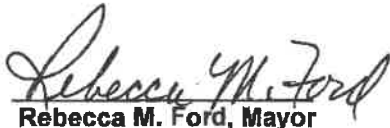


MINUTES of a Regular Meeting
CITY OF BEVIL OAKS

January 24, 2013

1. Mayor Called Meeting to Order at 7:00 P.M.
2. Pledge of Allegiance/American & Texas Flag / Invocation given by Linda Thomas
3. Conflict of Interest-None
4. Roll Call – All present except for Councilmen Dave Tevis & "Bud" Merendino.
5. Citizen Comments (3 Minutes Each)-
Barbara Emmons- Talked about Trash and loose dogs. Dogs need to be locked up.
6. **Reviewed & Discussed/Approved Action Items a.: M/M/2/C: Grimes/Adams**
 - a. Consideration and Approval of Mobile Home Park Permit Renewals.
(Parks were all inspected for ordinance violations and approved by Code Enforcement.
In addition, all owners are in full compliance with insurance and other permit requirements.)
7. **Reviewed/Approved Consent Items: a. thru b. M/M/2/C: Fruge/Adams**
 - a. December 20, 2012 Council Meeting Minutes
 - b. December 20, Financials
8. **Reports from the Mayor and following Committees:**

Mayor: Report from Texas Water Development Board State Revolving Fund Assistance Workshop on January 8, 2013 held at the City of Beaumont Water Utility Department. Mayor Ford stated that the workshop was very informative regarding the types of funding available and requirements for application to be invited to obtain funding from TWDB. Being that funds now available to entities cannot be funded until 2014, she feels that the City should consider making application for consideration of approval to borrow from TWDBSRFA so we are not limited to funds with higher interest rates when funds are needed. Mayor Ford stressed that the submittal of an Intended Use Plan is not a commitment to incur debt. Prior to making a commitment of any kind to incur debt, the City will hold numerous public meetings to allow citizens to have input in the process.
9. **Discussed/Considered Action Item:**
 - a. Discussed Approval of Resolution to authorize investigation and submission of Intended Use Plan for the Texas Water Development Board to become eligible for various programs providing financial assistance for possible construction of wastewater treatment plant. Application would be to determine eligibility for funds in 2014 without commitment to incur indebtedness. Deadline for submitting applications for consideration to obtain funds is March 1, 2013. **M/M/2/C: Adams/Fruge**
Resolution passed unanimously.
 - b. Report by Utility Specialties (Water & Sewer Plant) in Council Packet
 - c. Report by Carroll & Blackman, Inc. (City Engineer Report) in Council Packet. **M/M/2/C: Grimes/Fruge**
10. **Council Comments:-** None Submitted
11. **Adjourn Meeting. :-** Meeting Adjourned at 7:30 P.M.
M/M/2/C: Grimes/Adams


Rebecca M. Ford, Mayor


Sherry Adams, City Secretary

MINUTES OF A REGULAR MEETING

CITY OF BEVIL OAKS, TX.

February 21, 2013

1. Mayor called meeting to order at 7:00 p.m.
2. Pledge of Allegiance/American & Texas Flag was led by Linda Thomas. Invocation was given by Shirley Collins.
3. Conflicts of Interest –none noted
4. Roll Call –All present except Councilwoman Roberts
5. **Citizen Comments (3 minutes each)**
Jeff Frank's comments concerned his opposition to the 2 ft. freeboard requirement for new construction and substantially damaged properties.
6. **FY 2011-2012 Audit Reports for City and Utility** was presented by Charles Reed, CPA, Charles Reed & Associates. Mr. Reed reported to Council that they had completed a thorough audit of the city's financials and compliance issues and that no significant deficiencies were found and that he did not have any recommendations to make regarding changes from current operations. In other words, the City received a "clean audit" report. Council members were given a copy of the complete audit and copies are on file at the City office for public information.
7. **Review/Approve Action Items:**
Council considered the FY2011-2012 Audit Reports for City and Utility given by Mr. Reed. Motion was made by Councilman Grimes to approve reports as presented. Motion was seconded by Councilman Fruge. There were no further questions and no opposition. Motion Carried.
8. **Consent Items were in packets and reviewed prior to meeting.** Motion was made by Councilman Fruge to approve as presented. Motion was seconded by Councilwoman Adams. There were no further questions and no opposition. Motion Carried.
 - a. January 24, 2013 Council Meeting Minutes
 - b. January 2013 Financials
 - c. Report by Utility Specialties (Water & Sewer Plant) Report in Council Packet
 - d. Report by Carroll & Blackman, Inc. (City Engineer Report) Report in Council Packet
9. **Public Discussion with Engineer regarding Wastewater Plant Issues**
Toby Davis, Engineer with Carroll & Blackman Engineering Firm, discussed briefly the wastewater plants he had reviewed that he felt might be options for the City to consider regarding our wastewater plant issues. After updating their costs to current costs, he determined that the cost was more than the City had indicated they could consider for this project. With that in mind, he turned to looking at the possible rehabilitation of our existing plant. He stated that he had met with Enviroquip officials (Company that built our plant and continues to supply parts for rehab) and is waiting to get their estimate of costs to repair the problems identified during their visit. He hopes to have good numbers before the March 1 deadline to submit the Intended Use Plan that Council approved at its January 2013 meeting.

Councilman "Bud" Merendino stated that he had met with Dr. Hani Tohme, Director of City of Beaumont Water Utilities, and had prepared a plan that would connect the City wastewater to the city of Beaumont's wastewater management program that would cost less than \$500,000 to complete and that monthly fees for citizens would be somewhat the same as they are at this time. There was considerable discussion from citizens and council concerning this possibility due to uncertainty of source of funding to maintain interior wastewater lines, lift stations, etc. and the requirements the City of Beaumont might make on the City of Bevil Oaks should such an agreement be possible.

It was agreed that Mr. Davis would consider linking to the City of Beaumont as a possible option for the City and report back to City on same.

10. **Reports from the Mayor and following Committees:**

Mayor Ford reported that due to lack of activity between the hours of 5:00 p.m. and 6:00 p.m. on Tuesday and Friday, the City office will not continue to be open after 5:00 p.m. on those days. Office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

Building & Grounds Report – Councilwoman Adams reported on the civic center painting project stating that she had been able to purchase the paint at a 40% discount and that the lady painting the building is doing community service hours which has significantly reduced the overall cost of the job. And, that she is doing an excellent job.

Community Development Report – Councilman Grimes reported that the spring and fall garage sale dates have been changed to the 2nd Saturday in April and October due to conflicts with other local events. The annual garbage pickup will be on the 3rd Saturday in April and October. He also reported that Trade Days will resume on Saturday, March 16th 2013 and will be repeated every other month until further notice.

Council Comments: -

Councilman Merendino—(1) Councilman Merendino stated that he felt that the 2 foot rule had not been made clear to homeowners

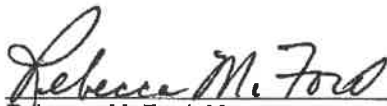
(2) His alternatives to the proposed sewer plant project was discussed previously during the engineer's report

(3) Mr. Merendino stated that the question he had regarding the audit recently done on the City and Water Dept. had already been answered by the auditor

In addition, Mr. Merendino continued to comment stating that he had purchased cold mix from APAC and was repairing potholes. He stated that he did not know how much the City paid the County to do this but it was something we could do and just pay for materials. Mayor Ford told him that the City does not pay the County anything for labor because we have an inter-local agreement with them. She stated that we only pay for materials and that the City's liability insurance will not cover a citizen doing unauthorized road work. Mayor Ford also stated that this discussion needs to end because it is not a scheduled agenda item.

11. **Adjourn Meeting.** Meeting adjourned 8:00 p.m.

Motion Made by Councilwoman Adams and Seconded by Councilman Fruge



Rebecca M. Ford, Mayor



Sherry Adams, City Secretary

MINUTES OF A REGULAR MEETING
CITY OF BEVIL OAKS, TEXAS
March 21, 2013

1. Mayor Ford called meeting to order at 7:00 p.m.
2. Pledge of Allegiance was given by citizen Linda Thomas and Invocation by Councilman Jimmie Grimes
3. Conflict of Interest Statement – none noted
4. Roll Call—all present except Councilman Danny Fruge
5. Citizen Comments -- none
6. Consent Items were in packets and reviewed prior to meeting. Motion was made by Councilman Grimes to approve as presented. Councilwoman Roberts seconded the motion. There were no further questions and no opposition. Motion carried.
 - a. February 21, 2013 Minutes of Regular Meeting
 - b. February 2013 Financial Reports
 - c. Report by Utility Specialists (report in council packet)
 - d. Report by Carroll & Blackmon, Inc , City Engineer (report in council packet)
 - e. Certification of Unopposed Candidates: Mayor, Councilmen Wards I, II, & III
 - f. Resolution: Cancellation, May 11, 2013 General Election

7 Review/Approve Action Items

Mayor Ford presented Council with a bid from APAC-Texas, Inc to provide materials for remainder of City of Bevil Oaks Road Rehabilitation, Hurricane Ike/Dolly Round 1 Critical Infrastructure Project Disaster Recovery Grant. She explained that bid requests had gone out twice for these materials but only one company responded, APAC. Apparently, they are the only company in our area that supplies this type of material. Councilman Grimes made the motion to accept the APAC bid. Councilwoman Roberts seconded the motion. There were no further questions or discussion and motion carried.

