

MAY 9, 2022

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 9th day of May, A.D., 2022 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
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
- 4) Community Forum:

Precinct No. 3 resident Lee Worley addressed the court requesting the court reconsider the three minute time limit for this agenda item. Worley continued discussing tax appraisals and requested the court consider tax payers and property tax increases going into the FY2023 budget process. Worley addressed the county's 20% "slush fund"; tax rate caps and percentage reductions if the taxpayer pays early. Worley requested the court lead by example and not wait for Austin to dictate tax requirements.

- 5) County Correspondence:

Clark noted the invitation to the Thursday, May 12, 2022 6:00 PM historical marker dedication at the Wise County Visitor's Center (old Post Office on Trinity Street).

- 6) Precinct Cooperation/Coordination:

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Kennedy commented he will need other Commissioners assistance on an asphalt project in Precinct No. 4. (No attachment)

7) Motion made by Hayes seconded by Burns and unanimously adopted by the Court to approve the following plats, as presented:

- Chance Rd. Addition, Lots 1-16, Block A, Construction Plans Acceptance, located in Precinct No. 1, as presented, including a letter of conformance from Wise County Development Services. (See attachment)
- South Fork Subdivision, Tracts 12R-1, 12R-2, and 12R-3, Replat located in Precinct No. 1, as presented, granting variances for drainage plan and road frontage; and, including a letter of conformance from Wise County Development Services. (See attachment)
- Ranch Hills Estates, Final Plat, Phase I located in Precinct No. 1, as presented, granting a drainage plan variance, and including a letter of general conformance from Kimley-Horn and Associates. (See attachment)
- Yaro Addition, Lots 1-3, Block 1, Final Plat, located in Precinct No. 2, as presented, granting a variance for drainage plan, and including a letter of conformance from Wise County Development Services. (See attachment)
- Henna Oaks Estates, Lots 1-20 and X, Block 1, Preliminary Plat Review, located in Precinct No.2, as presented, including a letter of general conformance from Kimley-Horn and Associates. (See attachment)
- Hidden Timbers, Lots 1-20, Block 1, Preliminary Plat, located in Precinct No. 2, as presented, including a letter of general conformance from Kimley-Horn and Associates. (See attachment)
- Mesquite Ridge Estates, Final Acceptance, located in Precinct No. 4, as presented, including a letter of general conformance from Kimley-Horn and Associates. (See attachment)

8) Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve the dates, times and locations for the early voting period for the May 24, 2022 Joint Primary Runoff Election, as presented. (See attachment)

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9) Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve the recommended consolidated polling locations to be used on Election Day for the May 24, 2022 Joint Primary Runoff Election, as presented. (See attachment)

10) Motion made by Lambert seconded by Burns and unanimously adopted by the Court to appoint Christopher Steele to the Wise County Emergency Services District No. 1 Board of Directors to replace Winford Cash who retired from the board. (No attachment)

11) Stifel, Nicolaus & Company representative Dan Mahoney and McCall, Parkhurst, Horton representative Jeff Gulbas appeared before the court to present information regarding the issuance of the Wise County, Texas Tax Notes, Series 2022; levying an ad valorem tax for repayment of the note; and, authorizing other matters related to the note. (See attachment)

Clark stated this tax note is for the purchase of heavy equipment for precincts and public works for road work. Clark continued the tax note will be paid from sales tax proceeds.

Mahoney told the court that his company sent bid packets to seventeen banks and received three responses. Mahoney stated that Bank of Oklahoma was the lowest bidder with a 2.91% coupon rate. Mahoney discussed increasing interest rates. Mahoney stated the five (5) year note will be \$3.5 million.

Clark asked if the court approves this item when can the first equipment be purchased? Mahoney stated the tax note sale will close on June 2, 2022 with funds being available on the 2nd with spending beginning on June 3, 2022.

Golbus stated the funds will be available on June 2, 2022 and the county can begin to advertise for bids now.

Motion made by Burns seconded by Hayes and unanimously adopted by the Court to authorize the issuance of Wise County Tax Notes Series 2022, as presented. (See attachment)

12) Clark stated that County Court at Law #2 Judge Stephen J. Wren is scheduled to retire on September 1, 2022. Clark stated the commissioner's court needs to appoint someone to fill the unexpired term to make a smooth transition. Clark stated the County Court at Law #2 is family court and is very busy. Clark recommended following the model previously used to appoint a committee to vet attorneys and recommend an attorney to appoint to fill Wren's unexpired term. Clark spoke to Commissioners Court Attorney Thomas Aaberg and District Clerk elect Loucrecia Biggerstaff and recommended those two and himself as a committee to vet attorneys and present a recommendation to the court. Clark stated the committee will accept letters of intention until 5:00 PM on Monday, May 16, 2022 from Wise County attorneys who are interested in the position. Clark stated he will bring back the committee's recommendation to the court on Monday, May 23, 2022.

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Clark stated time is of the essence on this in order for the attorney appointed to the position will need time to complete their pending caseload and wrap up their practice before September 1, 2022. Clark told the court he will be soliciting recommendations/input from the local bar associations and attorneys.

Motion made by Kennedy seconded by Lambert and unanimously adopted by the Court to appoint a committee (Clark, Aaberg, Biggerstaff) to vet attorneys who are interested in being appointed to fill the remaining term of retiring County Court at Law #2 Judge Stephen J. Wren, as presented. (No attachment)

13) Donations: None

14) Bids:

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to authorize the destruction of a printer/scanner at the Wise County Sheriff's Office that was purchased with 1033 funds per the requirement under the funding. (No attachment)

Asset Control Officer Diana Allen reminded the court of the Texas Association of Counties safety program and requested the court call to make an appointment with Allen as she will be in/out of the office for the rest of May.

