

THE COMMISSIONERS' COURT OF ARCHER COUNTY, TEXAS

held a Public Hearing on the proposed Tax Rate and Operating Budget for October 1, 2023 to September 30, 2024 Fiscal Year, on Monday, September 11, 2023 at 9:30 AM.

Those present:

Randall C. Jackson
Wade Scarbrough
Darin Wolf
Pat Martin, III
Todd Herring
Karren Winter – Absent

County Judge
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4
County Clerk

Karen Aulds
Conner Deen
Paul Wylie
Jack Curd
Diana Patterson
Dawn Vieth
Patricia Vieth

Deputy County Clerk
County Attorney Part-time Staff
Auditor
Sheriff
Constable, Precinct 3
Tax Assessor/Collector
Treasurer

Public in Attendance:

Callie Lawson – Archer County News
Carter Turner – Warren CAT

Randy Jackson opened the public hearing.

Public hearing opened at 9:30 AM

Public Comments – None

Public hearing closed at 9:45 AM

THE COMMISSIONERS' COURT OF ARCHER COUNTY, TEXAS

met in Regular Session on Monday, September 11, 2023 at 10:00 A.M.

Those present:

Randall C. Jackson
Wade Scarbrough
Darin Wolf
Pat Martin, III
Todd Herring
Karren Winter – Absent

County Judge
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4
County Clerk

Karen Aulds
Conner Deen
Paul Wylie
Jack Curd
Jay Franklin
Diana Patterson
Dawn Vieth
Patricia Vieth
Christie Mooney
Nita Lewis
David Levy – via Zoom

Deputy County Clerk
County Attorney Part-time Staff
Auditor
Sheriff
Deputy Sheriff
Constable, Precinct 3
Tax Assessor/Collector
Treasurer
Elections Administrator
Court Coordinator
County Attorney

Public in Attendance:

Callie Lawson – Archer County News
Nathan Lawson – Archer County News
Carter Turner – Warren CAT
W.C. Abernathy, Jr. – Citizen

Susie Wallace – Citizen

A. CALL TO ORDER

Greeting, Roll Call, and Determination of Quorum
Pledge of Allegiance to the United States and Texas Flags
Registration of Attendees by the County Clerk

The meeting was called to order by Randy Jackson, and a quorum was noted.

B. Approve Final Agenda:

Item #3 was removed from the agenda.

ORDER TO APPROVE FINAL AGENDA

The motion was made by Darin Wolf and seconded by Todd Herring to approve the Final Agenda. Voting yes 1-2-3-4-Judge

C. PUBLIC COMMENTS, MISCELLANEOUS REPORTS, DISCUSSIONS OR PRESENTATIONS AGENDA:

No Public Comments

D. ACTION AGENDA

1. Approve departmental reports.

Treasurer, Indigent Health, and Texas A&M AgriLife Extension Service

ORDER APPROVING REPORTS

The motion was made by Todd Herring and seconded by Darin Wolf to approve departmental reports: Treasurer, Indigent Health, and Texas A&M AgriLife Extension Service. Voting yes 1-2-3-4

2. Approve vouchers for payment.

Randy Jackson presented vouchers for payment.

ORDER APPROVING VOUCHERS

The motion was made by Pat Martin, III and seconded by Wade Scarbrough to approve vouchers for payment. Voting yes 1-2-3-4-Judge

3. Approve line-item transfers. **Removed**

4. Approve Education Certificates.

Pat Martin, III and Todd Herring have met the 2023 Commissioner Statutory Continuing Education requirements.