8. Reports from the Mayor and following committees:

- a. Mayor Ford gave a report from preliminary meeting with Beaumont City Officials regarding viability of proposal to provide wastewater treatment services. Her report is as follows: At the February 21, 2013 meeting, Council agreed to have Carroll & Blackmon, Inc, City Engineers, consider linking to the City of Beaumont's Wastewater System as another option to resolve the City's wastewater issues. Dru Montgomery, City Attorney, suggested that we should start the process by meeting with Beaumont City Officials to determine if Beaumont City Council would be opposed to this agreement and what requirements they would have for the City of Bevil Oaks. Mr. Montgomery felt this information was necessary prior to the City of Bevil Oaks expensing funds for engineering and obtaining the necessary rights-of-way.

Mr Montgomery arranged a meeting with Beaumont City Officials on Friday, March 8, 2013 at the Beaumont City Hall. The City of Beaumont was represented by Kyle Hayes, City Manager, Tyrone Cooper, City Attorney, Dr. Hani Tohme, Director of Water Utilities and, Molly Villareal, Water Utility Engineer. The City of Bevil Oaks was represented by Mr. Montgomery, Mayor Ford, Toby Davis and Phillip Hotsen from Carroll & Blackmon Engineers. It was determined that Beaumont Officials felt that their Council would be favorable to such an agreement since they have a similar agreement with Northwest Forest. They have provided Northwest Forest with both water and sewer for approximately 40 years.

Bevil Oaks would be responsible for obtaining rights-of-way from our wastewater treatment plant to a connection with Northwest Forest that is located on the east side of Tram Road. We would also bear the expense of the pipe and other costs relating to the hook-up. Once the project is completed, the City of Beaumont would maintain the new line from the point of hook-up near Northwest Forest to our current plant. All interior pipes would continue to be our responsibility.

Although the meeting proved to be very positive and it appears, at this point, that this could be a good solution for Bevil Oaks, the attorney and engineer need more time to put together good estimates of the overall proposed cost in order to accurately compare this alternative to other options. As soon as they

are prepared to present Council and Citizens with their information, Council will be able to further consider all options

b. Councilwoman Adams reported on building and grounds projects. She stated that she had purchased a new notice board to be placed by the drop box at the City Office so agendas and other important notices could be easily read without having to get out of your car. She also wanted to emphasize the importance of her many volunteers and how much she appreciates their assistance with her projects. She has volunteers to install railings and a gate on the stairs in the bay area to prevent children from climbing them and falling when area is rented; the scaffolding for the painting projects has been provided by a volunteer; and, another resident has volunteered to pressure wash the brick divider just to name a few. She reported that the last young man doing community service work had proven to be unsatisfactory and had been terminated. She hopes to have a replacement in the near future to complete the painting of the interior of the bay area. She stated that she needs assistance in obtaining bids to sound proof the wall in the council chamber and requested that citizens spread the word to anyone who might be interested in bidding on that project. She also stated that Safe & Sound Security had inspected the wiring and control boxes that are already installed in the civic center building and reported that the cost to activate and monitor both fire and security would be minimal. However, we will need to have 2 dedicated phone lines which she intends to proceed with installing. She reported that Sam Bethea, Entergy Rep., advised her to hold off a few more days before proceeding with the insulation project at the office building. He is still working on getting a grant or other subsidy from Entergy for this energy efficiency project. Once the insulation has been installed, that building will also be monitored for fire.

c. Roads & Drainage Report was provided by Councilman Fruge prior to meeting and included in packet. He reported the following: As of this date, Jefferson County Precinct #1 (JCP #1), has completed all but 4 of the work orders, for ditch cleaning and culvert placement throughout the City, that were submitted since October 1, 2012. The City Clerk is maintaining a spreadsheet of all work requests submitted in order to assure that none are missed. As a result of the spreadsheet 2 work orders, from early 2012, were identified and have been rescheduled.

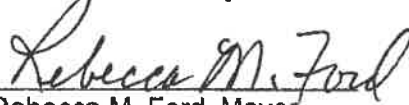
We are trying to identify areas & ditches that are not draining properly and get them turned in on work orders so when the County has time, they can address them even if the citizens whose house they may be in front of have not called to report them. This is being done in an effort to keep our ditches and culverts open and flowing in case of a major weather event. In addition, we have no idea when the county may be available, so it's best to have the request in & waiting on the County rather than the other way around.

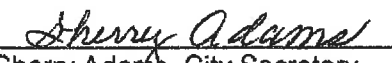
According to the Engineer and JCP #1, work is scheduled to begin on the completion of the road work provided for by the Hurricane Ike/Dolly disaster recovery grant the week of April 1st weather and completion of current projects permitting. Request for Mowing Contract Bids was placed in the Beaumont Enterprise to run on Sunday, March 17 and Sunday March 24, 2013. The ad will also run in the Examiner on Thursday, March 21, 2013. In addition, the information can be found on our website, www.cityofbevilocks.com under the "Contact Us" page.

d Community Development Report was given by Councilman Jimmie Grimes. He reported that Trade Days had gone well and he believed that all participants were satisfied with their results. He announced that the next Trade Days is scheduled for the 2nd. Saturday in May. Santos Valadez has rented the bay area for Saturday, April 4 to sell Easter Baskets which is not a "Trade Days" activity. The city-wide garage sale is scheduled for Saturday, April 13 and the City-wide clean-up is scheduled for Saturday, April 20. He also announced that the "Yard of the Month" program will begin again in May and that July 4th Committee Meetings will begin within the next couple of months.

9. Meeting was adjourned at 7:45 p.m.

Motion made by Councilman Tevis and seconded by Councilwoman Roberts. Motion carried.


Rebecca M. Ford, Mayor


Sherry Adams, City Secretary

MINUTES of a Regular Meeting
CITY OF BEVIL OAKS

April 18, 2013

1. Mayor Called Meeting to Order at 7:00 P.M.
2. Pledge of Allegiance/American & Texas Flag was led by Mayor Rebecca Ford/ Invocation given by Ronnie Adams
3. Conflict of Interest-Councilman "Bud" Merendino stated he had a conflict of interest for item number 7a on the agenda.
4. Roll Call – All present except for Councilmen Dave Tevis
5. Citizen Comments (3 Minutes Each)-
 - Jane Hebert- Discussed the neighborhood watch program. Locations have been picked and we already have 5 or 6 old signs up. Ten new signs were ordered and Councilman "Bud" Merendino has volunteered to put them up.
 - Orain Tubbs – Discussed that he wants a water variance placed for action at the next City Council Meeting in May. If any Councilmember would like to see why, he volunteered to drive them around and explain so before the next meeting.
 - Mike Clark – Spoke on behalf of Orain Tubbs, stating he believes the existing sewage and water lines end at his house.
 - Jeff Franks – Spoke regarding the community flyer from FEMA regarding the flood insurance. He is in disagreement of it being beneficial to the community, and asked the community to review it and take action.
 - Jeff Scroggins – Stated he lives at the end of Sweetgum, and is in favor of Orain Tubbs request for a water variance.
6. **Reviewed & Discussed/Approved Consent Items: a.through e: M/M/2/C: Fruge/Adams**
 - a. March 21, 2013 Minutes of Regular Meeting
 - b. March 31, 2013 Financial Reports
 - c. Report by Utility Specialists
 - d. Report by Carroll & Blackmon, Inc., City Engineer
 - e. Proclamation: Proclaiming April as Fair Housing Month in Bevil Oaks, TX
7. **Reviewed/Approved Action Items:**
 - a. Consideration/Approval of Mowing Contract Bid: Councilman Danny Fruge stated the City of Bevil Oaks had advertised for mowing contracts and personally contacted approximately 12 landscaping companies within the local yellow pages, directing them to the City website. Councilman Fruge then held a meeting, in which only three bidders showed up. The following week, Councilman Fruge held a bid opening meeting, in which only one company showed, up, who was Lindy's Lawn Care, owned and operated by Councilman "Bud" Merendino. Councilman Fruge discussed that to do what the City requires, it takes a team of at least three men over a two day period to complete it. We have also since added a ditch that runs along the west of Sweetgum near Davida. One reason, according to Councilman Fruge, that the City only had one bid show up is because most companies/cities host the bidding procedures in the fall, and therefore many lawn care companies are already full and that next year the bids will be conducted in December. According to Councilman Fruge, to bid it out again would cost more money and at least another month of time, with the likelihood of still only the same lawn company bidding. If the City were to bid it out again, Councilman "Bud" Merendino and his company would not have to stay to the original bid amount and could up his amount if he chose. Councilman Fruge stated it is not illegal to hire another Councilmember as long as the conflict of interest is disclosed from the beginning. According to Councilman Fruge, there is also no room for abuse of power, as Councilman Merendino will not be over the financial part of the City's budget in regards to his pay. Councilman Fruge will be the one to sign off and do quality checks each time, and any complaints from citizens will come directly to Councilman Fruge, and not Councilman Merendino. Councilman Fruge feels it would be a good bid, even if it is the only bid, and Councilman Fruge recommends going forward with the bid. Councilman Fruge makes the motion to approve, and Councilwoman Adams seconds it. The vote was passed with three out of four votes voting yes, and Councilman Grimes voting No. Motion carried. **M/M/2/C: Fruge/Adams**
 - b. Consideration/Approval of proclamation to re-name City Council Chambers as the Orville C. and Dolores Hall City Council Chambers and set a formal dedication date. Mayor Rebecca Ford stated this is based on several items, including the vision Mr. Orville C. Hall had for the City. He was the first Mayor and helped found the Southeast Texas Regional Planning Commission. Mrs. Dolores Hall had taken the Census for many years, and helped support both Mayor Orville C. Hall and the City of Bevil Oaks. All four

