

**APRIL 10, 2023**

**WISE COUNTY COMMISSIONERS' COURT MEETING**

On this the 10<sup>th</sup> day of APRIL A.D., 2023 at 9:00 A.M. came on to be had a Regular Meeting of the Commissioners' Court of Wise County, Texas held in the Justice of the Peace, Precinct No. 2 Courtroom (200 Rook Ramsey Drive, Decatur, TX) 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
Colby Shawn	Commissioner, Precinct No. 4

Blanca Tuma, 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 9:02 a.m. All court members were present.
- 2) Invocation
- 3) Pledge of Allegiance
- 4) Community Forum: None
- 5) Receive presentation on Wise County 4-H accomplishments in livestock and competitive events: Karly West, County Extension Agent for 4-H and Youth Development along with Marty Morgan who is another Ag Agent shared with the Court that from the middle of January to the last week of March they have been on the road at the major stock shows across Texas. She explained they had 61 exhibitors under 4-H not including long horns, rabbits and poultry, and competitive events. Over 200 animals were exhibited and 138 of those were market animals. Over 20 market animals made the sale at several shows. At County they had 907 entries under 4-H which includes competitions like, market and breeding animals, foods and crafts, photography, horse show, livestock judging, and ag product identification. Karly announced to the Court that the State contest is in June and they have qualified a livestock judging team, a food challenge team, and a few fashion show entries. This weekend they have District roundup which is public speaking, educational presentations, consumer education, and a 4-H talent show, along with a shooting sports event coming up. Seven seniors applied for the 4-H foundation

scholarship, 4 received an interview and for a chance to receive a \$20 thousand dollar scholarship. Several students from Wise County shared their accomplishments to the court. Clark expressed his appreciation to the students for representing Wise County and all their hard work and achievements.

- 6) County Correspondence: Clark shared with the Court about a successful Legislative week for Wise County-specific Bills about the hotel occupancy tax, and our bill for the designation on a portion of Highway 380 as the Lost Battalion Memorial Highway. Both were heard before Committee and the House. Clark also stated both were very well received. The Texas Hotel Lodging Association came and registered in support of the Bill. Senate is requesting an agenda item about a resolution of support. (See attachment of Resolution of for designation a portion of Highway 380 as the Lost Battalion Memorial Highway.)
- 7) Discussion for the purpose of coordination and cooperation for efficiency between precincts: Hayes stated he appreciated the help from all Commissioners on a project.
- 8) Motion made by Hayes seconded by Shawn and unanimously adopted by the Court to approve the following plats and construction acceptance plans, as presented:

Plats List:

1. Davie Estates No.2, Final Plat. Lots 1-5, Block 1. Chad Davis-Joey Highfill. Located in Precinct 1 off CR 2224 granting a variance for a drainage study and road frontage variance. (See attachment)
2. The Hills of Oliver Creek, Replat. Lot 74 A and 74 B, Chad Davis- Joey Highfill. Located in Precinct 1 off PR 4434 granting a road frontage variance. (See attachment)
3. Fossil Ridge Estates, Replat. Lot 7R. Chad Davis-Joey Highfill. Located in Precinct 1 on Fossil Ridge Road, no variance request. (See attachment)
4. Bledsoe Addition, Final Plat. Lots 1 and 2. Block 1. Chad Davis-Joey Highfill. Located in Precinct 3 off PR 4751, no variance request. (See attachment)

Preliminary Plats:

1. Blackstar Estates, Preliminary Plat Review. Lots 1-12. Kimley Horn. Located in Precinct 1 at the Intersection of CR 2514 and CR 2513. (See attachment)
2. Brahma Creek Estates, Preliminary Plat. Lots 1-12 Block 1. Chad Davis- Joey Highfill. Located in Precinct 2 on CR 1560 and CR 1480 granting a road frontage variance. (See attachment)

Construction Plan Acceptance:

1. Hillview Addition, Construction Plans Acceptance. Lots 1-48, 30X and 49X Block A, Lots 1-18, Block B, Lots 1-25, Block C. Kimley Horn. Located in Precinct 1 off CR 4010.