Randy Jackson, Patricia Vieth, Christie Mooney, Paul Wylie, and Nita Lewis – Cybersecurity Awareness Training

ORDER TO APPROVE EDUCATION CERTIFICATES

The motion was made by Pat Martin, III and seconded by Todd Herring to approve Education Certificates. Voting yes 1-2-3-4-Judge

5. Approve Publisher's Certificates.

Archer County News – Tax Increase Public Hearing

ORDER TO APPROVE CERTIFICATES

The motion was made by Todd Herring and seconded by Darin Wolf to approve Publisher's Certificates. Voting yes 1-2-3-4

6. Approve Minutes from previous month – August, 2023.

ORDER TO APPROVE MINUTES

The motion was made by Wade Scarbrough and seconded by Pat Martin, III to approve minutes from August, 2023. Voting yes 1-2-3-4-Judge

7. Consider and/or take action on the county's Health Insurance renewal proposal.

Patricia Vieth led the discussion reporting that the medical insurance increased by 6.2% to \$897.86 per employee; dental insurance had slight decrease from \$31.40 to \$30.46 per employee; and the cost of life insurance remained unchanged. Our anniversary/renewal date is January 1, 2024, but the plans are due to Texas Association of Counties (TAC) by October 1, 2023. Randy Jackson reminded the court that we receive a refund or rebate each year because of Archer County's low claims count.

ORDER TO APPROVE INSURANCE

The motion was made by Todd Herring and seconded by Darin Wolf to approve the county's Health Insurance renewal proposal. Voting yes 1-2-3-4-Judge

8. Consider and/or take action to disburse Capital Credits funds to the Archer County Museum and Art Center.

Randy Jackson provided background information and explained that we submitted an application approximately three months ago and we received \$8,879.78.

ORDER TO DISBURSE FUNDS

The motion was made by Darin Wolf and seconded by Pat Martin, III to disburse Capital Credits funds to the Archer County Museum and Art Center in the amount of \$8,879.78. Voting yes 1-2-3-4-Judge

9. Consider and/or take action on an Amendment to the City Tele Coin contract. (S.O.)

Jack Curd explained that the ACSO is required to provide a law library to inmates. Because we do not have a law library, we must give access to one via the internet. This is an amendment to our current contract that allows access to the law library on the inmates' tablets.

ORDER TO APPROVE CONTRACT AMENDMENT

The motion was made by Wade Scarbrough and seconded by Todd Herring to approve amendment to the City Tele Coin contract for the Archer County Sheriff's Office. Voting yes 1-2-3-4-Judge

10. Consider and/or take action on Pitney Bowes lease agreement.

Patricia Vieth explained that we have upgraded to a new postage machine. The cost is \$63.90 per quarter, which is an additional \$255.60 per year.

ORDER TO APPROVE LEASE AGREEMENT

The motion was made by Pat Martin and seconded by Todd Herring to approve Pitney Bowes lease agreement for \$3,659.64 per year for five years. Voting yes 1-2-3-4

11. Consider and/or approve Election Agreement & Contract for the November 7, 2023 Election.

Christie Mooney notified the court that the Olney Hamilton Hospital is having a Bond Election, and the City of Holliday is voting on a Liquor Petition (beer and wine only) in conjunction with our November 7, 2023 Election.

ORDER TO APPROVE AGREEMENT AND CONTRACT

The motion was made by Pat Martin, III and seconded by Todd Herring to approve Election Agreement and Contract for the November 7, 2023 Election. Voting yes 1-2-3-4-Judge

12. Consider and/or take action on Burn Ban.

Randy Jackson explained that he had recently put an Emergency Burn Ban in place prior to this meeting because the previous burn ban was expiring. He asked the commissioners to consider a 30 to 60 day extension.

ORDER TO APPROVE BURN BAN

The motion was made by Todd Herring and seconded by Wade Scarbrough to approve a burn ban for 60 days. Voting yes 1-2-3-4

13. Consider and/or take action on Vehicle Use Policy.

Paige McSpadden, Maranda Revell, and Donald Stevens have submitted their signed Policy. Randy Jackson notified the court that Doug Strange has not signed his policy, and he asked the court how they want to proceed with Mr. Strange. Judge Jackson has communicated with the Chief Juvenile Probation Officer (Jennifer Schindler) and Mr. Strange should be in compliance in order to transport juveniles. Mr. Jackson stated that the policy excludes the Archer County Sheriff's Office (ACSO) vehicles. The policy includes Constables, Shane Wright, Paige McSpadden, and Maranda Revell. Pat Martin, III stated that he considers Constables as Law Enforcement along with ACSO.