Councilmembers voted to approve. The formal dedication date is set for the next regular City Council Meeting on May 16, 2013. **M/M/2/C: Roberts/Fruge**

8. Reports from the Mayor and following Committees:

a. Mayor Rebecca Ford: Updates on progress of wastewater treatment proposal and request to TXDOT for red light at Sweetgum and Highway 105: Mayor Ford stated the City Attorney and Engineers are still conducting their report at this time, but the recent talks between the Attorney and property owners regarding easements sound promising. The Engineer received maps today, April 18, 2013, from Mayor Ford, needed to provide additional information to landowners. Mayor Ford stated she felt this would be to our advantage, and the Councilmembers may have another meeting before the next regularly scheduled Council Meeting to discuss it, and they will also still need to obtain approval from the Beaumont Councilmembers before finalizing anything. Moving on to the TXDOT topic, Mayor Ford stated that TXDOT told her they had done a study back around November regarding the installation of a new traffic light at the intersection of Sweetgum and Highway 105. TXDOT stated in order to validate putting a signal light there, one of nine signal warrants had to be met. On September 27, 2012, TXDOT conducted a traffic count at that location, and not a single signal warrant was met at that time. It is the belief in reviewing records that the three most recent wrecks were caused by citizens leaving Bevil Oaks, rather than motorists going down Highway 105. TXDOT also stated it was their belief that to install a traffic light at that location would do more harm than good, causing excessive delay and more wrecks. TXDOT also stated in their review, they noted there were no obstructions to the view of pulling out onto Highway 105 from Sweetgum. Mayor Ford informed them that at 7:30 a.m., the sun is a major obstruction of view. TXDOT stated they have sent the request on to Austin, and that money itself is not an issue. Mayor Ford encouraged citizens to continue calling in to TXDOT making their concerns known, as TXDOT stated they have already been receiving some calls from citizens in Bevil Oaks.

b. Councilwoman Sherry Adams: Building & Grounds- Report on Civic Center and Council Chambers projects: Councilwoman Adams stated during the last regular City Council Meeting it was discussed soundproofing the door and wall to the Council Chambers. After the meeting, Mr. Doug Emmons volunteered, and has since completed the projects. Jane Hebert's son also redid his offices, and donated the large oval table to the City, and it has been placed in the Council Chambers. Tomorrow, April 19, 2013, Councilman Fruge will be moving the portable building and tank out to the sewer plant, which will make more room for parking. Councilwoman Adams also discussed obtaining two pots that can be seen out front of the Civic Center from Winnie Trade Days, and the plants inside the pots were donated by Mr. Hanson. Councilwoman Adams informed everyone the security and fire alarms have been reactivated for the Civic Center, and will be doing the fire for City Hall. At the current time, Councilwoman Adams has been working with Entergy, and is trying to obtain money to update the duct work at City Hall. Councilwoman Adams also discussed with Hardin County and Jefferson County to find someone who needs community service to help complete the painting the old fire station.

c. Councilman Danny Fruge: Roads & Drainage – Report on Road and Drainage Work completed, in progress and upcoming: Jefferson County has been doing four roads, which came from the money from last year's grant. The City had already purchased the rock. The County informed Councilman Fruge they should be finished today, April 18, 2013. They may have a little more work to complete, but will be moving on. The City has budgeted \$25,000 to level the roads, Because of this, Councilman Fruge and Jefferson County will assess the rock left and leftover money, and review the remaining roads to be fixed, and will see how far the materials/money will go. Then, it is hopeful that the County will return in September or October to finish what can be finished with the remaining materials. Councilman Fruge has also turned in 12-15 work orders to have ditches cleaned out. For each ditch, a separate work order has to be completed. Councilman Fruge has a few more work orders to turn in, but is almost certain they will not get to them all this year.

d. Councilman J. L. Grimes: Community Development – Report on recent Garage Sales; up-coming Clean-up Days; July 4th Committee Meetings; and presentation of 2013 "All-Star Volunteer" awards: Councilman Grimes discussed the recent garage sale, stating it did well. The Clean-up day will be on April 20, 2013. The roll off's will be arriving by 7:00 a.m. that morning. Councilman Fruge and Councilman Merendino have volunteered their equipment to help, and Colleen Grimes will be there to help direct traffic. Councilman Grimes stated they held a 4th of July meeting last Thursday, April 11, 2013. There were several new volunteers for the committee, including Mr. and Mrs. Doug Emmons, and Kim Roberts. This year, the Sons of Confederate Veterans will be there again. At that time, Councilman Grimes presented the awards for the 2013 All-Star Volunteers. Councilman Grimes presented the large plaque with the names of 2012 and the new ones of 2013 listed on there, and then began presenting each individual with their plaques. The following names were named 2013 All-Star Volunteers: John Bym, Doug & Barbara

Emmons, Ched Engelhardt, Larry Landry, Clarence Sostand, Louis & Martha Vautrot. The final presentation of the evening went to Jane Hebert. The City of Bevil Oaks Yard of the Month Award, has been renamed the Jane Hebert Yard of the Month Award.

9. **Adjourn Meeting.** :- Meeting Adjourned at 8:10 P.M.
M/M/2/C: Adams/Fruge


Rebecca M. Ford, Mayor


Sherry Adams, City Secretary

MINUTES of a Regular Meeting
CITY OF BEVIL OAKS

May 16, 2013

1. Mayor Called Meeting to Order at 7:02 P.M.
2. Pledge of Allegiance/American & Texas Flag was led by Mayor Rebecca Ford/ Invocation given by Citizen Orain Tubbs.
3. Conflict of Interest-Councilman Jimmie Grimes stated he had a conflict of interest for item number 10b. on the agenda.
4. Roll Call – All present except for Councilman Danny Fruge and Councilman Dave Tevis. Councilman Tevis showed up a few minutes later.
5. Pre-Oath of Office – City Clerk Kimberly Vandver administered the Pre-Oath to Mayor Becky Ford, Councilman Jimmie Grimes, and Councilman Dave Tevis. Councilman Danny Fruge was not present and will be administered at a later date.
6. Oath of Office – City Clerk Kimberly Vandver administered the Oath of Office to Mayor Becky Ford, Councilman Jimmie Grimes, and Councilman Dave Tevis. Councilman Danny Fruge was not present and will be administered at a later date.
7. Citizen Comments (3 Minutes Each)-
Jane Hebert- Discussed the Yard of the Month program. Ms. Hebert stated we have had a total of 57 Yard of the Month awards given thus far. May 2013 winner is Ms. Jackie Larson on the corner of Sweetgum and River Oaks. Ms. Hebert also discussed the neighborhood watch program. We have had 10 volunteers to help with payment of the signs, with another 6 signs ordered since last Council Meeting. Ms. Hebert also gave some numbers as to why we need a Neighborhood Watch program, and thanked those citizens who have been out on golf carts helping watch.
8. **Reviewed & Discussed/Approved Consent Items:** a. through d: **M/M/2/C: Adams/Merendino**
 - a. April 18, 2013 Minutes of Regular Meeting – Comment was made by Councilwoman Adams that Mr. Larry Landry was left off the 2013 All-Star Volunteer awards in the Minutes in the Councilmembers packets. A new and correct set of Minutes were given before the Council Meeting to Mayor Ford and the Minutes were approved.
 - b. April 30, 2013 Financial Reports
 - c. Report by Utility Specialists (report in council packet)
 - d. Report by Carroll & Blackmon, Inc., City Engineer (report in council packet)
9. **Report from Attorney and city Engineer regarding proposal to connect wastewater system to City of Beaumont's Wastewater Treatment System.** Mr. Philip Hotzen, Graduate Engineer Carroll & Blackmon Engineering, stated the suggestion had been made to the Council to tie into the Beaumont sewer system. Mr. Hotzen and team was bringing the estimates of such a project tonight. This estimate would include, but is not limited to, mobilization, lift station rehabilitation, fencing, clearing, grubbing and building, as well as a force main of 8" on the east side and, demolition of current wastewater plant. Mr. Hotzen stated this would cost approximately \$807,000. Another \$331,000 would be needed for a water line by the main line if needed from Beaumont. The probable cost of this is \$1.13 million. Then a 15% contingency of \$170,000 was added for any additional expenses plus \$233,000 for engineering, bringing the estimate to a total of approximately \$1.5 million. Councilwoman Adams asked if this cost included fixing any driveways, at which time Mr. Hotzen stated that cost was included. Councilman Merendino asked how the City would go about getting a second opinion. Mr. Toby Davis, also with Carroll & Blackman Engineering stated the City has every right to get a second opinion, but that this is not a bid, but rather an estimate of what it would cost the City to give them an idea should the City go forward with this idea, and that the numbers given tonight was on the conservative side, allowing the possibility for money left over, rather than giving a low number and then costing more. Mayor Ford spoke up reiterating this is just to give the City an idea of the cost. Councilman Merendino then asked Mr. Toby Davis why he didn't give them the idea to tie into Beaumont if he has the best interest of the City in mind. Mayor Ford stated at that time that only 3 or 4 years ago someone stood in this very room and stated that Beaumont didn't want the City to do so, and until now, there was no reason to think otherwise. The City Attorney Dru Montgomery stood up next to speak, stating that the State deadlines had us facing a very short time frame. Because of such, a cost effective investigation limited the mandate to the City Engineers to specific items of alternatives rather than all ideas, mandating to do the investigation as efficiently as possible. Mr. Montgomery stated the City had just received confirmation a month and a half ago that this option was even an option. Mr. Montgomery stated there were 3 or 4 properties in the right of way, and the City's choices were to buy it, lease it for life, or condemn it should they go that route. Some feasible options were the Crown Pine Timber properties,

