

THE COMMISSIONERS' COURT OF ARCHER COUNTY, TEXAS
met in Regular Session on Monday, September 27, 2021 at 10:00 a.m.

Those present:

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

Patricia Vieth	Treasurer
Jack Curd	Sheriff
Joshua Smartt	County Agent
Paul O. Wylie, Jr.	Auditor
Nita Lewis	Court Coordinator
David Levy	County Attorney
Dawn Vieth	Tax Assessor/Collector
Christie Mooney	Elections Administrator
Lori Rutledge	District Clerk
Greg Anderson	Deputy Sheriff

Public in attendance:

Nathan Lawson with Archer County News
Carrie Lovett with TXU Energy
Jason Hannan with Advanced Drainage Systems
Gatlynn Revell 4H Ethan Anzaldna 4H
Jacob Anzaldna 4H Kensley Vieth 4H
Mason Gilmore 4H Griselda Anzaldna 4H

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.

ORDER TO APPROVE FINAL AGENDA

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

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

Jason Hannan with Advanced Drainage Systems discussed polypropylene pipe to use for culvert applications and storm drainage.

Todd Herring reported that the Holliday Activity Building has a liability insurance policy that is in effect. Herring gave an update on the repairs that are being made to the Holliday Senior Citizen Association.

Wade Scarbrough discussed the rehabbing of Three Way Road and thanked all the precincts for their help with the new equipment.

D. ACTION AGENDA

1. Approve departmental reports.

ORDER APPROVING REPORTS

The motion was made by Pat Martin, III and seconded by Wade Scarbrough to approve departmental reports: **Treasurer; Indigent Health**. Voting yes 1-3-4-Judge

2. Approve vouchers for payment.

ORDER APPROVING VOUCHERS

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

3. Approve line-item transfers. **Paul O. Wylie, Jr. gave a brief update on the line-item transfer.**

ORDER TO APPROVE TRANSFER

The motion was made by Todd Herring and seconded by Pat Martin, III to approve line-item transfer for Precinct 4. Voting yes 1-3-4-Judge

Department-Account	Account Name	Increase	Decrease
041.0400.0340	Special Projects		11,200.00
041.0400.0336	Road Base Materials	10,000.00	
041.0400.0332	Equipment Purchase	1,200.00	

4. Approve Education Certificates.

ORDER TO APPROVE CERTIFICATES

The motion was made by Pat Martin, III and seconded by Wade Scarbrough to approve education certificates: **Pat Martin, III; Joe Aulds**. Voting yes 1-3-4-Judge

5. Approve Publisher's Certificates.

ORDER APPROVING CERTIFICATES

The motion was made by Wade Scarbrough and seconded by Todd Herring to approve publisher's certificates. Voting yes 1-3-4-Judge

6. Consider and/or approve proclaiming the week of October 3 - 9, 2021 as National 4-H Week. **Joshua Smartt discussed proclaiming National 4-H Week. Smartt asked each 4-H member to introduce themselves and tell what 4H has done for them.**

ORDER TO PROCLAIM NATIONAL 4-H WEEK

The motion was made by Todd Herring and seconded by Pat Martin, III to proclaim National 4-H week as October 3 – 9, 2021. Voting yes 1-3-4-Judge

7. Consider and/or approve the flying of the 4-H flag the week of October 3 – 9, 2021. **Joshua Smartt requested the Court to allow the 4-H flag to be flown at the Courthouse during the week of October 3-9, 2021, under the Texas flag.**

ORDER TO APPROVE FLYING FLAG

The motion was made by Pat Martin, III and seconded by Todd Herring to approve flying of the 4-H Flag the week of October 3 – 9, 2021. Voting yes 1-3-4-Judge

8. Consider and/or take action in regards to changes made to the *Jury Reimbursement Form*. **Lori Rutledge discussed changes to the Jury Reimbursement Form with the passing of House Bill 3774 and Senate Bill 466. Randall C. Jackson reported the amount of money the Veteran's Office brings to veterans in Archer County.**

ORDER TO APPROVE FORM

The motion was made by Randall C. Jackson and seconded by Wade Scarbrough to include Veterans Service Office as an option on the Jury Reimbursement Form. Voting yes 1-3-4-Judge

9. Consider and/or approve *Order of Election* for November 2, 2021. (Tabled 9-13-2021) **Christie Mooney gave a brief overview of each order that need to be passed for the Election period of 2021 -2022.**

ORDER TO APPROVE ORDER OF ELECTION

The motion was made by Pat Martin, III and seconded by Todd Herring to approve the Order of Election for November 2, 2021. Voting yes 1-3-4-Judge

10. Consider and/or approve *Notice of Election* for November 2, 2021. (Tabled 9-13-2021)

ORDER TO APPROVE NOTICE OF ELECTION

The motion was made by Wade Scarbrough and seconded by Todd Herring to approve Notice of Election for November 2, 2021. Voting yes 1-3-4-Judge

