

**WHITE OAK CITY COUNCIL  
REGULAR MEETING MINUTES  
WHITE OAK CITY HALL  
FEBRUARY 10, 2009  
6:00 P.M.**

MEMBERS PRESENT : Mayor Joe Carrington, Mayor Pro-Tem Greg Hulett, Dr. Barbara Ray, Lance Noll, Kyle Kutch, Kelly Mitchell

STAFF PRESENT : Terry Roach, Mike Self, Tom Fulton, Debbie Sadler

GUESTS PRESENT : John Ringler – KSA Engineers, Terrie Mogavero, Annie Payne, Mary Kay Thomas-Amazing Grants

CALL TO ORDER

Mayor Carrington called the meeting to order at 6:01 p.m.

- A. Invocation led by Councilmember Kutch
- B. Pledge of Allegiance led by Mayor Carrington

CITIZEN COMMENTS

None.

CONSIDER AND/OR APPROVE request from Annie L. Payne regarding an Application For Certification of Municipal Setting Designation by Shippers Car Line.

Terry Mogavero spoke on behalf of her mother, Annie Payne. She gave an explanation about Shipper's Car Line's Application for Certification of Municipal Setting Designation. This MSD notification was mailed to water well owners within five miles from the boundary of the site. Ms. Mogavero and her mother explained their concerns about the chemicals that could enter the groundwater and what effect this could have on their water wells. Their point of coming in front of the city council is to try to get the public informed about the application. The Mayor advised her that the City cannot organize a petition but could write a letter of opposition to TCEQ.

Councilmember Kutch made the motion to write a letter of opposition of this application to TCEQ, seconded by Mayor Pro-tem Hulett. Carried 5-0.

PUBLIC HEARING regarding the Urgent Need Fund Application through the Texas Community Development Block Grant Program.

Mary Kay Thomas from Amazing Grants gave an explanation about the urgent need to repair the damaged raw water storage tank. There are specific state funds available for urgent needs. There should be an answer about the grant the last week of March. The grant would be for \$176,500 with the City's portion being \$35,500. There hasn't been a final decision made by the City's insurance company on coverage. With no one choosing to speak, Ms. Thomas closed the public hearing.

CONSIDER AND/OR APPROVE resolution authorizing the submission of an Urgent Need Fund Application to the Office of Rural Community Affairs for funding through the Texas Community Development Fund and authorizing the Mayor to act as the City's authorized representative in matters pertaining to this application and committing local match.

Mayor Pro-Tem Hulett made the motion to approve, seconded by Councilmember Mitchell. Carried 5-0.

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UPDATE and possible action on Water Treatment Plant and standpipe improvements.

City Coordinator Charlie Smith gave a brief repair update on the water treatment plant standpipe. The standpipe is back in service. There needs to be a decision by the council on whether or not to go forward with the water treatment plant upgrades. The cost to treat the raw water needs to be determined versus what the City of Longview can sell it to our city for.

The standpipe circulation needs to be repaired. This could be broke out as a separate project and bids should be received for it.

DISCUSSION regarding the revision of the contract between the City of White Oak and WOEDCO.

Mayor Carrington explained the contract between the two entities expired September 30, 2007. The contract has to do with how the executive director is paid. He asked the council what they wanted to do about the contract. Councilmember Mitchell asked if there was a problem with the one the City had. The Mayor said he had asked the City Coordinator to have her fill out a weekly timesheet to accurately keep up with what time is spent on WOEDCO business versus City business and just bill WOEDCO for her time spent on WOEDCO business rather than to be supplemented one-half by WOEDCO.

Another issue with the contract is the absence of an annual written evaluation required on the executive director by the WOEDCO Board of Directors to give feedback to the City.

Councilmember Kutch questioned why the City has a contract just on someone's salary. Mayor Pro-Tem Hulett gave a historic explanation how the contract came about. The Mayor said the contract would give the person in the executive director's position guidance. There will be a draft of a new contract between the two entities presented at the next city council meeting.

PRESENTATION of 2008 Racial Profiling and Police Activity Reports.

Interim Police Chief gave an explanation on the reports. He explained the report is consistent with the demographic makeup of the City of White Oak.

CONSIDER AND/OR APPROVE budget amendment for Sabine River Authority grant revenue for recycling dumpster.

Mayor Carrington explained this grant came from the East Texas Council of Governments, not the Sabine River Authority. He and the City Coordinator attended the school's recycling fair. The signage is currently being done and the dumpster has been placed on the public work's grounds behind the fence so it can be overseen between 8-5. As soon as it is ready, there will be a notice on the water bills and on the marquee.

