

Town of Sugar City  
Regular Meeting Minutes  
04/06/2022

**CALL TO ORDER** 6:56 by Mayor Dinsmore

**PLEDGE OF ALLEGIANCE** Led by Mayor Dinsmore

**ROLL CALL** Present- Dinsmore, Hjar, Paul, Massey, and Willis.

**MINUTES Motion** to approve regular meeting minutes dated 3/18/2022 made by Paul, 2<sup>nd</sup> by Willis, motion carried.

**Motion** to approve special meeting minutes dated 3/30/2022 made by Paul, 2<sup>nd</sup> by Massey, motion carried. Willis abstaining.

**PUBLIC COMMENT**

None

**Mayor Dinsmore:** couple of people that would like to say something before we continue.  
Tony Moreland: Would like to thank the council for breakfast, lunch and dinner from yesterday. Had a great time, seen a lot of great people I hadn't seen for a long time. I appreciate what you did for us on election day. **Dinsmore:** Thank you all for coming in and putting in the hours through the day.

**Motion** to place Mr. Arch Hjar on the agenda for 4/6/22 under old business made by Paul, 2<sup>nd</sup> by Willis, motion carried.

**REPORTS**

**Clerk**

Water deposits: Found paperwork that an account had been out, look for why we have extra 200 there when we shouldn't. **Dinsmore:** Could you be more specific? **Davida:** Found a copy of a refund with the check refunding the deposit. However, it was not put into the system, I believe she just cut it out of the wrong account. **Dinsmore:** Person was reimbursed just wasn't removed off of account. **Davida:** Believe she just cut it out of the wrong account is all the error was there. CWRPDA loans that are do, will need autographs. No discussion.

Mr. John Hjar: rent the facilities on June 11 for the Sugar City Alumni from 11-4, come in Friday evening to prep, then tear down from 4-6 to tear down. It is available that day.

**Motion** to approve Mr. John Hjar the use of the facilities on June 11 made by Massey, 2<sup>nd</sup> by Willis, motion carried. Hjar abstaining.

Pittsburg Tank & Tower: Discussion over inspection report. No decision made.

Waste Management: Would like to install camera on our dumpsters at Family Dollar in Rocky Ford. I replied no because they needed an answer but told them I would ask the council what they thought and let them know. Discussion over placing cameras on dumpsters and not on buildings. Decision made that no cameras are to be placed on our dumpsters; they could place locks on the dumpsters instead.

Green Street: Have some dirt they want removed. **Massey:** If it is clean, we could charge to

remove for use of truck and fuel expense. We could allow the citizens could come and take what they need for personal use. Discussion over components of soil/dirt and steps to make sure there will be no cross contamination.

**Motion** to remove dirt for \$375 for 7 am-4 pm day made by Willis, 2<sup>nd</sup> by Massey, motion carried.

Paying Norton \$205/yr, McAfee \$420/yr. Been paying Triad since 2020. Discussion over virus protection. Decision made for Davida to cancel Norton and McAfee.

Code Enforcement applications. No discussion.

Clean Management Quote: remove oil, based out of South Carolina, have local office. 4 contaminated barrels at \$175 each and transportation charge of \$350 estimated total \$1050.

Discussion over transportation charge. Decision made that Davida would look into a stop station.

Logan and Associates sent a list of items he is requesting from the town. Discussion over receiving items back from Mr. Trainer. Decision made to have town attorney reach out to Mr. Trainer to get the audit items back.

Town administrator job descriptions. Discussion over contacting town attorney. Decision made for council to reach out to attorney and check into purpose for administrator.

Dawndi stated she spoke with Mayor Dinsmore in regard to getting a dumpster back for the once-a-month pickup at the price she used to have, that is all the trash she has. Discussion over price of dumpsters and discounts if any. Decision made that the no rate for different pickup schedules you pay regular price of dumpster.

Joe Rawski filled out a complaint about Daniel's dog, with photos. Discussion over code enforcement rules and regulations. Decision made to have Mr. Robert Tooker look into as the code enforcement.

#### **Assistant Clerk:**

Look into a digital transcriber. Discussion over purchase a transcriber. Decision made to look into transcriber.

Office needs new keyboards, mouses are needing replace, the chairs are needing replaced.

Discussion over purchasing office supplies. Decision made to look into prices and bring to next meeting.

Backhoe rental prices. Discussion over price of fuel and cost of living. No decision made.

Trash personnel needs to notify the office who is or is not working. Discussion over calling off for work. Decision made to have personnel contact office when missing work.

