

THE COMMISSIONERS' COURT OF ARCHER COUNTY, TEXAS

met in Regular Session on Monday, May 8, 2023 at 10:00 A.M.

Those present:

Randall C. Jackson	County Judge
Wade Scarbrough	Commissioner, Precinct 1
Darin Wolf	Commissioner, Precinct 2
Pat Martin, III	Commissioner, Precinct 3
Todd Herring	Commissioner, Precinct 4
Karren Winter	County Clerk
Jack Curd	Sheriff
Nita Lewis	Court Coordinator
Paul O. Wylie, Jr.	Auditor
David Levy	County Attorney
Patricia Vieth	Treasurer

Public in Attendance:

Nathan Lawson – Archer County News
Susie Wallace - Citizen
Mark and Nicole Ellis - Zack Burkett Co.

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 Pat Martin, III to approve the Final Agenda. Voting yes 1-2-3-4-Judge

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

Patricia Vieth reported that any employee with a county email needs to complete the cyber security course by August 30, 2023.

Jack Curd reported that the Sheriff's Office was currently undergoing a CJIS cyber security update. Curd advised the Court that computers could be down for 4 hours on Tuesday depending on how long it would take Computronix LLC to complete the updates.

Jack Curd reported that one vehicle had sustained minor damage due to the high-speed chase on Saturday. Curd requested the Court to convene into Executive Session to discuss the chase since the case is still under investigation.

D. ACTION AGENDA:

1. Approve departmental reports.

ORDER TO APPROVE REPORTS

The motion was made by Wade Scarbrough and seconded by Todd Herring to approve departmental reports: **Treasurer; County Extension Agent.** Voting yes 1-2-3-4-Judge

2. Approve vouchers for payment.

ORDER TO APPROVE VOUCHERS

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

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

4. Approve Education Certificates.

ORDER TO APPROVE CERTIFICATES

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

Wade Scarbrough Pipeline Emergency Response and Damage Prevention

5. Approve Publisher’s Certificates.

ORDER TO APPROVE CERTIFICATES

The motion was made by Darin Wolf and seconded by Wade Scarbrough to approve Publisher’s Certificates. Voting yes 1-2-3-4-Judge

**Archer County News Road Material
Archer County News Fuel & Oil**

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

ORDER APPROVING MINUTES

The motion was made by Todd Herring and seconded by Pat Martin, III to approve the minutes from April, 2023. Voting yes 1-2-3-4-Judge

7. Open Bids for the Purchase of Road Base Material.

OPEN BIDS

Ergon Asphalt & Emulsions, Inc.

	Pickup	Delivered	
CRS-2	\$2.66	\$2.70	
CRS-2+	\$2.86	\$2.90	No Texas Spec.
CRS-2S	\$3.06	\$3.10	
CHFRS-2P	\$3.16	\$3.20	
SS-1	\$2.61	\$2.65	
AE-P	\$2.66	\$2.70	Oklahoma Spec.
CQS-1F	\$2.66	\$2.70	

Pump Charge \$100.00
Minimum Freight 48,000 LB
Demurrage \$75.00 First 2 Hrs are Free
Federal Environmental Fee - \$.00150 Per Gallon

Big City Crushed Concrete

Flex Base \$12.00 per ton
Crushed Asphalt \$13.00 per ton

Zack Burkett Co.

<u>Products</u>	<u>Any Pit</u>
Type B Gr-3 or Gr-4	\$28.00
Type B Gr-5	\$25.00
Driveway Material	\$8.50
Oversize	\$9.00
1 ½” Base	\$7.75
1” Base	\$8.50
TX DOT Base	\$9.00

<u>Product</u>	<u>FOB Plant #2</u>
ASPPM Cold Patch	\$105.00
Hot Mix	\$75.00
PB Gr-3 or Gr-4	\$50.00
Cold Mix	\$90.00

8. Award Bid for the Purchase of Road Base Material.

ORDER TO ACCEPT BID

The motion was made by Wade Scarbrough and seconded by Pat Martin, III to accept the bid of Zack Burkett Co. as the Primary bid and the bids of Ergon Asphalt & Emulsions, Inc. and Big City Crushed Concrete as the secondary bids. Voting yes 1-2-3-4-Judge

9. Open Bids for the Purchase of Fuel and Oil.

OPEN BIDS

Kelly Propane & Fuel LLC
Unleaded Not-Ethanol gasoline
\$.15 Over rack price
Off Road Diesel
\$.15 Over rack price
Highway Diesel
\$.15 Mark up Over rack price

Haigood & Campbell LLC
Nolead Gasoline
\$.22 over rack price
Red Diesel (Off Road)
\$.22 over rack price
Clear Diesel (Highway)
\$.22 over rack price

Windthorst Fuel & Supply, LLC
Unleaded gas
\$.25 over rack price
Clear Diesel
\$.25 over rack price
Red Diesel
\$.25 over rack price

10. Award Bid for the Purchase of Fuel and Oil.

ORDER TO ACCEPT BID

The motion was made by Pat Martin, III and seconded by Todd Herring to accept the bid of Kelly Propane & Fuel LLC as the Primary bid and Haigood & Campbell LLC and Windthorst Fuel & Supply, LLC as the secondary bids. Voting yes 1-2-3-4-Judge

11. Consider and/or take action on the Trust Property listed below: Lot 3, Block 78, original townsite of Holliday, TX (404 S Cherry)

ORDER TO ACCEPT BID

The motion was made by Todd Herring and seconded by Pat Martin, III to accept the bid of JT Austin Corporation in the amount of \$3,000.00 for Lot 3, Block 78, original townsite of Holliday, also known as 404 S Cherry St., Holliday. Voting yes 1-2-3-4-Judge

12. Consider and/or approve naming a private drive Neeb Lane. **Darin Wolf reported that Ted Neeb had given his child some property to build a home on and that TXDOT needed Commissioners' Court approval in naming the private drive.**

ORDER TO NAME DRIVE

The motion was made by Darin Wolf and seconded by Todd Herring to approve naming a private drive Neeb Lane per TXDOT request. Voting yes 1-2-3-4-Judge

13. Consider and/or take action to approve the Purchase of a Mack Truck for Pct 2.
Darin Wolf discussed the purchase of truck. Wolf reported that he thought he had previously had the purchase approved but could not find the order.

ORDER TO APPROVE PURCHASE OF TRUCK

The motion was made by Darin Wolf and seconded by Todd Herring to approve the purchase of a Mack Truck for Precinct 2 in the amount of \$156,303.00. Voting yes 1-2-3-4-Judge

ORDER TO CONVENE INTO EXECUTIVE SESSION

The motion was made by Wade Scarbrough and seconded by Pat Martin, III to convene into Executive Session per Texas Government Code 551.071(1)

Executive Session convened at 10:21 a.m.

Executive Session adjourned at 10:41 a.m.

ORDER TO ADJOURN FROM EXECUTIVE SESSION

The motion was made by Todd Herring and seconded by Darin Wolf to adjourn from Executive Session. Voting yes 1-2-3-4-Judge

No action taken from Executive Session.

Having no further business to consider, the Court adjourned at 10:42 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