

JUNE 13, 2022

WISE COUNTY COMMISSIONERS' COURT MEETING

On this the 13th day of June, 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 of Allegiance
- 4) Community Forum:

Precinct No. 3 resident Thomas Powell (CR 3696 at FM 51) appeared before the court to discuss the speed limit on FM 51 south of 114. Powell discussed the current speed limit of 70mph on the farm-to-market road; major and fatal accidents; average speed; and, developments along the roadway. Powell asked the court to get with the State of Texas to consider changing the speed limit on FM 51.

Clark referenced a meeting three weeks ago with TxDOT regarding speeds on farm-to-market roads stating that TxDOT is considering reduced speeds across the board for farm-to-market roads. Clark asked Powell to leave his contact information with the County Judge's office.

- 5) Correspondence:

Clark invited all court members to the Station Four ribbon cutting at the new Emergency Medical Services (EMS) station in New Fairview on June 24, 2022 at 6:00 PM.

- 6) Precinct Coordination/Cooperation:

Lambert referenced future asphalt work in Precinct No. 3. Hayes thanked the commissioners for assistance in recent work in Precinct No. 1.

7) Plats:

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

- Heritage Creek North, Final Acceptance of Phase III located in Precinct No. 1, as presented, including a letter of general conformance from Kimley-Horn and Associates. (See attachment)
- Grand Harbor on Lake Bridgeport, Replat, Lots 65R-1 and 68R, Section I, Phase I, 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)
- Silver Lakes Ranch, Replat, Lot 7R, Phase I, 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)
- Garvin Hills, Preliminary Plat, Lots 1-13, Block 1, located in Precinct No. 3, as presented, granting a road frontage variance and including a letter of conformance from Wise County Development Services. (See attachment)
- The Reserve at Paradise Ranch, Preliminary Plat Review, Lots 1-10, located in Precinct No. 4, as presented, granting a road frontage variance for Lot 3, Block 1 from 150' to 145.22' and including a letter of general conformance from Kimley-Horn and Associates. (See attachment)

Kennedy and County Engineer Chad Davis discussed stock ponds on the property above. Davis discussed the dam detention on the stock tank.

- Paradise Crossing, Construction Plans Acceptance, Phase 2, Lots 3-14, 34-39, Block A, Lots 3-10, 24-32, Block B, 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 FY2023 Indigent Health Care Program Services, as presented, with no changes from the current program services. (See attachment)

9) Clark stated that Constable Precinct No. 2 Larry Short has announced his retirement effective August 31, 2022. Clark stated this is due to health issues. Clark requested court approval to create an interview team of Clark, Sheriff Lane Akin and Justice of the Peace Precinct No. 2 Kim Redman to receive applications/letters of interest to fill the unexpired term of Constable Precinct No. 2 effective September 1, 2022. Clark stated the application/interest deadline of July 1, 2022 with a recommendation to the Commissioners Court to be presented on July 11, 2022.

Constable Precinct No. 3 Charles Applewhite stated that he and the other constables have been assisting to cover service for Constable Precinct No. 2. Clark and Applewhite confirmed to the court the elected position will be on the March 2024 primary ballot.

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Motion made by Burns seconded by Kennedy and unanimously adopted by the Court to approve Clark, JP2 Kim Redman and Sheriff Lane Akin to receive applications/letters of interest for the Constable Precinct No. 2 position to fill the unexpired term of Constable Larry Short who is to retire effective August 31, 2022 due to health issues with a deadline of July 1, 2022 and a recommendation to the court on July 11, 2022.

Skip to agenda item 11: Discuss Hidden Meadow Court project to bring road up to County Standard and enter into county maintenance program. Take any necessary action.

Hayes told the court that Hidden Meadow Court is the only road in Heritage Creek Subdivision (Precinct No. 1) that is currently a private road. Hayes stated the residents on Hidden Meadow Court want to make the road a county road and are funding bringing the road up to county standards with the county doing the chip/seal road work so it can be taken into county maintenance. Clark stated the residents of the road are funding the road upgrade through donations to the county based on cost estimate provided by Hayes.

Lambert asked if the county is allowed to do the work on a private road if the county doesn't maintain the road. Clark and Burns stated that doing it the way Hayes is doing it allows the county to work on a road. Burns stated the county can only work on a private road if all court members approves. The court discussed setting a precedence and explained the reason this one is being taken into the county road system. The court discussed that the residents are paying to bring the road up to county standards; that this is one road in a subdivision that is not county road when all others are county roads; and, that the road is not dedicated at all and has no ownership.

Motion made by Hayes seconded by Burns and unanimously adopted by the Court to accept Hidden Meadow Court (Heritage Creek Subdivision) located in Precinct No. 1 into the county road maintenance system once payment for materials has been received by all landowners on that road **and** the road has been brought up to county standard for county roads, as presented. (No attachments)

County Treasurer Katherine Hudson stated she has received payment from nine of the ten residents. The tenth resident was present in court and provided Hudson with his payment.

Back to agenda item 10: Consider and act on resolution for Texoma Area Paratransit System (TAPS) proposed administrative/operations center and future Transit Terminal.