Councilmember Ray made the motion to approve the budget amendment for \$6,390 from the ETCOG grant, seconded by Councilmember Noll. Carried 5-0.

CONSIDER AND/OR APPROVE budget amendment for Sabine River Authority grant expense for purchase of recycling dumpster.

Mayor Pro-Tem Hulett made the motion to approve the budget amendment for \$9,035 for the expense of the dumpster, seconded by Councilmember Noll. Carried 5-0.

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CONSIDER AND/OR APPROVE budget amendment for flashlights purchased by the police department with drug seizure funds.

Interim Police Chief, Terry Roach explained the need for these smaller, brighter flashlights. For officer safety, these flashlights can be carried on the officers' belts. The big flashlights are still being used for traffic stops. There have been enough flashlights and holders purchased for all officers. The amount of this purchase will be paid out of the drug seizure fund.

Councilmember Ray made the motion to approve the budget amendment, seconded by Councilmember Kutch. Carried 5-0.

CONSIDER AND/OR APPROVE purchase agreement with Texas Fire Trucks for purchase of 1997 Pierce Pumper Truck for \$46,000.

Mayor Carrington gave a PowerPoint presentation about the used fire truck to be purchased. The 1997 Pierce Pumper Truck from the City of Longview has to be purchased through Texas Fire Trucks. Fire Chief Jim Nall explained the parts for the fire truck being replaced can no longer be purchased. The old truck will be sold hopefully for at least \$20,000.

Councilmember Ray made the motion to approve, seconded by Councilmember Kutch. Carried 5-0.

CONSIDER AND/OR APPROVE budget amendment in the amount of \$52,525 for purchase of 1997 Pierce Pumper Truck and equipment.

Mayor Pro-Tem Hulett made the motion to approve, seconded by Councilmember Noll. Carried 5-0.

CONSIDER AND/OR APPROVE ordinance for City Officer's Election on May 9, 2009.

Councilmember Noll made the motion to approve, seconded by Councilmember Ray. Carried 5-0.

CONSIDER AND/OR APPROVE Limited Joint Election Agreement with White Oak ISD.

Councilmember Noll made the motion to approve, seconded by Councilmember Kutch. Carried 5-0.

CONSIDER AND/OR APPROVE Contract for Election Services with Gregg County Elections Administrator.

Councilmember Kutch made the motion to approve, seconded by Councilmember Ray. Carried 5-0.

RESOLUTION APPROVING a legislative agenda for the 2009 Legislative session; Providing for the incorporation of preamble; and Providing an effective date.

Mayor Carrington explained this is TML's agenda that they lobby and go to the legislature with. Mayor Pro-Tem Hulett made the motion to approve, seconded by Councilmember Noll. Carried 5-0.

### CONSENT AGENDA

- A. Consider and/or approve payment of bills
- B. Consider and/or approve City Council minutes from January 13, 2009

Mayor Pro-Tem Hulett made the motion to approve the consent agenda with corrections made to the January minutes. Motion seconded by Councilmember Noll. Carried 5-0.

MAYOR'S ITEMS

- A. Police Chief Search Status
- B. Financial Update
- C. Raw & Treated Water Contracts with the City of Longview

Mayor Carrington gave the following report:

- A. The police chief search has been narrowed down to five applications. They are Terry Roach, G.W. Howard, Davis Merrill, Martin Pessink, Dennis Burton.
- B. Financial Update-Waiting on auditors to finish up to see where the city is on the water fund. It is still in the red and there will be a plan of action for the council how this will be addressed after the auditors confirm that.
- C. There is a draft on the raw water contract and has been looked over by our attorney with some tweaks to the contract and it was sent back to the City of Longview and they agreed to make the adjustments. We are still waiting on the treated water contract draft from the City of Longview.

EXECUTIVE SESSION pursuant to Government Code §551.074 regarding the WOEDCO Executive Director salary and conditions.

The council recessed into Executive Session at 7:10 p.m.

RECONVENE into open session and take any action necessary regarding the WOEDCO Executive Director salary and conditions.

The Council reconvened into Open Session at 7:43. No action taken.

CONSIDER AND/OR APPROVE WOEDCO minutes from October 28, 2008 & December 23, 2008

No action taken at this time.

ADJOURN

Motion to adjourn at 7:44 p.m. made by Councilmember Noll, seconded by Councilmember Kutch. Carried 5-0.

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Joe Carrington, Mayor

ATTEST:

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Sherry Roberts, City Secretary