15) Consent Agenda Items:

a) Minutes: April 19, 2022 Local Emergency Planning Committee; April 25, 2022 Special Meeting. (No attachments)

b) Department Head Reports:

- Items submitted in Dropbox but not provided for court record. (No attachments)
- County Clerk Monthly Activity Report for April 2022. (See attachment)
- Auditor's Report for April 2022. (See attachment)
- Texas Department of Transportation County Transportation Infrastructure Fund Grant Program showing extra roads listed. County Engineer Chad Davis discussed funding for the road projects. (See attachment)
- Texas Historical Commission approved the planning grant. Clark stated submission of grant application today for construction funding. Clark stated the county will know more in July 2022.

c) Budget Amendments: FY22-12, for various line items. (No attachment)

d) Capital Expenditure Plan:

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\$49,600.00 from Clark's Building and Grounds budget to Terry Young Construction to remodel the old Decatur Chamber of Commerce building to include flooring; paint, service counters; and an additional two stall bathroom. Clark discussed the long-term use of the modifications to the building.

e) Claims/Payroll:

County Auditor Ann McCuiston stated the claims/payroll register also includes the courthouse architect claim. (No attachment)

f) Utility Requests: None

g) Contracts/Interlocal Agreements:

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

- Rolling V1 Tax Collection (No attachment)
- Rolling V2 Tax Collection (No attachment)
- Renewal (list): Lexisnexis Accurint – District Attorney, Emergency Medical Services (EMS); Walnut Creek Tower Lease; Ad Valorem – New Fairview, Wise County ESD #2; Wise County Fire District #1; Wise County MUD 4; Wise County Water Supply (See attached list only)
- Fully Executed (list): Slidell SRO (See attachment)
- Texas Indigent Defense Grant Statement of Award FY2022 Formula Grant. (See attachment)
- Midcities Pest Control termite renewal for the Wise County courthouse pending Commissioners Court Attorney Thomas Aaberg's review/approval. (See attachment)
- Defense Logistics Agency (No attachment)

Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve all items listed under the consent agenda item, as presented, with changes/corrections noted.

Back to agenda item 15B: Department Head Reports

Election Administrator Sabra Srader stated the court will need to canvass the May 7, 2022 Constitutional Amendment and Joint Election constitutional amendments only. Srader stated the court will need to do it any day between Monday-Wednesday of next week at the Election Administration office and requested Clark post notice. The court agreed to canvass on Monday, May 16, 2022 at 9:30 AM at the Election Administration office.

16) Project Agreements for Road Repair: None

17) Hazard Mitigation Plan:

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Emergency Management Coordinator Cody Powell told the court that he has not submitted the final projects and the court can still submit. Powell discussed grant match funding.

18) Right-of-Way Improvements:

Motion made by Burns seconded by Lambert and unanimously adopted by the Court to approve the right-of-way improvement request to enter on to John Schedcik's property on CR 1470 in Precinct No. 2 to mitigate an area of flooding. (No attachment)

19) Burn Ban: None

20) Committee Reports:

Clark stated Development Rules and Regulations committee should have a presentation at the next meeting.

Motion made by Burns seconded by Hayes and unanimously adopted by the Court to authorize Burns to convene a committee being: Burns, 9-1-1 Addressing Director Wacy Beck; Public Works Director Joey Highfill; and, County Engineer Chad Davis to work with Burns, Texas Association of Watershed Sponsors; National Watershed Coalition, and other entities to do a study of high hazard/potentially high hazard dams to do breach analysis as there is potential development of those areas.

Burns stated Wise County residents shouldn't have to pay for this as those dams were built to protect residents (in other counties) downstream from Wise County. Burns discussed potential state and federal funding for said project. Burns stated national and state agencies that may be able to help in this project.

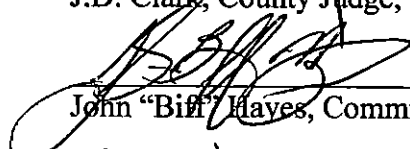
21) Clark announced the next meeting as Monday, May 23, 2022.

22) Clark adjourned the meeting at 9:39 AM, there being no further business to be had by the court.

Minutes approved this 23rd day of May, 2021, as printed.



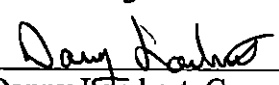
J.D. Clark, County Judge, Wise County



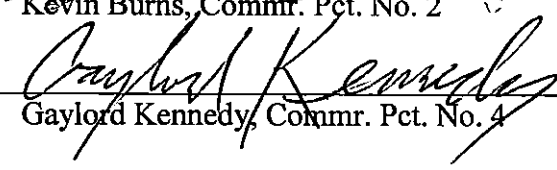
John "Biff" Hayes, Commr. Pct. No. 1



Kevin Burns, Commr. Pct. No. 2




Danny Lambert, Commr. Pct. No. 3

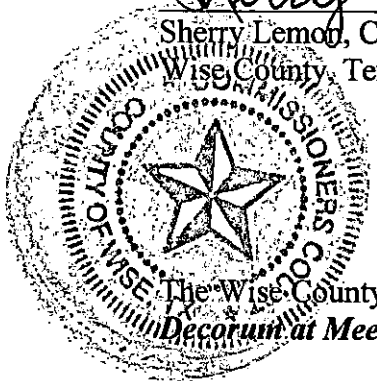


Gaylord Kennedy, Commr. Pct. No. 4

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