Phelan property, or use another governmental ditch. He stated the Drainage District is very corporative. Mr. Montgomery stated at this time the best looking option is going down Phelan. However, the Drainage District may require more right of ways for themselves, which would be better for our City, as they would pay the fees and not us. Mr. Montgomery's recommendation at this time is for additional planning of more funds for easements. He also stated most negotiations will continue and will be discussed at a later date in a closed session with the City Council. Mr. Montgomery stated the good news was it should cost the City about 50% of the properties to obtain the right-a-ways. However, it would never be better than 50%. Councilman Merendino asked how wide the easement would need to be, and Mr. Montgomery stated the probable amount is 30 feet.

10. Reviewed/Approved Action Items:

a. Consideration/Approval of Request, made by Orain tubs, for Variance to Ordinance #27 which would allow for the installation of a private water and sewer system on property located at the north end of Sweetgum Rd.: Mayor Ford discusses that the request from Mr. Tubbs was received during the April 2013 Council Meeting. The City then took the proposal to Mr. Mike Will of Utilities Specialties asking him if the City can provide Mr. Tubbs the service he is requesting a variance for, and if so, what would it cost the City. Mr. Will provided the cost analysis to the City, also in the Councilmembers packet, stating that for the City to provide Mr. Tubbs the service, over a 10 year period, the City would earn approximately \$4,343.75. Should the City allow Mr. Tubbs the variance, Mr. Tubbs has stated he would pay and continue to pay \$60 per month to the City for the services, even though he won't receive them from the City. This would save the City approximately \$5,256.25 of supplying the service, plus a profit of \$7,200 from Mr. Tubbs for paying the \$60 per month for the same 10 year analysis, giving a total savings to the City of approximately \$12,456.25 if the variance is passed. At that time, Mayor Ford read the entire Variance that would be given to Mr. Tubbs, should it be approved. Councilman Grimes makes the motion to approve, and Councilman Merendino seconds it. The vote was passed with all Councilmembers votes voting yes. Motion carried. **M/M/2/C: Grimes/Merendino**

b. Additional Agenda Item: A resolution of the City of Bevil Oaks, Texas, finding, after reasonable notice and hearing, that the request of Entergy Texas, Inc. to modify its interruptible service rate schedule should be denied. Mayor Ford announced that after speaking to Sam Bethea of Entergy Texas, that this does not affect residential clients. Mayor Ford read the resolution. The motion to deny was given by Councilwoman Adams and seconded by Councilman Merendino. Motion Carried. **M/M/2/C: Adams/Merendino**

11. Reports from the Mayor and following Committees:

a. Mayor Rebecca Ford: Mayor Ford stated that in reply to the Citizen comments made for the past few months by Citizen Jeff Franks, she would be discussing the FEMA program he has requested the City pull away from. First, Mayor Ford gave the definition from FEMA of what Substantial Damage to a property meant. Damage must be equal to or more than 50% of the market value right before the damage was done. If the damage is 50% or more, the structure must be made compliant to all local, state and federal floodplain management laws or ordinances. Mayor Ford read the form titled, "Information From FEMA Website Regarding Substantially Damaged/Substantially Improved Properties Located in Special Flood Hazard Areas" in its entirety, Mayor Ford stated that all the information can also be found on the FEMA website. Mayor Ford stated that at this time, there have been 12 loss structures since in the program, and that FEMA has paid this community over \$5 million in damages. This is one reason why the City keeps the FEMA flood ordinance. Mayor Ford stated the City Ordinance requires a 2 foot freeboard, and that if we got out of the program as Mr. Franks requested, it would require the City to pull out of FEMA all together. To do so would mean the City and its citizens could not obtain flood insurance as easily if at all, and everyone would lose the 15% discount currently available. Councilman Merendino asked if the City rescinded the ordinance, would FEMA kick us out of the program. Mayor Ford stated yes, that we have to have an ordinance to be in the program. Mayor Ford also stated that at the current time, FEMA will pay \$30,000 to those required to elevate and build up a structure due to 50% or more damage. If the ordinance was removed, FEMA would then question if the City Floodplain was being properly managed. Mayor Ford stated she would see about getting someone from FEMA out here to discuss this matter.

b. Councilwoman Sherry Adams: Building & Grounds- Report on Civic Center and Council Chambers projects: Councilwoman Adams stated the fire security needs to be completed still at City Hall, as well as the insulation in the attic. The community service people are not working out as hoped. However, the bulletin board at 105 and Sweetgum is up. Councilwoman Adams thanked all the volunteers for their time and money to the project, stating that Mr. Burns and Mr. Davis put the board up, Mr. Clarence Sostand built it and Mr. Ronnie Adams painted it. Councilwoman Adams stated that Coleen Grimes has offered to use the remaining paint and paint the picnic tables. Councilwoman Adams stated that everyone was invited on June 9th between 2-4 p.m. for the dedication of the newly renovated Council Chambers.

c. Councilman J. L. Grimes: Community Development – Councilman Grimes stated there have been 2 meetings thus far for the July 4th festivities. At this time, everything is in order and there will be some War stuff going on from the Sons of the Confederacy. Councilman Grimes said him and some other volunteers have been working on the Memorial Day Flags, which are about 4 or 5 years old, and in some disrepair. They will be working on them again next Monday at 2:00 p.m. should anyone want to help volunteer. Councilman Grimes said there hasn't been as much activity on the basketball court as they had hoped, although there was some. At this time, he would be postponing further expansion of the court. Instead, Councilman Grimes stated that him and Councilman Fruge had been discussing using some of the money for the expansion to put up a covering and more picnic tables instead. Councilman Grimes will get back to the Council Members at a later date with more information.

9. **Adjourn Meeting.** :- Meeting Adjourned at 8:12 P.M.
M/M/2/C: Roberts/Tevis


Rebecca M. Ford, Mayor


Sherry Adams, City Secretary

**Notice of a Regular Meeting
CITY OF BEVIL OAKS, TEXAS
June 20, 2013**

1. Mayor Ford called meeting to order at 7:03 p.m.
2. Pledge of Allegiance was led by Ms. Jackie Larson and the Invocation was led by Ms. Shirley Collins.
3. Roll Call: All present except Councilman Dave Tevis was not present at roll call, but showed up at 7:08 p.m.
4. Pre-Oath of Office for Councilman Fruge - City Secretary Kimberely Vandver administered the Pre-Oath to Councilman Danny Fruge.
5. Oath of Office for Councilman Fruge - City Secretary Kimberely Vandver administered the Oath of Office for Councilman Danny Fruge.
6. Election of Council Officers - Mayor Pro-Tem and Secretary: Mayor Ford asked for recommendations for Mayor Pro-Tem; Councilwoman Sherry Adams nominated Councilman Grimes to continue in this position. Councilman Fruge seconded the motion. No other nominations were made. **M/M/2/C: Adams/Fruge & Tevis**; Mayor Ford requested nominations for the Secretary position. Councilman Grimes nominated Councilwoman Sherry Adams. Councilman Tevis and Councilwoman Faye Roberts seconded the nomination. No other nominations were made. **M/M/2/C: Grimes/Tevis & Roberts**
7. Conflict of Interest Statement - No conflicts of interest were noted.