11. Consider and/or approve *Order for Appointment of Election Judges* for 2021 and 2022. (Tabled 9-13-2021)

ORDER TO APPROVE APPOINTMENT OF JUDGES

The motion was made by Pat Martin, III and seconded by Wade Scarbrough to approve Order for Appointment of Election Judges for 2021 and 2022. Voting yes 1-3-4-Judge

**ARCHER COUNTY ACTIVITY BUILDING
ARCHER COUNTY ANNEX**

Judge Viola McBride
Alternate Judge Johnnie Klaras

**ELECTION DAY
EARLY VOTING**

HOLLIDAY COMMUNITY CENTER

Judge Sheri Blanchard
Alternate Judge Timothy Blanchard

ELECTION DAY

HOLLIDAY CITY HALL

Judge Sheri Blanchard
Alternate Judge Kay Terry

EARLY VOTING

**LAKESIDE CITY COMMUNITY CENTER
LAKESIDE CITY COMMUNITY CENTER**

Judge Janice Robinson
Alternate Judge Mary Hutchings

**ELECTION DAY
EARLY VOTING**

WINDTHORST KNIGHTS OF COLUMBUS HALL

Judge Patty Schenk
Alternate Judge Regina Wolf

ELECTION DAY

SCOTLAND KNIGHTS OF COLUMBUS HALL

Judge Enda Krahl
Alternate Judge Patricia Hemmi

ELECTION DAY

MEGARGEL CITY HALL

Judge Joe Roderick
Alternate Judge Sharon Roderick

ELECTION DAY

12. Consider and/or approve *Order of Polling Locations* for 2021 and 2022. (Tabled 9-13-2021)

ORDER TO APPROVE POLLING LOCATIONS

The motion was made by Todd Herring and seconded by Wade Scarbrough to approve Order of Polling Locations for 2021 and 2022. Voting yes 1-3-4-Judge

ARCHER COUNTY ELECTION DAY VOTE CENTERS

Archer County Activity Building

Holliday Community Center

512 West Cottonwood Street
Archer City, TX 76351

201 North Walnut Street
Holliday, TX 76366

Lakeside City
Community Center
4344 St. Hwy 79 South
Wichita Falls, TX 76310

Scotland Knights of Columbus Hall
12538 US Hwy 281
Scotland, TX 76379

Windthorst Knights of Columbus Hall
19119 US Hwy 281
Windthorst, TX 76389

Megargel City Hall
902 Cedar Street
Megargel, TX 76370

ARCHER COUNTY EARLY VOTING VOTE CENTERS

Archer County Courthouse Annex, Meeting Room
112 East Walnut Street
Archer City, TX 76351

Holliday City Hall
110 West Olive Street
Holliday, TX 76366

Lakeside City Community Center
4344 St. Hwy 79 South
Wichita Falls, TX 76310

13. Consider and/or approve *Order of Appointment to Central Counting Station* for 2021 and 2022. (Tabled 9-13-2021)

ORDER TO APPROVE APPOINTMENT

The motion was made by Pat Martin, III and seconded by Todd Herring to approve Order of Appointment of Central Counting Station for 2021 and 2022. Voting yes 1-3-4-Judge

Christie Mooney	Judge
Karren Winter	Talley Judge
Karen Aulds	Clerk
Kristi Malone	Clerk

14. Consider and/or approve *Order to the Early Voting Ballot Board and Signature Verification Committee* for 2021 and 2022. (Tabled 9-13-2021)

ORDER TO APPROVE BOARD

The motion was made by Pat Martin, III and seconded by Wade Scarbrough to approve Early Voting Ballot Board and Signature Verification Committee for 2021 and 2022. Voting yes 1-3-4-Judge

Lori Rutledge	Judge
Kelly Reid	
Amanda Kinnaman	

15. Open Bids for roadwork on 3-Way Road.

OPEN BIDS

Blacksmith Ventures, LLC
1.6 miles @22 ft wide chip seal cooler weather application \$152,250.00

Blacksmith Ventures, LLC
1.6 miles @22 ft wide chip seal warm weather application \$131,747.00

16. Award Bid for roadwork on 3-Way Road.

ORDER TO ACCEPT BID

The motion was made by Wade Scarbrough and seconded by Todd Herring to approve bid of Blacksmith Ventures, LLC for roadwork on 3-Way Road in the amount of \$152,250.00. Voting yes 1-3-4-Judge

17. Open Bids for Electrical Utility Provider.

OPEN BIDS

TXU energy

\$0.0524515 kWh 2 years

\$0.0485595 kWh 3 years

\$0.0460261 kWh 4 years

\$0.0444034 kWh 5 years

18. Award Bid for Electrical Utility Provider.

ORDER TO ACCEPT BID

The motion was made by Pat Martin, III and seconded by Todd Herring to accept the bid of TXU Energy for five years at \$0.0444034 kWh for Electrical Utility Provider. Voting yes 1-3-4-Judge

19. Consider and/or take action on the Archer County Soil and Water Conservation District Membership fee.

ORDER TO PAY MEMBERSHIP FEE

The motion was made by Pat Martin, III and seconded by Wade Scarbrough to pay the Archer County Soil and Water Conservation District Membership fee in the amount of \$1,500.00. Voting yes 1-3-4-Judge

