

## THE COMMISSIONERS' COURT OF ARCHER COUNTY, TEXAS

met in Regular Session on Monday, April 26, 2021 at 10:00 a.m. The public was allowed access via teleconference.

Those present:

Randall C. Jackson		County Judge
Wade Scarbrough		Commissioner Prec. 1
Darin Wolf		Commissioner Prec. 2
Pat Martin, III		Commissioner Prec. 3
Todd Herring		Commissioner Prec. 4
Karren Winter	Absent	County Clerk
Karen Aulds		Chief Deputy Clerk

Shane Wright	EMC
Jack Curd	Sheriff
Patricia Vieth	Treasurer
Nita Lewis	Court Coordinator
David Levy	County Attorney
Paul Wylie	Auditor

Citizens in attendance:

Sam Bownds	Archer Co. OSSF Representative
Tim Beamon	
Adam Brungardt	
Nathan Lawson	Archer County News
Kelly Reid	

### 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 Court Clerk

***The meeting was called to order by Randall C. Jackson, and a quorum was noted.***

### B. Approve Final Agenda.

**Items #3, #4 and #5 were struck from the Action Agenda due to no action being required.**

### **ORDER TO APPROVE FINAL AGENDA**

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

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

Public Comments:

**David Levy announced that Archer County won our appeal to the Court of Appeals regarding a criminal case. He expressed appreciation to the staff involved. Mr. Levy also expressed appreciation to Kelly Perry, Jack Monroe and Chase Allison with the ACSO. They visited with an exchange student from Spain whose family is in law enforcement.**

**Patricia Vieth gave an update on grants: The Winter Storm Grant has been submitted to FEMA; The first reimbursement has been submitted for the TXDOT Grant; and the COVID Grant is ongoing.**

### D. ACTION AGENDA:

1. Approve Departmental Reports.

### **ORDER APPROVING REPORTS**

The motion was made by Todd Herring and seconded by Darin Wolf to approve Departmental Reports: **Indigent Health; Treasurer; Holliday Public Library Quarterly Report.** Voting yes 1-2-3-4-Judge

2. Approve vouchers for payment.

**Randall C. Jackson presented the vouchers for payment.**

#### **ORDER APPROVING VOUCHERS**

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

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

4. Approve Education Certificates. **Removed**

5. Approve Publisher's Certificates. **Removed**

6. Discuss and/or take action on a property owner's request for a deviation from the countywide Septic System policy for Lot 3A Block 2 of the Buchanan Subdivision at Lakeside City, Texas.

**Tim Beamon asked the Court to consider an exception to the Texas Commission on Environmental Quality (TCEQ) rule and allow a septic system on this property. Randall C. Jackson has done research. This is a single-family residence. Adam Brungardt stated that he would like to see the rule upheld. He expressed his concerns with water drainage issues and current situation with a neighbor. Wade Scarbrough and David Levy reviewed Section 9 of the TCEQ code. After considerable discussion, additional review of conditions and statutes need review.**

#### **ORDER TO TABLE REQUEST**

The motion was made by Wade Scarbrough and seconded by Darin Wolf to table approving request for a deviation from the countywide Septic System for Lot 3A, Block 2 of the Buchanan Subdivision at Lakeside City, Texas. Voting yes to table 1-2-3-4-Judge

7. Discuss and/or take action on 911 coverage maps for Fire and EMS.

Jack Curd stated that there has been an issue with fire departments and dispatch regarding maps.