10) Clark discussed the TAPS resolution of support from Wise County stating that Wise County has no financial obligation through this resolution. Clark introduced TAPS representative Shelly White who reviewed the history of the TAPS program in Wise County and the other counties it serves.

Motion made by Burn seconded by Kennedy and unanimously adopted by the Court to adopt a resolution of support for the Texoma Area Paratransit System (TAPS) Administrative/Operations Facility and Future Transit Terminal, as presented. (See attachment)

12) Donations:

No donations made to the county other than the payments from the ten landowners on Hidden Meadow Court (Pct. 1) for materials to bring the road up to county standard so it can be accepted into the county maintenance system. No action taken by the court.

13) Bids:

Motion made by Hayes seconded by Burns and unanimously adopted by the Court to approve the Tax Note Sales change in purchase for Precinct No. 1 from a tiger mower to a John Deere tractor and diamond mower with the price being within the limits; and, to approve the purchase of a gooseneck trailer for Precinct No. 1 with the cost being a bit more than originally estimated. Asset Control Officer Diana Allen clarified that she and Hayes discussed this with County Auditor Ann McCuiston who okayed the change because the tractor/mower items were a bit less in price than originally estimated. (No attachment)

Motion made by Hayes seconded by Kennedy and unanimously adopted by the Court to authorize Asset Control Officer Diana Allen to advertise for bids for the purchase of one-half inch washed rock for use by all precincts. (No attachment)

Motion made by Burns seconded by Lambert and unanimously adopted by the Court to approve the purchase of a road widener using the new capital expenditure funds with financial assistance from all precincts with this item being an exclusive sole-source item and under \$50,000.00. (No attachments)

14) Consent Agenda Item:

a) Minutes:

May 23, 2022 Special Meeting and May 24, 2022 Local Emergency Planning Committee Meeting, as presented. (No attachments)

b) Department Head Reports:

- Items submitted in Dropbox but not provided for court record. (No attachments)
- County Clerk monthly activity report for May 2022 (See attachment)
- Treasurer's Report for May 2022 (See attachment)
- Auditor's Report for May 2022 (See attachment)

c) Budget Amendments: None

d) Capital Expenditures: None

e) Claims/Payroll: registers presented in Dropbox (No attachments)

f) Utility Requests: None

g) Contracts and Interlocal Agreements:

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

- Asset Control Officer Diana Allen discussed a proposed new process regarding HB1295 disclosure form procedures delegating authority to Clark to approve certain items that do not require a house bill document. Clark stated that the following comes to court: new contract; renewal with price change; any material changes. Clark stated contract items that are straight renewals with no changes can be delegated to Clark for approval. (See attachment)

- Chico ISD School Resource Officer Agreement (No attachment)
- Decatur Conference Center Contract Renewal with Wise County Emergency Management (No attachment)
- Emergicon Amendment to Professional Services Agreement Emergency Medical Services (EMS) (See attachment)
- Renewals (list): TAC Insurance renewal for APD; all liabilities; workers compensation; and, unemployment; Coast to Coast (See attachment)
- Fully Executed (list): Martin Marietta Reimbursement Agreement; Slidell SRO for FY2023 corrected; Snow Garrett Engagement Letters – Wise County; Tax SOC; Tax Delinquent Schedules; and Ad Valorem – Rolling V Ranch WCID 1 and 2. (See attachments)
- Correctional Dental (No attachment)

Motion made by Burns 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 Lambert seconded by Burns and unanimously adopted by the Court to approve the following project agreements for road repair, as presented:

- Project Agreement for Road Repair #3034 for City of Rhome for various roads listed. (Precinct No. 3) (See attachment)
- Project Agreement for Road Repair #3035 for City of Boyd for various roads listed. (Precinct No. 3) (See attachment)

Motion made by Burns seconded by Lambert and unanimously adopted by the Court to approve the following project agreement for road repair, as presented:

- City of Chico (No project number) for Kentucky Street in Precinct No. 2. (No attachment)

Kennedy referenced a project with City of Paradise that was previously approved that he is working on.

Back to agenda item 13: Discuss and consider construction, initiation and/or approval of: (i) specifications pursuant to advertising for bids on one or several different items and/or services for purchase (or sale of items); (ii) purchase of specific items; (iii) consider awarding bids and (iv) consider giving notice of cancellation(s) as/if necessary. Take any necessary action.

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 the purchase of a two (2) ton truck with dump bed to pull a Durapatcher for Precinct No. 2. (No attachments)

- 16) Hazard Mitigation: None
- 17) Right-of-Way Improvements: None
- 18) Burn Ban: None

- 19) Committee Reports: Clark reminded the court of the Development Rules and Regulations Committee Meeting to be held today at 1:30 PM at the Election Administration Office.
- 20) Clark announced the next meeting on June 27, 2022. Clark and the court discussed potential second meeting dates for July 2022 as several will be out of the office on the 25th. The court will revisit this at the June 27, 2022 meeting.
- 21) Clark adjourned the meeting at 9:40 AM, there being no further business to be had by the court.

Minutes approved this 27th day of June, 2022, as printed.

J.D. Clark, County Judge, Wise County

John "Bill" 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
Sherry Lemon, County Clerk and Ex-Officio Clerk of Commissioners' Court,



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