20. Consider and/or approve adding Friday, December 31st to the 2021 Holiday Schedule. **No action taken.**

21. Discuss and/or take action in regards to the Annual payment to Helen Farabee Centers and the *Memorandum of Agreement (MOA)* – Interlocal Agreement between Archer County and The Helen Farabee Centers. **Randall C. Jackson discussed meeting that he and Jack Curd had with Helen Farabee directors.**

ORDER TO APPROVE MEMORANDUM OF AGREEMENT

The motion was made by Randall C. Jackson and seconded by Wade Scarbrough to approve the Memorandum of Agreement / Interlocal Agreement between Archer County and The Helen Farabee Centers and fund the annual payment to Helen Farabee Centers in the amount of \$2,500.00. Voting yes 1-3-4-Judge

22. Consider and/or approve the Re-appointment of Verner Hayhurst to the Board of Trustees of the Helen Farabee Centers. (2-year term)

ORDER TO APPROVE RE-APPOINTMENT

The motion was made by Wade Scarbrough and seconded by Pat Martin, III to approve the re-appointment of Verner Hayhurst to the Board of Trustees of the Helen Farabee Centers for two years. Voting yes 1-3-4-Judge

23. Consider and/or take action in regards to Employee Comp-Time at the Sheriff's Office. **Jack Curd discussed overtime and comp time for employees at the Sheriff's Office.**

ORDER TO APPROVE PAY

The motion was made by Wade Scarbrough and seconded by Todd Herring to approve paying Employee Comp-time at the Sheriff's Office out of Covid funds in the amount of \$5,309.85. Voting yes 1-3-4-Judge

24. Consider and/or take action in regards to overtime pay for Precinct Employees.
Pat Martin, III discussed the policy for precinct employees.

ORDER TO APPROVE POLICY

The motion was made by Pat Martin, III and seconded by Wade Scarbrough to approve Precinct Employees be paid time and a-half on any overtime accrued for Precinct one and Precinct three Employees for budget year 2022. Voting yes 1-3-4-Judge

25. Consider and/or take action on amending the *Archer County Employee Handbook*. (Tabled 9-13-2021) **David Levy advised to set a future meeting to review, make changes if needed to the handbook and then present to Commissioner Court. Randall C. Jackson suggested the months of November and December to work on handbook. No action taken.**

26. Discuss and/or take action on county road *Right-of-Way* ordinance. Wade Scarbrough discussed right-of-way ordinance for county roads. **David Levy advised the Court that the ordinance would not regulate any existing utility easements or right of ways.**

ORDER TO TABLE APPROVING ORDINANCE

The motion was made by Wade Scarbrough and seconded by Pat Martin, III to table approving county road Right-of-Way ordinance. Voting yes 1-3-4-Judge

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

ORDER TO APPROVE BURN BAN

The motion was made by Pat Martin, III and seconded by Todd Herring to approve burn ban for 30 days, effective September 27, 2021. Voting yes 1-3-4-Judge

28. Discuss and/or take action on Bowman VFD property. **Randall C. Jackson discussed Archer Title of Texas do a title search on the Bowman VFD property. The title search confirmed that Archer Count does not own any part of the Bowman VFD/Community Center property.**

ORDER TO DISCONTINUE PAYMENT

The motion was made by Wade Scarbrough and seconded by Todd Herring to no longer pay the utilities for the Bowman Volunteer Fire Department property or community building. Voting yes 1-3-4-Judge

COURT CONVENED INTO EXECUTIVE SESSION BEFORE ITEMS 29 – 32 WERE DISCUSSED, THEN RECONVENED BACK INTO REGULAR SESSION. THE FOLLOWING ORDERS WERE VOTED ON.

29. Receive and discuss Initial Assessment regarding whether redistricting is required for Commissioner Precinct considering the new 2020 census data. **No action taken.**

30. Discuss and consider adoption of redistricting criteria to apply to development of new districting plans.

ORDER TO ADOPT REDISTRICTING CRITERIA

The motion was made by Wade Scarbrough and seconded by Todd Herring to adopt redistricting criteria to apply to development of new districting plans. Voting yes 1-3-4-Judge

31. Discuss and consider adoption of redistricting guidelines regarding public participation in the redistricting process.

ORDER TO ADOPT GUIDELINES

The motion was made by Pat Martin, III and seconded by Wade Scarbrough to adopt redistricting guidelines regarding public participation in the redistricting process. Voting yes 1-3-4-Judge

32. Executive Session as authorized by Texas Government Code 551.071.

ORDER TO CONVENE INTO EXECUTIVE SESSION

The motion was made by Randall C. Jackson and seconded by Pat Martin, III to convene into Executive Session. Voting yes 1-3-4-Judge

Executive Session convened at: 11:20 a.m.

Executive Session adjourned at: 12:01 p.m.

ORDER TO ADJOURN FROM EXECUTIVE SESSION

The motion was made by Pat Martin, III and seconded by Todd Herring to adjourn from Executive Session. Voting yes 1-3-4-Judge

Having no further business to consider, the Court adjourned at 12:03 p.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