Citizen Comments (3 Minutes Each)-

Barbara Emmons- Discussed an upcoming fundraiser. Ms. Emmons stated that beginning Monday, a fundraiser will begin for a 27 year old young lady in Beaumont named Breezy McLaughlin that has a brain tumor. Several massage therapists will be selling certificates for massages that will be good for one year. Massages are \$60 per person or \$100 per couple. Certificates will be for sale on Monday. If interested, contact Barbara Emmons.

Jeff Franks - Discussed the FEMA program. Mr. Franks stated the Mayor has the City involved in a FEMA Flood Plan. He stated it is the plan that allows the citizens to save 10% on insurance. Mayor Ford spoke up stating 15%. Mr. Franks stated the negatives to this plan are that if you have a house worth \$100,000 and a tree falls on the kitchen, and the damages to the kitchen equal 50% of your homes worth, then at the 50% mark, you have to demolish your house, tear the foundation up, and raise the property up 2 feet above FEMA flood levels and rebuild. Mr. Franks stated insurance will not cover for this additional cost. Mr. Franks stated it is a FEMA plan, but doesn't mean just flood; it can be fire, tornado, tree, or anything that causes damages that will reach 50% of the home's value. Mr. Franks stated he hopes everyone will tell their neighbors and it is his hope that the City gets out of the plan one way or another. Mr. Franks stated it was not good for our community. He stated if anyone has any questions, he has spoken to FEMA, and that is the information he has, and he is very concerned about this plan the City is in.

8. Topics of Knowledge:

- a. **Insurance Coverage:** Insurance coverage in SFHA for substantial damage caused by non-flood related sources - presented by Scott Babineaux of Farmers Insurance. Mr. Babineaux discussed how claims work when it is not related to flooding. He wanted to give information to the community on how claims were handled. Mr. Babineaux stated that Mr. Franks, the citizen speaker, was accurate to some degree. He stated the program that FEMA is involved with, 95-96% of the time it is beneficial and to be part of the program is a good thing for probably the overall community. He stated he wasn't here to argue specifics, but in his experience, it is a good program. There may be someone specific that it may not be beneficial, but overall is usually beneficial. A citizen spoke up stating his property is short only a little bit, and Mr. Babineaux stated for only a couple of inches there shouldn't be an issue and can usually be issued a waiver. Several citizens voiced concerns that they would lose their homes if damaged 50% or more by a source other than flooding and they would not be able to afford to elevate as required by ordinance. They stated that they preferred to get out of the program rather than receive a discount on their insurance premium.
9. Ordinance 187: City of Bevil Oaks Fire Code - presented by Fire Chief Chris Gonzales, JCESD#1. Chief Gonzales gave an overview of TCEQ rules that guide fire departments across our county in their operations. He stated that although it is illegal to burn one hour

before sunrise and one hour after sundown, he stressed that his department does not go out looking for violations of any type. Instead, they respond only when dispatched as a result of a 911 call. He reminded everyone that you are responsible for anything that goes on during a burn and anyone, even someone passing on the street, can report the activity.

- a. **Review/Approve Consent Items** – a. through d.
- b. May 16, 2013 Minutes of Regular Meeting
- c. May 31, 2013 Financial Reports
- d. Report by Utility Specialists (report in council packet)
- e. Report by Carroll & Blackmon, Inc, City Engineer (report in council packet)

Mayor Ford stated that there were corrected minutes in Council packets. Councilman Merendino stated that the Engineer's estimate still did not add up correctly. Mayor Ford explained that she had contacted the engineer and that the total estimate was correct but that line item had not been individually listed and that this was strictly an estimate to give Council some idea of what the project may cost upon completion. Consent items were approved as presented. **M/M/2/C: Grimes/Frue**

10. **Report from Attorney Dru Montgomery regarding Wastewater Issues:** City Attorney, Dru Montgomery, updated Council on discussions with landowners regarding easements for the proposed wastewater project. He stated that there are basically 4 landowners including going under Tram Road that will need to be negotiated with to obtain an easement to cross their property. He has been successful in contacting two of the landowners and has an idea of what it will cost per acre for an easement across the Crown Pine property. Mr. Montgomery recommended that the city obtain an appraisal so the city can determine if it is a good deal or if we need to approach another landowner. He also stated that DD6 has discovered that they are going to have to purchase extra easement footage from Crown Pine and that they would not be willing to allow the City to use a portion of their easement for its project.

There was some discussion from council regarding maintenance of the right-of-way and the additional cost of clearing should the City get a better deal per acre for the Phelan property. Mr. Montgomery stated that he is still trying to nail down details as to what the City of Beaumont will require from us and what services they will supply.

12. **Discussion Items:**

- a. Agreement: Agreement for Engineering Services with Carroll & Blackmon, Inc. approved January 11, 2011. Mayor Ford stated these were discussion items, and wanted to clarify that after the last meeting and the discussion last time, Carroll & Blackmon work for the City, and the things they do are at the City's instruction, and the costs at the May 2013 City Council meeting were just estimates. However, they will be at a workshop meeting to be held on July 9, 2013, which is an open meeting and everyone is invited. Mr. Montgomery will also be in attendance with more numbers. There will be line items from them so the City Council will know exactly how it all adds up.
- b. Code Enforcement: Discussion of Code Enforcement Officer Job Description & Procedures & Ordinance #235. Mayor Ford stated Councilman Merendino had requested we have a line item on the Code Enforcement Officer's job, job description and procedures and asked Councilman Merendino what he wanted to discuss. He stated there were several things, including an ordinance in the City of Bevil Oaks, stating that you cannot drive big trucks in the City of Bevil Oaks. Some residents drive trucks for a living; drive them home and to work, both empty. Councilman Merendino stated the ordinance states it messes up our roads. However, further down it states they can pay a fee of \$500 for a year, and can continue to mess up the roads. He stated it is either a road issue or not. He requested it be tabled and discussed at a later date. Mayor Ford asked what the ordinance number was. Councilman Merendino stated it is ordinance 232. He also stated there was a question about who the Code Enforcement Officer works for. Mayor Ford stated that she is Ms., Giglio's direct supervisor but, when she needs an interpretation of an ordinance, she contacts Mr. Montgomery. Councilman Merendino stated that in the job description the homeowner is to be notified by certified mail, and there are several who have gotten regular letters. Ms. Giglio and Mayor Ford stated they get both, certified and regular mail letters but half the time the homeowner doesn't pick up the certified one, which is why both are sent. Eventually, the certified ones are returned to us. Mayor Ford said she would send Mr. Montgomery an email to pull ordinance 232 for review for the next Council meeting.

13. **Review/Approve Action Items**

a. Consideration/Approval to obtain an appraisal of easements required for wastewater project. Mr. Montgomery said anyone who gets property taken away must have an appraisal. In order for the City to make a decision on whether it is a good deal or not, we need an appraisal to find out what the fair market value is on the land. Mr. Montgomery stated the appraisal could cost anywhere from \$2500 - \$7500. However, it should be around \$3000-\$4000. Council agreed to cap the cost of the appraisal at up to \$5000. **M/M/2/C:**

Adams/Tevis

b. Consideration/Approval of Hurricane Ike Round 2.2 Critical Infrastructure Rehabilitation Project GLO Contract No. 12-558-000-6852 Sanitary Sewer Rehabilitation Recommendation of Award. Mayor Ford announced the grant administrator contacted the City today and while they thought they had been ready, there was one document that hadn't been posted yet, so the Council cannot make a move on this item at this time. It will be tabled until further notice.

c. Consideration/Approval of modification of service agreement between Utility Specialists and City of Bevil Oaks, TX. **M/M/2/C: Fruge/Grimes** Mayor Ford stated that Mr. Montgomery drew up a modified agreement because the original one was a simple agreement. The modified one is more complex but it is the same as far as all the fees being charged. Mayor Ford asked if there was a motion to accept it as presented. Councilman Fruge made the motion and it was seconded by Councilman Grimes, Discussion followed regarding whether or not it had gone out for bid and how often. Mr. Montgomery spoke up stating this was a service contract, and not seasonal, but 365 days a year, and it doesn't have a term, as neither does the agreements with the auditors, engineers, accountants, or his as the Attorney. Mr. Montgomery said it was a governance issue as far as how often it was put out for bids and it could make the prices change every year if it was re-bid. However, done this way it is more inflation proof, as we have been paying the same amounts for several years rather than the cost going up each year. Mr. Montgomery stated he did this contract because Councilman Merendino wanted it meatier and with a termination clause although the first agreement is a contract as well. Councilman Merendino then questioned Mr. Montgomery asking if, as an attorney, he would want to engage in a contract that had no termination agreement notice or anything. Mr. Montgomery stated the termination agreement is something that goes both ways. The City has a right to cancel without notice, as do Utility Specialties, but the new one has a 30 day clause.