ORDER TO ENFORCE POLICY

The motion was made by Randy Jackson and seconded by Wade Scarbrough to enforce all County vehicles to be in compliance with the Archer County Vehicle Use Policy, excluding Sheriff's Office vehicles. Voting yes 1-2-Judge; Voting no 3-4

14. Consider and/or take action on Budget Items.

Items discussed:

- Wade Scarbrough – Non-departmental shows Emergency Services \$250,000 to City of Archer City. What about the \$45,000 in Ambulance Services? Paul Wylie will reduce to \$15,000 which is closer to the actual amount.
- Pat Martin – Questioned the Appraisal District quarterly payments totaling approximately \$146,000 for the year; Also, need to increase Volunteer Fire Departments from \$75,000 to \$80,000 as discussed.
- Todd Herring – Make adjustment to his telephone service to increase it to \$1,300
- Jack Curd – He spoke with Paul Wylie earlier; therefore, he can be removed from this afternoon's Grievance Committee agenda. Randy Jackson confirmed compliance with SB22.
- Wade Scarbrough – Internet service providers included in utilities?
- Patricia Vieth – Courthouse repair and maintenance – she is trying to get quote for upgrade of Treasurer's office so that work could possibly be done this fiscal year.

ORDER TO RECESS

Randy Jackson made the motion to Recess until 9:30 AM tomorrow morning to discuss Items 14, 15, 16 and 17. Wade Scarbrough seconded the motion. Voting yes 1-2-3-4-Judge

- Darin Wolf – Questioned the amount to be put into Precinct 5 – Paul Wylie stated the same percentage as last time/previously with Road & Bridge funding.

Court recessed at 10:31 AM

Court reconvened at 9:30 AM on Tuesday, September 12, 2023

Those present:

Randall C. Jackson
Wade Scarbrough
Darin Wolf
Pat Martin, III
Todd Herring
Karren Winter – Absent

County Judge
Commissioner, Precinct 1
Commissioner, Precinct 2
Commissioner, Precinct 3
Commissioner, Precinct 4
County Clerk

Karen Aulds
Jack Curd
Paul Wylie
Conner Deen
David Levy – via Zoom
Diana Patterson
Patricia Vieth

Deputy County Clerk
Sheriff
Auditor
County Attorney Part-time Staff
County Attorney
Constable, Precinct 3
Treasurer

Dawn Vieth
Nita Lewis

Tax Assessor/Collector
Court Coordinator

Public in Attendance:

Nathan Lawson – Archer County News

Item 14 continued:

- Randy Jackson – Elevator – He received information from Aspen Elevator from Wichita Falls and after they inspected the elevator, they notified him that there is no need to replace it right now. It will cost \$25,000 to replace whole system when needed.
- Randy Jackson – Conner Deen had suggested that he contact Sherrill & Gibson about legal assistance for the ambulance 501(c)(3). Judge Jackson has scheduled a meeting with Payton Cannedy, Legal Counsel with Sherrill & Gibson.
- Randy Jackson – Conner Deen and David Levy working on Interlocal Agreements with the Independent School Districts.
- Patricia Vieth – Contractor Wade Reams will be here this week to give quote on Treasurer’s Office upgrade.
- Jack Curd – He spoke with Holliday ISD Superintendent and their school district is fine with the interlocal agreement. Sheriff Curd is working on the plan that will meet requirements.
- Jack Curd – Briefed the court on a legislative bill regarding telecommunicators’ mental health days after a traumatic event. They do not have to use their personal sick leave. He is working with Patricia Vieth on the policy. This will be incident based.
- Paul Wylie – Referenced a handout he distributed to Commissioners. \$2,848,587 budget deficit. He discussed the difference in yesterday’s amount.

