

**MINUTES OF THE COMMISSIONERS COURT
SPECIAL SESSION
DECEMBER 7, 2015**

BE IT REMEMBERED, that on the 7th day of December, 2015 A.D. at 10:00 a.m., the Honorable Commissioners Court of Wichita County, Texas met in a special session at the Courthouse in Wichita Falls, Texas pursuant to adjourning November 30, 2015, with the following members present:

Honorable Woodrow W. Gossom, Jr., County Judge
Commissioner Ray Gonzalez, Precinct No. 1
Commissioner Lee Harvey, Precinct No. 2
Commissioner Barry Mahler, Precinct No. 3
Commissioner Jeff Watts, Precinct No. 4

Invocation by Commissioner Mahler

Pledge of Allegiance

Pledge to the Texas Flag

Motion made by Commissioner Mahler and seconded by Commissioner Gonzalez to approve and authorize the following consent agenda items 15.11.723 through 15.11.726, with a change to item #4:

15.12.723 To approve and ratify the minutes for the November 30, 2015 special session.

15.12.724 To approve the appointment of Dr. Whitney A. Snow to the Wichita County Historical Commission for a term to expire December 31, 2016.

15.12.725 To file Elton E. Adams, Land Surveyor, invoice #1200 in the amount of \$350.00 with the County Auditor for payment processing for research of county and city of Wichita Falls deed and plat records with payment from Precinct 5 Road and Bridge Joint Fund budget lines by transfer to the appropriate line as determined by the County Auditor.

15.12.726 To pay all Tyler Technologies, Inc. invoices related to the Tyler Eagle contract as they become due up to the contract amount of \$87,395.00, pending final resolution of contract, to be funded by transfer from Fund 238 to appropriate budget line(s) as determined by the County Auditor.

Motion carried unanimously.

15.12.727 Motion made by Commissioner Harvey and seconded by Commissioner Watts to approve the emergency and regular bills for payment.

Motion carried unanimously.

15.12.728 Motion made by Commissioner Mahler and seconded by Commissioner Gonzalez to take Road Materials bids received from Salvation Industries, Rockin A Trucking, Dolese Bros., T & G Construction, Zack Burkett, Rooker Asphalt, Wright Asphalt, Western Emulsions, Ergon Asphalt, and Heartland Asphalt Materials under advisement for up to two weeks.

Motion carried unanimously.

15.12.729 Motion made by Commissioner Mahler and seconded by Commissioner Gonzalez to take Janitor Supply/Paper bids received from Pollack Paper, Mayfield Paper, Empire Paper, Wagner Supply, and J Systems under advisement for up to two weeks.

Motion carried unanimously.

15.12.730 Motion made by Commissioner Mahler and seconded by Commissioner Watts to take the Indigent Cremation/Burial bid received from Falls Funeral Home under advisement for up to two weeks.

Motion carried unanimously.

15.12.731 Motion made by Commissioner Watts and seconded by Commissioner Harvey to approve quote from ACS for data extraction from the County Clerk's hard drives at a cost of \$1,150.00 to be funded from Fund 238 by transfer to appropriate line as determined by the County Auditor.

Motion carried unanimously.

15.12.732 Motion made by Commissioner Harvey and seconded by Commissioner Watts to approve 94 hours that could not be verified for Kenda Watkins-Williams during examination of 2012 time records to be paid to her estate.

Motion carried unanimously.

15.12.733 Motion made by Commissioner Watts and seconded by Commissioner Harvey to table discussions to award telecommunications contract to Web Fire Communications Inc., in the amount of \$464,200.00 until a work session can be scheduled.

Motion carried unanimously.

15.12.734 Motion made by Commissioner Watts and seconded by Commissioner Mahler to authorize the purchase of a Mobile Precision M6800 CTO Laptop, messenger bag, and wireless premium keyboard and mouse combo from Dell, Inc. for the County Judge's Administrative Assistant at a cost not to exceed \$2,700.00 to be paid from 100.409.4902, General Fund Contingencies.

Motion carried unanimously.

15.12.735 Motion made by Commissioner Watts and seconded by Commissioner Harvey to approve Dillard Electric, LLC quote in the amount of \$2,889.88 to repair electrical wiring from the emergency generator to the Emergency Operations Center building at 110 Jefferson Street to be funded by transfer from 100.409.4902, General Fund Contingencies, to the appropriate line as determined by the County Auditor.

Motion carried unanimously.

Court recessed at 11:26 a.m. before going into a closed session at 11:46 a.m. for the following:

Briefing and discussion with Wichita County District Attorney's Office regarding settlement of accident claim with Kendrick Manuel involving Constable Brewer. This meeting was closed pursuant to Section 551.071 of the Texas Government Code (consultation with attorney).

Briefing and discussion with Wichita County District Attorney's Office and D'Lyn Davison of Davison Rugeley, LLP, regarding status and approval of settlement of *Nicole Guerrero v. Wichita County, et al.*, Civil Action No. 7:14-CV-00058-O. Meeting was closed pursuant to Texas Government Code, Sec. 551.071. (Consultation with Attorney)

Court went out of closed session at 1:23 p.m. and into open session at 1:24 p.m. with the following actions taken:

15.12.736 Motion made by Commissioner Mahler and seconded by Commissioner Watts to approve settlement of claim with Kendrick Manuel for the total payment of Bryan's Paint & Body estimate of \$3,566.19, to be paid by General Fund Contingencies, and authorize County Judge to sign any documents necessary to finalize the settlement.

Motion carried unanimously.

15.12.737 Motion made by Commissioner Harvey and seconded by Commissioner Watts to settle all claims against Wichita County in the case of *Nicole Guerrero v. Wichita County, et al.*, in the amount of \$262,500 over three year structured payments of \$110,500 by December 22, 2015, \$76,000 on January 15, 2016 and \$74,000 on January 15, 2017 to be paid from General Fund Contingencies, and authorize County Judge to sign all necessary paperwork to finalize the settlement.

Motion carried. Commissioner Harvey, Judge Gossom, Commissioner Mahler, and Commissioner Watts for. Commissioner Gonzalez excused himself from these proceedings.

With no further action to be taken, Commissioners Court was adjourned at 1:27 p.m. and will meet in a regular session on Monday, December 14, 2015 at 10:00 a.m. in the Commissioners Courtroom.

ATTEST:

_____, Deputy
LORI BOHANNON, COUNTY CLERK

WOODROW W. GOSSOM, JR., COUNTY JUDGE
WICHITA COUNTY, TEXAS