14. **Reports from the Mayor and following committees:**

- a. Building & Grounds—Update on Building & Grounds issues; Council Chambers Dedication. Councilwoman Adams invited everyone to see the newly dedicated Council Chambers that was dedicated on June 9th to Orville and Dolores Hall. She thanked everyone who helped serve, clean up and decorate, as well as Councilman Fruge for helping take down the dirt pile and Ms. Jane Hebert for taking pictures during the dedication on June 9th. She also stated the fire system is not complete yet at the city office and the insulation has not been completed by Entergy. Councilwoman Adams stated she received a call from a gentleman needing community service, and wanted to thank Mrs. Colleen Grimes for supervising his work.
- b. Community Development—4th of July; Improvement of the Basketball Court area; Yard of the Month. Councilman Grimes reported:
1. Only one more meeting Tuesday, June 25th to finish wrapping up 4th of July program
 2. Yard of the Month for June was Mr. & Mrs. Wayne McMullen on Rolling Hills.
 3. He stated they are looking at getting a canopy of some kind to put at the basketball court between the court and City Hall, as well as some parking area up to the basketball court. Some preliminary numbers, obtained with Councilman Fruge, that both projects should cost less than \$10,000. Like around \$8400 depending upon the type of material for the parking area. They will be completed in two phases, the first being the parking, and the second phase would be the canopy area with a picnic table. Phase two would be less than \$5000. Councilman Grimes stated Mr. Franks would look over the numbers and see how realistic those are, as they are currently just estimates. Councilman Grimes would like to proceed with the project and have it started by the end of the season.

4. Councilman Grimes also read the numbers reported by Ms. Jane Hebert regarding the Neighborhood Watch activity. The numbers for May 2013 are: 29: 911 calls; 1 family assault; 5 welfare concerns; 5 suspicious people; 1 criminal mischief; 3 dog disturbances; 1 suicide attempt; 2 ambulance calls; 2 bulls loose (Ms. Hebert stated there were more than 2 bulls, but only 2 instances); 5 traffic and 4 alarms.

c. Roads & Drainage—Roads & Drainage report; DD6 activities. Councilman Fruge stated the county still plans on coming back probably in September due to delays on other projects caused by rain. We have a little extra money to do some more road leveling, but not the expensive type work like on Moss Hill. He also stated he has about 18 or so work orders in to them for cleaning ditches and the reason it isn't finished, is because they are doing road work and cannot commit to when they will get to it. He stated if someone has an order in for installing a culvert, that that would take priority. Councilman Fruge stated that we have had several calls about the big ditch on the east side of the community needing to be cut. Drainage District 6 cuts those ditches, when it is convenient for their schedule, and not when we call and complain. He stated they cut it about 3 times per season and they are currently on Tram Road and going west. So, we are the next on the list, providing the weather allows. They have already done some cutting, including some areas on River Bend. Another issue with DD6 is the big ditch that crosses Inwood by Judge Walker's house. It is stopped up and they have been looking at it as well as Councilman Fruge and Mike Will. Everyone is working together to come up with the right solution. However, the City will probably be asked to contribute some of the funds, because, while the ditch is DD6's, the sewer line is ours. There has not been any talk as of yet on what that number may be. He stated the sewer line is 30 feet up into the culvert, so it isn't easily gotten to, but if an answer may be to get the Fire Department to help with the high pressure hoses, they have already agreed to help. However, it currently appears some solid concrete has fallen into it.

15. Adjourn Regular Meeting – M/M/2/C: Fruge/Tevis

Meeting adjourned at 8:46 p.m.


Rebecca M. Ford, Mayor


Sherry Adams, Secretary

**Notice of a Council Workshop
CITY OF BEVIL OAKS, TEXAS**

NOTICE IS HEREBY GIVEN that the CITY OF BEVIL OAKS, TEXAS will hold a COUNCIL WORKSHOP on Tuesday, July 9, 2013 at 6:30 P.M. at Civic Center located at 7390 Sweetgum Road, Bevil Oaks, Texas to consider the following matter:

1. Call to Order – Mayor Ford called meeting to order at 6:42 p.m.
2. Pledge of Allegiance was led by Mayor Ford; Invocation was led by Mr. Ronnie Adams.
3. Roll Call – All present except Councilman Dave Tevis and Councilwoman Faye Roberts.
4. Conflict of Interest Statement - None
5. **New Business:**
 - a. Discussion shall be limited to an evaluation of a possible connection between the City of Bevil Oaks water and wastewater treatment system to the City of Beaumont's water and wastewater treatment system. The City will receive input from various private persons and entities such as its engineering firm, legal counsel, accountant, utility service personnel and others with specific information related to the proposed project. The following sub-topics shall be addressed:
 - i. Discussion of anticipated economic impact of connection to cost of current utility services – The City of Bevil Oaks will continue to bill the customers, while the City of Beaumont will bill the City of Bevil Oaks for the usage.
 - ii. Discussion of anticipated economic impact of connection on City revenues - It was discussed whether or not the City would need to consider raising costs to cover both the bill to be received from the City of Beaumont and the loan that would be taken out to pay for the project. The amount projected that would no longer be used per year from our current expenses is \$78,265. However, if the numbers are correct that have been received from Beaumont, it would cost us approximately \$94,320 per year to the City of Beaumont for the use of their sewer system. That number is received based on an average of 18 million gallons of water going through the sewer system per year, divided by 1000, as the City of Beaumont bills per 1000 gallons, and multiplied by \$5.24 per 1000 gallons. This number does not include the amount of the loan needed to complete the project. At the current time, if all numbers are correct, in order to pay both the estimated loan and the City of Beaumont, the City of Bevil Oaks would need to raise each customer's bill by approximately \$15 per month.
 - iii. Discussion of status of public financing options – see iv. Discussion of private financing options.
 - iv. Discussion of private financing options – All financing options were given by Mr. Jim Gilley, of US Capital Advisors. There are several options available that can be reviewed. See enclosed packet for specific costs and analysis titled, "Analysis of Financing Options For Utility System Improvements." Mr. Gilley based the numbers on a 1.1 million dollar loan. It was decided that he needed to revise the numbers for a 1.3 million dollar loan, and resubmit the numbers to the Council. However, from the numbers given thus far, the 15 year term projected for 4.25% interest rate, as seen on page 1 of the packet. The 1.1 million dollar number came from the construction costs. However, the Council

- informed Mr. Gilley of the \$40,000 Engineer costs, approximately \$100,000 from Mr. Dru Montgomery's items, and an additional \$60,000 for items that may arise that are unknown at this time, totaling 1.3 million.
- v. Discussion of status of negotiations with current landowners for purposes of obtaining easements for connection – Mr. Dru Montgomery stated he has spoken to the appraiser, but it is not concrete yet. However, once the City crosses Tram Road, there are only 3 owners to have negotiations with, as two tracts are owned by the same person. Crown Pine has come to Mr. Montgomery with a good offer, costing less than \$100,000, being estimated at \$80,000. Mr. Montgomery has also spoken to a representative of the Phelans, who informed him they are willing to allow the City of Bevil Oaks to obtain an easement, but for the right price, and they would need to review the benefits to them if the City purchased an easement on their property.
 - vi. Discussion of anticipated planning, design, and construction schedule. – In discussing the planning and design and scheduling with all involved, the City is looking at a time frame of about a year and a half or so at least. It would take this amount of time to obtain things like the financing and required permits and applications with TECQ, plus cleaning out and destroying the current sewer plant, should that be the route chosen.
 - vii. Discussion of anticipated scope of agreements/obligations with the City of Beaumont – It is the understanding of Mr. Montgomery that negotiations will go smoothly with the City of Beaumont. However, things have not been closed out, so anything is possible. At this time though, the numbers that have been given should remain the same. Bevil Oaks City Council will need to meet again in order to have all the information together before going to the Beaumont City Council.