**Sheriff Curd reported that he and Shane Wright met with Fire Chiefs and ACSO staff in January, and the meeting went well. There are two minor changes to the map that Commissioners' Court approved in 2010. Sheriff Curd recommended reviewing maps more often.**

#### **ORDER TO PURCHASE 911 COVERAGE MAPS**

The motion was made by Pat Martin III and seconded by Todd Herring to approve 911 coverage maps for Fire and EMS. Voting yes 1-2-3-4-Judge

Randall C. Jackson made the motion to require Commissioners' Court approval to any changes to 911 coverage maps. Wade Scarbrough seconded. Voting yes 1-2-3-4-Judge

8. Discuss and/or take action on the Terms of Use for the Archer County Activity Building in Archer City.

**Randall C. Jackson stated that no alcohol is allowed at the Activity Building. Judge Jackson invited Kelly Reid to join the discussion. Ms. Reid is asking the Court to consider allowing alcohol on the premises for a family member's wedding reception in September.**

#### **ORDER TO APPROVE TERMS OF USE**

The motion was made by Todd Herring and seconded by Pat Martin III to approve the Terms of Use, but allow the deviation to the Reid family wedding for the Archer County Activity Building in Archer City. Voting yes 1-2-3-4-Judge

9. Discuss the *Rescue America Act*.

**Randall C. Jackson participated in an online TAC presentation regarding the Act. Archer County will be receiving \$800,000 in May and additional \$800,000 next May. He has not received the details yet (i.e., whether**

**County includes cities or are cities separate). Funds must be used for COVID-related issues/items or improving infrastructure.**

10. Discuss and/or take action on the purchase of an *Asphalt Zipper*. (Tabled item 4-12-21)

**Wade Scarbrough provided details regarding the purchase stating that if Commissioners vote to purchase today, it will be an August delivery date. This equipment could be used countywide, not just paved roads, but on gravel roads also. Darin Wolf believes it would be a great investment. Commissioner Scarbrough and Pat Martin III discussed that the price quoted previously is still good and a deposit has been waived. It will be purchased through BuyBoard.**

#### **ORDER TO PURCHASE ASPHALT ZIPPER**

The motion was made by Wade Scarbrough and seconded by Darin Wolf to approve purchasing from Asphalt Zipper in the amount of \$276,395.00. Voting yes 1-2-3-Judge, Voting no - 4

11. Discuss and/or take action to solicit bids for the Financing of an *Asphalt Zipper*. (Tabled 4-12-21)

#### **ORDER TO ADVERTISE FOR BIDS**

The motion was made by Pat Martin III and seconded by Darin Wolf to advertise for bids for financing of an Asphalt Zipper due at the next Commissioner's Meeting, Monday, May 10, 2021 at 10:00 a.m. Voting yes 1-2-3-4-Judge

12. Discuss and/or take action on Archer County Activity Building in Holliday, Texas. (Tabled 4-12-2021)

**Todd Herring revisited the situation and the issue is only with items in the building. Todd Herring recommended leaving as is, do not accept donations, and draw up an agreement. Shane Wright mentioned that he needs to be able to use the facility during emergency situations. Commissioner Herring said that County use is priority.**

#### **ORDER TO ACCEPT DONATIONS**

The motion was made by Todd Herring and seconded by Wade Scarbrough to supersede any previous motions and leave some of the furnishings in the possession of the Holliday Senior Citizens Service Association. Pat Martin requested additional discussion. Darin Wolf recommended that the county take possession and as equipment breaks down, the county would replace it. After considerable discussion, Commissioner Herring called the question. The motion was revised to leave deliberations for the ownership of the furnishings in the Archer County Activity Building in Holliday to Commissioner Herring, and a contract to be submitted to Commissioners' Court. Voting yes 1-2-3-4-Judge

13. Discuss and/or take action on financial support for the Holliday Senior Citizen Service Association. (Tabled 4-12-2021)

**Todd Herring recommended the amount of \$500.00 per month.**

#### **ORDER TO APPROVE FINANCIAL SUPPORT**

The motion was made by Todd Herring and seconded by Darin Wolf to approve \$500.00 per month for financial support for the Holliday Senior Citizen Service Association beginning May, 2021. Voting yes 1-2-3-4-Judge

**Having no further business to consider, the Court adjourned at 11:00 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**