Clark and Hayes (verbal): The Boyer Family would like to donate one of the remaining pioneer settler cabins on their property behind NRS off CR 4127. This consists of almost 2 acres between the creek and the road where the cabin sits. This will be donated to the Wise County Historical Society, which is a 501c3. The Boyer Family is also donating the funds to restore the cabin as part of their family project. The Historical Society will use the donated cabin to educate school groups about interpretive history. Clark shared that Kerry Clower's main goal in this project is to have a manual water well in front of the cabin. Clark reached out to Doug from the Upper Trinity Groundwater Conservation District. Doug stated the Groundwater District will cover the well since it will be used for historical public purposes. The Groundwater District will use it as a monitor well. In the future if the aforementioned property is used for anything other than historical purposes it will be subject to the County's regulations and process at that time. Clark requested this be recorded in the deed and property records as record of this variance to the normal procedure. Hayes stated this project is in our best interest since it is completely donated. Clark and Hayes asked the Court for variance from the typical platting process since it is less than 2 acres. Clark shared the track has been surveyed by Tommy Edwards. Clark expressed his gratitude and stated that this is a great historic opportunity for Wise County. Motion made by Burns and seconded by Lambert and unanimously adopted by the Court to approve the variance request with the Court's thanks. Clark also shared that the Boyer Family is calling this project the Gregg Legacy Cabin.

- 9) Motion made by Burns and seconded by Hayes and unanimously adopted by the Court to adopt the resolution of support for designating a portion of Highway 380 as the Lost Battalion Memorial Highway. (See attachment)
- 10) Snow Garrett and Williams Certified Public Accountant Kathy Williams and Senior Audit Manager Rick Kline appeared before the court to present the annual outside audit for FY2022.
  - Page 2: Independent Auditor's Report for fiscal year ending September 30, 2022 and statement showing unmodified opinion.
  - Page 11: Williams reviewed the management's discussion and analysis under Capital Assets and Debt Administration. Williams noted the total Capital Assets increased from \$62,054,221 to \$63,805,880. this is net of depreciation. Williams explained the County added assets totaling over 5.9 million dollars, capital outlay last year of 5.9. This includes replacement and upgrading the County's radio

systems, purchase of equipment for the Elections Administration, and purchase of vehicles including 3 ambulances and heavy equipment for various departments. Williams noted the total debt decrease from \$46,389,436 to \$36,912,258 related to net pension liability and regularly scheduled debt payments.

- Page 16: Balance Sheet of Governmental Funds: Williams noted the Total Assets of \$73,768,646; Total Liabilities: 27,681,002; Fund Balances \$24,933,200 included \$9 million General Fund, 8.3 million (92%) is unassigned/unrestricted fund balance in General Fund. Just over 4 million for Lateral Road Funds, almost 3.4 million for Debt Service Fund, and \$8,839,373 for other governmental funds.
- Page 17: Statement of Revenues, Expenditures, and Changes in Fund Balance: Total Revenue \$59,429,042.; Total Expenditures \$59,748,889.00. Total Net Change in Fund Balances decrease of \$3,255,023.
- Page 54/55 Combining Balance Sheet: Total assets of 4.4 million, liabilities of \$273,794, and total fund balance of \$4,038.073, and Page 55 reviewed by precincts.
- Page 77: Schedule of Findings and Questioned Costs: Williams noted with all of the grant funding we have a federal and state single audit. Last year \$2.8 million of Federal funding and \$1.4 million of State Grant revenue. Main point of this page is to show all of the opinions both on the financial statement and the major programs were unmodified.

Clark wanted to share with the Court that the County Fund balance policy is to get to 20%, the audit shows we are at 21% the policy goal has been met. Williams thanked the court and County Auditor's office assisting in the outside audit process.

Motion made by Burns seconded by Shawn and unanimously adopted by the Court to accept the FY2022 outside audit report, as presented. (See attachment)

- 11) Motion made by Hayes and seconded by Burns and unanimously adopted by the court to restrict truck traffic on various roads in the Heritage Creek North Subdivision in Precinct 1. The roads being Heritage Parkway, Heritage Parkway East and West, Becca Ann Lane, Eric Ryan Lane, Timothy Lane, and Vista Ridge North. (No attachment)
- 12) Donations: Motion made by Burns and seconded by Hayes and unanimously adopted by the Court to accept the donations with the Court's thanks.

- Katherine (verbal): Donation in memory of Kathy Sides for \$50 from Tod and Becky Matlock, another to the WCSO for equipment in the amount of \$40 from May and Axel Haubold.
- Burns (verbal): Building Center Lumber yard in Alvord donating some brick and rock for future project in that area.