**12. Adjourn Workshop – Mayor Ford adjourned the Workshop at 9:15 p.m. M/M/2/C:
Fruge/Adams**


Rebecca M. Ford, Mayor


Sherry Adams, City Secretary

MINUTES of a Regular Meeting
CITY OF BEVIL OAKS

August 15, 2013

1. Mayor Ford Called Meeting to Order at 7:00 P.M.
2. Pledge of Allegiance/American & Texas Flag was led by Mayor Rebecca Ford/ Invocation given by Citizen Joan Howard.
3. Conflict of Interest- No Conflicts Stated.
4. Roll Call – All present except for Councilman Dave Tevis at the beginning of the meeting. Councilman Tevis showed up at 7:35 p.m.
5. Citizen Comments (3 Minutes Each)-
Harry Huebel- Discussed trees hanging over road on Riverbend, stating it is dangerous for traffic; Councilman Fruge said it would be taken care of shortly.
6. **Reviewed & Discussed/Approved Consent Items:** a.through c: **M/M/2/C: Grimes/Fruge**
 - a. July 18, 2013 Minutes of Regular Meeting
 - b. July 31, 2013 Financial Reports
 - c. Report by Utility Specialists (report in Council packets)
 - d. NO report from Carroll & Blackmon
7. **Reviewed/Approved Action Items:**
 - a. Consideration/Approval for proposal for geotechnical services presented by Carroll & Blackman to hire Tolunay-Wong Engineers, Inc. to perform 2 soil borings. Councilwoman Adams asked where exactly these borings would be taking place; Councilman Fruge stated due south of the sewer plant, about 75 feet and a 2nd one about 100 feet. Councilman Fruge also stated this will be required regardless of what the Council decides on later, so it will not be a waste of money. Merendino stated he thought when the property was originally purchased; it was purchased as a buffer zone only, and not to be used for anything else, which is what Councilman Merendino voted for when the property was bought. Councilman Merendino also asked if the Council would consider purchasing more property for this project, at which Mayor Ford stated the City should not spend money on property when we already have property. Council voted to approve the borings pending clarification if said property is for a buffer zone only or not. Motion made by Councilman Fruge and 2nd by Councilwoman Adams to approve, if it is allowed after reviewing minutes of meeting where the property was originally purchased. Motion carried. **M/M/2/C: Fruge/Adams** (**NOTE:** Minutes were reviewed for May & June 2012 Council meetings. It is not stated anywhere the property is to be only used as a buffer zone. Also conversed with City Attorney, Dru Montgomery, who also stated the land is available for use and was not stated as a buffer zone only.)
 - b. Consideration/Discussion for revision of Ordinance 232 regarding the regulation of truck traffic on streets within the City of Bevil Oaks. Mayor Ford stated this is to be discussed, and may or may not need adjusting. Mayor Ford also stated the complaint that came in was believed to be more based on the noise at the time of the day and not necessarily driving the truck itself. Councilman Merendino stated the driver of the truck has 2 options to go, and he could choose to go out the opposite way of the property of the owner of the complaint, as to not disturb them. Councilman Fruge asked if there is something in writing stating specific hours truck drivers can drive on the roads of Bevil oaks. Mayor Ford stated such hours are listed in the contracts some must sign, such as logging trucks for specific jobs, but not in an Ordinance. Councilman Fruge suggested

this topic be tabled until a later date, pending Councilman Fruge or Councilman Merendino discussing the issue further with the driver of the truck.

c. Consideration/Approval for enactment of ordinance permitting entry upon land for purposes of testing sewer systems, require remediation of defects and penalties to aid enforcement of ordinance. Mayor Ford stated this is not actually an item for consideration or approval, but rather a procedure/information piece. This item is under Section 104.5 of the International Building Code, falling under Ordinance 210. The residents of Bevil Oaks will be receiving the enclosed letter first, letting them know of the upcoming Smoke Testing Procedure. If Utility Specialties has any findings, pictures will be taken and documented. The home owner will then be contacted for further instructions and to remedy the issue. Councilman Fruge stated that if the community sees trucks with lines running during the next week or so, that the sewer lines are being TV'd for pipe bursting.

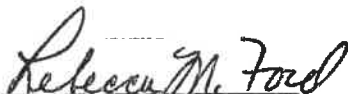
d. Consideration/Approval for proposed engagement of Lance C. Fox of Creighton, Fox, Johnson & Mills, PCCL as bond counsel pursuant to engagement letter transmitted August 9, 2013 by Lance C. Fox. Mayor Ford stated he is a local company that was recommended during the Sewer Workshop held recently. Mayor Ford also stated we would have to post notices. Councilman Merendino asked if we were planning on selling bonds, at which Mayor Ford said we have to. Motion Carried. **M/M/2/C:**
Roberts/Grimes

8. Reports from the Mayor and following Committees:

a. Mayor Rebecca Ford: Setting up date & time for Budget Workshop - Fiscal year ends September 30, and Council must approve a budget during the September meeting. After speaking with CPA Charlotte Yeates, would like to propose September 5, 2013 at 6:30 p.m. if no objections. There were no objections. Mayor Ford also stated the tax rate has dropped slightly over last year too.

b. Councilman J. L. Grimes: Community Development - Yard of the Month; Councilman Grimes stated this month's Yard of the Month Recipient is Mr. & Mrs. Ronald Haydel of 13550 Leaning Oaks.

9. Adjourn Meeting. :- Meeting Adjourned at 7:49 P.M.
M/M/2/C: Fruge/Merendino


Rebecca M. Ford, Mayor


Sherry Adams, City Secretary

MINUTES of a Workshop Meeting
CITY OF BEVIL OAKS

September 5, 2013

1. Mayor Ford Called Meeting to Order at 6:30 P.M.
2. Pledge of Allegiance/American & Texas Flag was led by Mayor Rebecca Ford/ Invocation given by Citizen Shirley Collins.
3. Conflict of Interest- No Conflicts Stated.
4. Roll Call – Councilman Dave Tevis was not present; Accountant Charlotte Yeates was also present.
5. Discussion shall be limited to evaluation of current budget and of items pertinent to establishing a budget for the City of Bevil Oaks for fiscal year 2013-2014. The City will receive input from private persons and entities including but not limited to its engineering firm, legal counsel, accountant and utility service personnel with specific information related to the proposed budget. - Charlotte Yeates lead the meeting discussing the differences between the 2012-2013 and the new proposed 2013-2014 budget. The City side was discussed before moving to the Public Works side. Mrs. Charlotte Yeates stated that the new proposed budgets are based on the past two years of actual income and expenses, plus the input of some Councilmembers. While discussing the expenses, it was noted that several areas will now be split between both the City and Public Works sides on a monthly basis. Such items include accounting, auditor fees, maintenance-grounds, payroll taxes, telephone, and wages. Once Mrs. Yeates reached the maintenance - building section, Councilwoman Adams informed the rest of the Council about the air conditioning unit at the Civic Center being broken. She received three bids to replace the unit, and is planning to go with Triangle Air. Councilwoman Adams also stated that her proposed budget had included the air condition unit, but will need to get it sooner than the new budget would go into effect. The remainder of her budget will include the cleaning lady, security monitoring, pest control, AC/Heating maintenance, misc. repairs, and keys or phone system repairs. Since the air condition unit will no longer be in the budget, the budget was lowered from \$10,000 to \$5,500. Maintenance-Other was discussed by Councilman Fruge. The proposed budget is set at \$15,000. This includes parking for the basketball court for \$5,000, and expanding the parking at the Civic Center for \$10,000. Although, Councilman Fruge stated he may not need to use it all, because it seems much of the grass already has a good amount of rock under it, so he will need to check more into it. Postage & Delivery was dropped from \$1,500 to \$1,300, and the remaining \$200 was moved down to the postage under the code enforcement. The postage for code enforcement was raised from \$300 to \$500 due to the change. During the past, all postage was coded under the postage and delivery section, when certifies for code violations were sent out, and going forward, it will be coded properly. Mrs. Yeates moved on to the Public Works department proposed budget. She stated at this time, the budget does not include any increases in fees for the proposed sewer costs to attaching to the City of Beaumont's sewer system. There has been a few new line items added to the expenses. Those line items are: billing expenses, grounds maintenance, and turn on/turn off. They have also split the materials billed from Utility Specialties and materials spent to other vendors.
9. **Adjourn Meeting.** :- Meeting Adjourned at 8:38 P.M.
M/M/2/C: Adams/Merendino


