goes well then testing will continue within the county. Burns asked if the county will have possession of the software after the demonstration because he will want to use it in a class in November/December. Powell discussed the software licensing.

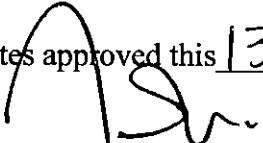
20) Right-of-Way Improvements:

Motion made by Kennedy seconded by Burns and unanimously adopted by the Court to approve the right-of-way improvement request for the Henderson property on CR 3470 in Precinct No. 4 to remedy a drainage problem that will require a ditch to be straightened out. Kennedy continued that there is a culvert at the end of the road that will require additional work.



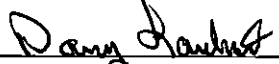
- 21) Burn Ban: None
- 22) Committee Reports: None
- 23) Clark announced the next meeting as Monday, August 23, 2021.
- 24) Clark adjourned the meeting at 10:31 AM, there being no further business to be had by the court.

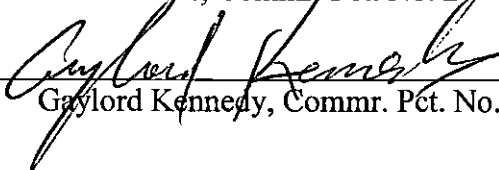
Minutes approved this 13<sup>th</sup> day of September, 2021, as printed.

  
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J.D. Clark, County Judge, Wise County

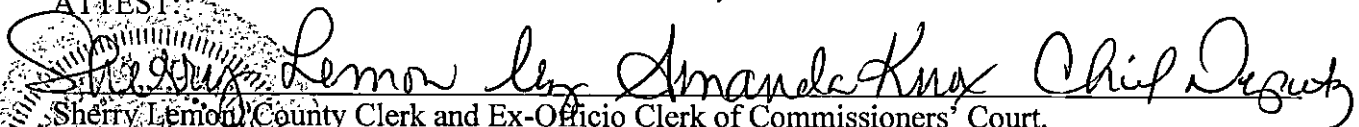
  
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John "Biff" Hayes, Commr. Pct. No. 1

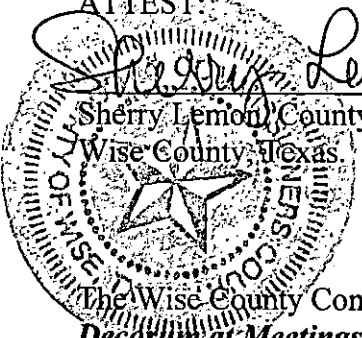
  
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Kevin Burns, Commr. Pct. No. 2

  
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Danny Lambert, Commr. Pct. No. 3

  
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Gaylord Kennedy, Commr. Pct. No. 4

ATTEST:

  
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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.