15. Consider and/or approve Elected Officials’ Salaries for FY October 1, 2023 to September 30, 2024.

Randy Jackson announced that the Grievance Committee met on September 11, 2023 at 1:00 PM, and explained that the commissioners’ court “shall consider” the recommendations, but the commissioners can do whatever they choose, in his opinion. He reviewed the results regarding the requested salary amounts:

Elected Official	For	Against
Donald Stevens	2	5
Diana Patterson	6	1
Patricia Vieth	2	5
Doug Strange	3	4

Based on the voting results, Constable Diana Patterson is the only one for consideration by Commissioners’ court.

Wade Scarbrough’s opinion is that the Grievance Committee is established by Government Code and he feels that the court should honor their recommendation.

Wade Scarbrough made the motion to honor the recommendation of the citizens for Constable Patterson to increase her salary from \$20,000 to \$45,600. Discussion included: David Levy stating that Commissioners can set the salary lower than recommended; Randy Jackson thinks court set it right and maybe even over pay the constables in regards to their mandated duties; Darin Wolf believes it is a high salary for her first year; Pat Martin said that part of the duties of Commissioners is to set budget and set salaries, and Constable Patterson could take advantage of grants; Randy Jackson believes that there is no accountability when it comes to the constables; Diana Patterson stated that she is willing to do any reports that Commissioners request of her; **Motion died for lack of a second.** Conner Deen mentioned that the court could set the salary lower than requested. Speaking on behalf of the County Attorney’s office, Mr. Deen reported that Constable Patterson has written lots of tickets and made lots of arrests.

ORDER TO APPROVE SALARY

The motion was made by Randy Jackson and seconded by Pat Martin, III to keep the salary as they were set in regular Commissioners' Court. Voting yes 2-3-4; Voting no 1
16. Adopt Final Budget for FYE September 30, 2024.

Darin Wolf asked Paul Wylie if all the salaries were correct, and Mr. Wylie believes they are.

ORDER TO ADOPT FINAL BUDGET

The motion was made by Pat Martin, III and seconded by Wade Scarbrough to adopt final budget for FYE September 30, 2024. Voting yes 1-2-3-4-Judge

17. Adopt Tax Rate for FYE September 30, 2024.

ORDER TO ADOPT TAX RATE

I, Pat Martin, III move that the property tax rate be increased by the adoption of a tax rate of 0.52343, which is effectively a 4.82 percent increase in the tax rate. THIS YEAR'S TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 6.02 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-52.89, seconded by Randy Jackson. Voting yes 1-2-3-4

Fund	Tax Rate
Gen Fund/R&B Fund	0.41766
I & S Fund	0.03237
FM & LR	0.04426
Co Rd	<u>0.02914</u>
Total	0.52343

Darin Wolf requested to revisit Item 13. (Consider and/or take action on Vehicle Use Policy.)

ORDER TO EXEMPT CONSTABLE, PRECINCT 1

Darin Wolf made the motion to exempt Doug Strange from the Vehicle Use Policy.

Discussion included: Randy Jackson reminded the court that Jennifer Schindler, Chief Juvenile Probation Officer, said that his vehicle needs to be marked; Todd Herring asked how many juveniles does he transport and Jack Curd responded, "not many;" Wade Scarbrough asked since Commissioners' Court requires marked cars, are those affected by the policy responsible in their own budget? Patricia Vieth mentioned that the average cost is \$250; Commissioner Scarbrough stated that Jennifer Schindler's recommendation carries weight. **Todd Herring seconded the motion. Voting yes 2-3-4; Voting no 1-Judge**

Having no further business to consider, the Court adjourned at 9:59 a. m.

I, Karren Winter, County Clerk of Archer County, and Ex-Officio Clerk of the Commissioners Court, Archer County, Texas do hereby certify that the foregoing Commissioners Court Minutes are a true and correct record of the proceedings.

ATTEST: *Karren Winter*

Karren Winter, Archer County Clerk