Rebecca M. Ford, Mayor


Sherry Adams, City Secretary

Notice of a Regular Meeting
CITY OF BEVIL OAKS, TEXAS

September 19, 2013

1. Mayor Ford called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance/Invocation was led by Citizen Larry Landry.
3. Roll Call: Call present except for Councilman Dave Tevis.
4. Conflict of Interest Statement - No conflicts stated.
5. Citizen Comments (3 minutes each) -
Jane Hebert - Discussed 911 reports for the month of August.
6. Review/Approve Consent Items a. through e.: **M/M/2/C: Grimes/Fruge**
 - a. August 15, 2013 Minutes of Regular Meeting
 - b. September 5, 2013 Minutes of Budget Workshop
 - c. August 31, 2013 Financial Reports
 - d. Report by Utility Specialists (report in council packet)
 - e. Report by Carroll & Blackmon (report in council packet)
7. Review/Approve Action Items
 - a. Consideration/Approval for 2013 Property Tax Rates - Mayor Ford stated the Effective Operating Rate for the new year is 0.215774 per \$100, which is slightly lower than last year. Councilman Merendino stated he wanted to make sure the Citizens understood the City did not raise taxes, but if they made improvements or built something new, their individual taxes may be higher than last year, as taxes are based on property values. Councilman Fruge asked if having money left over at the end of the year penalizes the City for the next years' taxes. Mayor Ford stated it did not affect the rates. **M/M/2/C: Roberts/Adams; Motion carried.**
 - b. Consideration/Discussion for 2013-2014 proposed budgets for both City of Bevil Oaks and City of Bevil Oaks Public Works - Mayor Ford stated the Roads money will be used out of the Roads Account this year for any Roads repaired. The account for Roads has something like \$154,000. Councilman Merendino asked if there was extra money listed in the budgets, and Mayor Ford said there is contingency in both budgets. Councilman Merendino asked if the budgets could be amended if needed, and Mayor Ford replied stating absolutely, and while we may not have to change the bottom line, individual lines can be changed as needed. **M/M/2/C: Fruge/Adams; Motion carried.**
 - c. Consideration/Approval for USCA Agreement for Financial Advisory Services from Mr. Jim Gilley of U.S. Capital Advisors - Mayor Ford stated Mr. Gilley is the financial advisor for the sewer line project, and last month the Council approved the bond attorney. She stated Mr. Gilley and his company arrange finances for the project. **M/M/2/C: Grimes/Roberts; Motion carried.**
 - d. Consideration/Approval for repairs to the clarifier bridge at the Sewer Plant - Mayor Ford asked Mike Will of Utility Specialties to speak regarding the clarifier bridge. He stated it is the bridge at the waste water plant and it is 60 foot, moving every 15-20 minutes. He stated the motor has already had to be replaced twice this past year, and it has been determined it has sunk 2 inches on each end. They spoke to the builder of the bridge to tell us what is needed. Mr. Will also spoke to two other companies in Houston, but they were not interested since it was a smaller project. The cost to the City at this time would be \$7,850 for the part, and \$8520.85 for construction, making the current total cost of \$16,370.85. Mayor Ford asked what would happen during the process. Mr. Will stated they can hold everything back for 24 hours at a time, turning it back on at night. With good weather, it should take no more than 2 days to complete, causing no issues to Citizens. Councilman Fruge stated he wanted everyone in the City to understand if it broke, it would be down 4-5 weeks to get the parts and fixed, if there were no setbacks. If it is

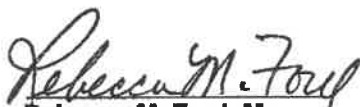
fixed before then, we should be able to get another 2-3 years out of it. Citizen Joan Howard asked Mr. Will if there are potentially any unforeseen costs. Mr. Will said absolutely there could be, as it is down in the ground and the guys working on it cannot see it all until they are actually down in it. **M/M/2/C: Fruge/Merendino; Motion carried.**

8. Reports from the Mayor and following committees:

- a. Mayor— Annual Flood Protection Plan update - See enclosed update; Mayor Ford also stated the new maps are coming, and they are not changing any elevations on the map. However, she wanted to make sure those in the Special Flood Zone areas, could potentially be eligible for a LOMA, or Letter of Map Amendment. This would take a property that may be in zone AE, and move it to zone X, lowering their flood insurance rates. If any Citizen has an elevation certificate, they can bring it to City Hall and let us (Either Mayor Ford or City Secretary and Certified Floodplain Manager Kimberly Vandver) review it. It does not cost anything. Mayor Ford also stated she attended a meeting at the Regional Planning Commission where Biggert Waters was discussed, which is a new legislation taking away subsidiaries, that will cause a lot of properties in the flood area to go up. However, the Regional Planning Commission voted for a resolution to try and change it.
- b. Community Development— Yard of the Month Winner - The Milams on Inwood; Pet Vaccination Clinic will be held on Thursday, October 3; Community Yard Sale will be Saturday, October 12; City Wide Clean-up will be Saturday, October 19 - Councilman Grimes stated when he called for the dumpsters, he was informed Hardin County had them reserved for that day, and so the City Wide Clean-up day has been changed to Saturday, October 26; Flu Shots are pending - Councilman Grimes stated the morning of this meeting he heard back from the County, and flu shots will be given on October 16th.
- c. Building — Update of new air conditioning unit at the Civic Center and changing contracts for air conditioning maintenance - Councilwoman Adams stated the coil had a major Freon leak, and Efficient Systems recommended replacing the unit. After obtaining 4 bids from 3 people, as one person covered two companies, she went with Triangle Air. They will be doing detailed maintenance twice per year at both the Civic Center and City Hall, and changing the air filters at the Civic Center every other month.
- d. Grounds — Report regarding Roads & Drainage - Councilman Fruge stated in the last meeting someone had stated the big ditch had large trees growing in it. He looked at it and talked to DD6, who said they will come out and shred the trees, and then next year when the sprigs start to sprout, will come back and poison them. Councilman Fruge also stated this next time out may or may not be the last cutting time for the year. He also spoke to Robbie at Precinct 1, who was unsure if they could do the extra work they have budgeted this fall or not. If they cannot get to it in the fall, they will schedule it for the spring time. Councilman Fruge said he also wanted to mention about the pipe bursting project out here, and they are currently going back and leveling the dirt and planting sod. But before they leave, Councilman Fruge, someone from Carroll & Blackmon, and someone from Horseshoe will go around and double-check everything. If a Citizen has an issue, please contact Councilman Fruge or City Hall. Councilwoman Adams asked if poisoning it would be an issue, and Councilman Fruge said it would not, but that Robbie from Precinct 1 had told him the City had previously voted to not allow them to poison within the City limits. However, the big ditch is not within the City limits. Mayor Ford stated she didn't remember the Council voting to not poison, and will look into it. Councilman Fruge said they would spray the ditches needed if the City wanted it and would allow it. He also is going to try to get them to clean out the end of River Road. Councilman Merendino stated he didn't trim the big oak tree out front by the Civic Center. He stated we may want a professional to come look at it, because it looks to be very old.
- e. Councilman Merendino — The proposed "new" flood map for Bevil Oaks; Code Enforcement Officers records & supervision; Availability of Public Records Public Information Officers responsibilities; Controlling major expenditures (communication) & using community services

when available - Councilman Merendino said he had spoken to Don Smith, and the City has had lots of big ditches cleaned out. He stated the Army Corp of Engineers also flew over taking a lot of pictures, and he spoke to Shawn Snyder, telling her she didn't tell the Council or Citizens that it could be over another year before the new maps were in place. Councilman Merendino wanted to know if it would be efficient for the City to hire someone to look at certain properties to help amend the map. Mayor Ford stated that would require an H&H study (Hydrology & Hydraulics). Councilman Fruge stated we could contact Shawn Snyder again just to see what we as a City might can do. Councilman Merendino then stated he asked to review the log for the Code Enforcement Officer, and stated he didn't think it was accurate. He also stated the list he reviewed showed approximately 70% or so were from Ward 1, and hardly any from Lowry Place. He stated that people complain to others, and it just needs to be fair to all. Councilman Merendino also said he was told the Code Enforcement Officer didn't really report to anyone, and we needed to know what hours she works, because last year she logged hours on Christmas Day. Mayor Ford stated we do know what she works and when, and she did work on Christmas Day, because Mayor Ford had to go pull some stuff for her that day. Councilman Merendino then discussed the Public Information Officer, and he had requested some information from him and was given the wrong totals. He stated he made the request on 6/28/13, but didn't get the information until 8/2/13, and he called the Attorney General's office, and they have 10 days to get the information. Councilman Merendino stated he thought we had accountants to help catch things like the wrong totals. Dru Montgomery, the City Attorney and Public Information Officer, spoke in response to Councilman Merendino. He stated that all information is public information with only very specific items, and there are prescribed measures on how to request information. He stated that any time a request comes in; there can be three basic responses. 1) ask for clarification, 2) deny and contact the Attorney General's office or 3) respond with a best guess as to what is believed is being asked for. Mr. Montgomery also stated it is not 10 calendar days, but 10 working days, regardless if he is on vacation or not. He stated there can also be a large gap between the request for clarification and a response. As to the totals, if something is exported to Excel, and a formula is entered wrong or a cell is hidden, it may not be noticed until later. In those instances, he will send out 2 forms, the first one with the incorrect formula, and the corrected one. He then stated that it also matters if some are to the private citizen, or to the role of a Councilmember. Councilman Merendino asked if it takes a lawyer to be a Public Information Officer, and Mr. Montgomery stated it did not. Councilman Merendino asked then why can't the City use one of the ladies in the office, who usually have the information anyway, as the Public Information Officer. Mayor Ford spoke up stating that before, when Mr. Montgomery was appointed as the Public Information Officer, the ladies in the office were having a lot of requests that had to go to Mr. Montgomery anyway. Mr. Montgomery stated that back then, 95% of the requests were from the plaintiff in a lawsuit, and that most things now can come from the City Clerk. Councilman Merendino stated he understood if a lawsuit is going on, but just for basics, doesn't see where we should have to pay a lawyer. Mr. Montgomery stated that is a policy issue with the Council. Councilman Merendino went on to his last topic, stating that in instances such as the air conditioning, there are people willing to help, if we would just have better communication. Councilwoman Adams stated she didn't have time to contact everyone. Councilman Merendino said the City has all kinds of people who will be willing to volunteer, and we need to create a list to have when needed. Mayor Ford stated we can put that in the upcoming Newsletter, and have a form for volunteers to fill out so we can keep a list.

9. Adjourn Regular Meeting - Meeting adjourned at 8:15 p.m. M/M/2/C: Fruge/Grimes


Rebecca M. Ford, Mayor


Sherry Adams, City Secretary

