

AUGUST 3, 2022

WISE COUNTY DEVELOPMENT RULES AND REGULATIONS COMMITTEE

On this the 3rd day of August, A.D., 2022 at 9:00 AM came on to be had a Meeting of the Wise County Development Rules and Regulations Committee of Wise County, Texas held in the Conference Room of the Wise County Emergency Management Office (201 N. State Street) of said County in the town of Decatur with the following members present and presiding:

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|--------------------------|------------------------------|
| J.D. Clark | County Judge |
| John S. (Biff) Hayes | Commissioner, Precinct No. 1 |
| Kevin Burns | Commissioner, Precinct No. 2 |
| Danny Lambert | 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) County Engineer Chad Davis called the meeting to order at 9:04 A.M. Those present include Clark, Davis, Hayes, Burns, Lambert, Public Works Director Joey Highfill (and Planning Assistant, Kiley Vian), Kimley-Horn and Associates, Inc. Professional Civil Analyst Shelby Warchesik, and 911 Addressing Director Wacy Beck.

2) The committee discussed the definition of "access" in the Development Rules and Regulations (DRR). Burns and the committee discussed easement allowances; dedicated right-of-way access and banking requirements. Highfill stated this item is being discussed because there needs to be consistency between the precincts.

The committee discussed catching this issue during the development plan process; when a development plan is required; and septic permit requirements. The committee discussed the reason for requiring a written variance request. Vian noted that the DRR already states access to a public roadway.

Davis summarized putting in the (DRR) that a fee simple deed or right-of-way access to the county road or public access road; and, then, if the party subdividing wants a variance they'll need to go to Commissioners Court and request an easement variance.

Motion made by Burn seconded by Lambert and unanimously adopted by the Court to require dedicated right-of-way or fee simple deed accessing a public roadway with any access easements requiring a variance granted by the Commissioners Court.

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3) Davis told the committee he is out of physical space for plat maps and requested future plat records be submitted as PDF/digital versions from developers and the County Clerk. Davis told the court the only thing he needs is a final set of construction plans for review.

The court discussed ceasing to bring preliminary plat documents to Commissioners Court. Burns and the committee discussed topographic maps; direction of flow of water; requirement of that information on plats; and, server access for housing drainage plan documents.

Knox confirmed with the committee that Davis wants a PDF image of the recorded final plat; Beck and Highfill want a paper recorded final plat.

Motion made by Highfill seconded by Burns and unanimously adopted by the Court to approve by the committee regarding future plat submission to Davis and offer a link to public the contour page on the NCTCOG website regarding topography.

4) The committee discussed the need to require a maintenance agreement between land/lot owners for shared maintenance of a private road. The committee also discussed development on public access roads that are not in the county maintenance system (private roads). Clark stated that developers cannot do additional new development on an existing private road until a maintenance agreement is complete or the owners bring the road up to county specifications. Warchesik said the DRR can be revised to clarify the private road item to include existing private roads.

The committee discussed several examples of public access roads (private roads) that do not meet county specifications in older developments. The committee discussed variances for developments on private roads. Clark asked the committee if that is something the county can regulate? Clark requested Commissioners Court Attorney Thomas Aaberg review this item. Clark stated this can be placed on a future agenda pending Commissioners Court Attorney Thomas Aaberg's review. The committee discussed that a driveway can be placed on a private road but no new road or extension of the road.

The committee requested Warchesik make these amendments to be presented at the Monday, August 8, 2022 CCM meeting.

5) Old Business:

The committee briefly discussed extraterritorial jurisdiction and that the county's more stringent DRR requirements apply.

Vian requested clarification regarding private road names for 911 addressing. Beck stated the rule is that all private road names must maintain continuity with all other road names. Beck stated a variance has been required to keep the private road number instead of being named. Vian requested clarification in the DRR so the developer doesn't have to request a variance.

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Vian asked where in the DRR that if a property is a platted subdivision that family has to do a replat. Burns commented that family is exempt from platting unless the property is platted then it has to be replatted. Warchesik commented about Texas Local Government Code requirements. The committee discussed whether this is something that Commissioners and Judges Association or TAC by asking attorney Bob Bass can assist in clarification in this process.

Clark stated that the section in the DRR about replats can stated that replatting is required regardless of owner/seller relationship. Warchesik stated that if a plat has already been filed with the county then exemptions don't apply.

Burns commented that he can visit with Bass at conference on the 24th and once clarification is confirmed then the item can be added to the DRR.

6) New Business:

Warchesik discussed a few items regarding letters of credit that have expired and/or are about to expire. Warchesik discussed that the letter of credit states that improvements are required to be done within the year but are NOT completed then the county can call the letter of credit. Warchesik told the committee the county rarely calls the letter of credit.

Warchesik listed those that are currently under watch by Kimley-Horn and Associates. The committee discussed that once the letter of credit has expired then the county cannot go back on it; and, that a couple of letters of credit have been extended by the developer/bank.


Burns stated this can be a new item on the next committee meeting.

Warchesik stated that Kimley-Horn and Associates sends reminders two to three months before the letter of credit is set to expire. Burns and the committee discussed this further. The committee discussed pursuing this "hard and heavy" in the future.

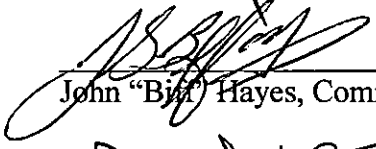
7) Motion made by Highfill seconded by Lambert and unanimously adopted by the committee to adjourn at 11:13 AM, there being no further business to be had by the committee.

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Minutes approved this 22nd day of August, 2022, as printed.



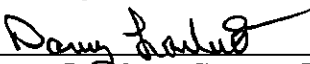
J.D. Clark, County Judge, Wise County



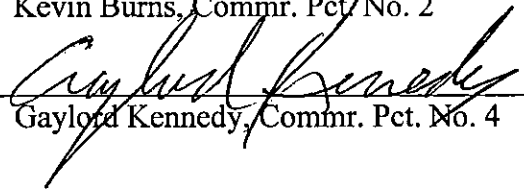
John "Biff" Hayes, Commr. Pct. No. 1



Kevin Burns, Commr. Pct. No. 2

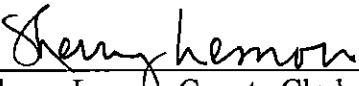


Danny Lambert, Commr. Pct. No. 3

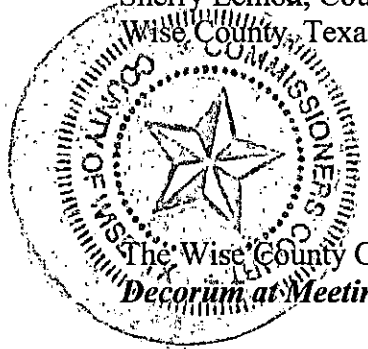


Gaylord Kennedy, Commr. Pct. No. 4

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.