13) Bids:

Motion made by Burns and seconded by Shawn and unanimously adopted by the Court to approve the 3 items Diana Allen verbally requested permission to proceed with the following:

- Auction a water truck for Precinct 1.
- Destroy expired bunker gear for the Fire Marshal's Office.
- WCSO has a K-9 named Rio that needs to be retired and donated to her handler. Craig Johnson shared Rio was an exceptional K-9 that received multiple awards, felony convictions and multiple successful search and seizures during her time at the WCSO. (No attachment)

Motion made by Lambert and seconded by Burns and unanimously adopted by the Court to approve the purchase via co-op or bid of a new skid steer for Precinct 3 to replace the old one. Maintenance department will use Precinct 3's old skid steer. (No attachment)

14) Consent Agenda Item:

a) Minutes: None

b) Department Head Reports:

1. Items submitted in Dropbox but not provided for court record. (No attachments)
2. Clark spoke about the College Bonds that were refinanced, Credit Rating Agency kept the County at an A rating. (No attachment)
3. Clark also shared TAC sent a payment for the computers that were lost in the Wise County Heritage Museum fire. He explained they were County assets, and new computers will be bought and retagged as County assets and allow the museum staff to use them per contract. (No attachment)
4. March 2023 Auditor's report (see attachment)
5. Asset Control Quarterly Report (See attachment)

c) Budget Amendments: None

d) Capital Expenditure Plan: None

e) Claims and Payroll: Ann (verbal): Expedia charge for \$733. Burns booked wrong date and gave apology to the court for the mishap. New K-9 for the WCSO in the amount of \$15,500. Paid out of the WCSO asset forfeiture funds. WCSO applied for the Bureau of

Justice Assistance grant for \$500 thousand. 50% of the grant will go to the WCSO if grant is approved. Grant will be used for body cameras. (No attachment)

f) Utility Permits/Right-of-Way: None

g) Interlocal Agreements/ Contracts: Dropbox

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

1. Hayes (verbal): Easement permit for Carry Graham. Hayes explained the property owner agreed to build the culvert across the road.
2. Fully Executed (list): Vertical Bridge Amendment, EMSAR, TXDOT CSJ 0902-20-111 Amendment (See attachment) (for information purposes only – approval not required)
3. Renewals and Amendments (list): LEXISNEXIS Accrurint -EMS, District Attorney, JP3, Mid Cities Pest Control-Courthouse Termite Warranty, Correctional Dental (See attachment) (for information purposes only – approval not required)
4. Tyler Technology Training agreement (See attachment)

Motion made by Shawn and seconded by Lambert and unanimously adopted by the Court to approve all items listed under agenda item 14, as presented.

15) Project Agreements for Road Repair:

Motion made by Shawn and seconded by Lambert and unanimously adopted by the Court to approve the project agreement for road repair in Precinct 4 to repair a few parking lots and drives for Paradise ISD. Shawn stated the intersection of Schoolhouse Road and Sunflower will need some road repairs in the City of Paradise. Burns stated he has various roads totaling almost a mile in Alvord that will be needing repair. City of Decatur also has repairs that fall in Hayes's Precinct also. (No attachment)

16) Discuss Hazard Mitigation Plan and related grant projects: Motion made by Burns seconded by Shawn and unanimously adopted by the Court to move forward on the Energy Efficiency Conservation grant and TCQ Emissions Reduction Plan grant.


17) Right-of-Way Improvements:

- Motion made by Lambert seconded by Shawn and unanimously adopted by the Court to approve the right-of-way improvement in Precinct 3 on 730 South off CR-4676 property owner will donate 10 ft of property at no cost to the County to widen the tight intersection and move fence. Lambert provided the quote estimate for the new fence, which is \$9,285.
- Motion made by Shawn seconded by Burns and unanimously adopted by the Court to approve the right-of-way improvement in Precinct 4 for Ed Goodman at 147 CR 3424, Bridgeport, Texas.

- 18) Burn Ban: Motion made by Burns seconded by Lambert and unanimously adopted by the court to renew a 90-day burn ban, as presented. (See attachment)
- 19) Committee Reports: None
- 20) Clark announced the next meeting as Monday, April 24, regular meeting.
- 21) Clark adjourned the meeting at 9:59 AM, there being no further business to be had by the court.

Minutes approved this 20th day of June, 2023, as printed.

  
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J.D. Clark, County Judge, Wise County

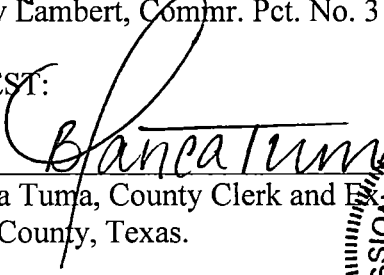
  
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John "Biff" Hayes, Commr. Pct. No. 1

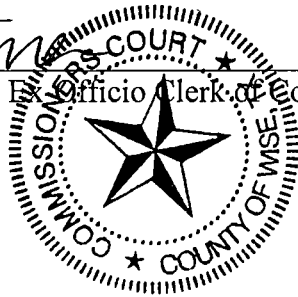
  
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Kevin Burns, Commr. Pct. No. 2

  
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Danny Lambert, Commr. Pct. No. 3

  
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Colby Shawn, Commr. Pct. No. 4

ATTEST:

  
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Blanca Tuma, 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.