#### **Town Maintenance:**

Summer approaching: water classes not around to help Luis as much. Could we hire someone part-time seasonal to assist him? Discussion over hiring help over the summer while Terry is taking his classes for certification. Decision made to advertise for seasonal part time help for two weeks.

Red ranger: has many miles, starting to die on us. Discussion over using ranger, towing truck back to office. Decision made to allow the county to look into what money can be spent on and looking into purchasing two newer vehicles for the town, one for town and one for fogging.

**Lift pump for lagoons came in. Discussion over lift station pump, transfers lower lagoon to higher lagoon. Flow right got us a pump**

## **within a week. The other company took almost a year.**

Neptune: go back to manual readings after fighting it for almost a year. Communication between Neptune and UBMax. Work on recouping municipal income that we lost for the last couple of months. Decision made to work with town attorney for recouping lost municipal income.

Backhoe projects: look more into location and accessibility. Customer would like us to rent a track hoe to finish work. Variance has been extended for customer several times. Discussion over work entailed. Decision made to refund for hours not used and deposit.

**Sanitation: Mayor:** Where is Dave? **Massey:** Didn't tell him to be here. **Mayor:** He is the supervisor he needs to be to give these reports.

Vacation request for himself for April 11<sup>th</sup> thru April 22<sup>nd</sup>, wants ten days off. Discussion over vacation and chain of command. Decision made vacation approved.

Truck 5 need a little work. Needs to go to shop soon. Rough estimate \$3000 - \$4000. Discussion over truck 5 and work that is needing to keep truck running. No decision made.

Truck 7 needs four tires. Discussion over tire sizes on different trucks. No decision made.

Truck 1 and 2 need two steer tires, the high float. Discussion over tires. No decision made.

## **OLD BUSINESS**

Mr. Arch Hjar: Let you all know had a last-minute meeting, trying to get pressure on the line, finally got Ordway down a make a pressure test on Baltimore fire hydrant. Today I also managed to get a pino gauge, so I can measure the flow. Called Jerry Roberts, called and asked if could measure the pressure, when we got there, he said that he didn't have the instruments to measure the flow. He did mention that he had to empty the water truck today and he had to go fill it up. He could measure the water going into the truck, that would be the 1200 gallons on the truck. We timed it; we sent the information to the engineer. They had the GPM on the hydrant, it turns out that they were able to give me a report. Was not able to get the report till the last minute today, they wanted the GPM on the hydrant, got it to them today. Lucked out that he was going to work down at the sewer lagoons; he would be available. He called when he was available, we went out there and we determined the information that I just told you. I received the report from the engineer around 4:00 pm and that is what you have in your hand. **Mayor:** I don't have an engineer report. **Hjar:** I gave a copy to her. **David:** You said that was a copy for the office, so I was going to put it in your file in the office. **Hjar:** I gave to her to give to you. **Mayor:** Arch I am going to read this out loud. (Read aloud). What these states from the engineer, which I see has been notarized, signed, and done officially. Is not only that you can add taps, it looks like there can be some taps added across the board with no problem. John I will leave this here for you to look at, we have some wells being serviced but it looks like we actually would be able to services to all lines, that includes the northwest, the southeast, and Mr. Hjar croak. I know there has been a lot of conflict with Mr. Hjar wanting to put in his line. I know there has been a lot of conflict that goes back well before my time. One thing I keep reiterating is this conflict arises between the lack of communication between the Town of Sugar City and its out boards, meaning the southeast and the northwest pipeline. That being said that once our wells are revamped that we get a new test, and we confirm Mr. Hjar things. Which means that we can add some lines across the board. This is a little bit of contention; I know that Mr. Hjar is still having to go to the county with a couple other things. With respect to the Town of Sugar City and what it is able to

provide as far as services Mr. Hjar has provided and paid for it on here. I would say that the bit of contention of what wants to be built on the outside after talking with the city attorney I am at a deadlock. It is not up to the municipality it is simply a request to confirm what can and cannot be done. So with this being said Mr. Hjar, what I am being informed by the city attorney and what the engineer is saying that what you are requesting is a feasible request, you are not putting the town at any type of predicament to be able to lack. With that being said with this report the other pipelines I would think they would add a little more. With that being said that is the reports of much more educated men than me. I would say based on that, that would suffice the requirements of what the Town Council had requested you have done by this meeting. **Paul:** Mr. Hjar you stated when it goes up to Baltimore it goes from 6 to a 2-inch down to Baltimore?

**Hjar:** It is a 6-inch line. **Paul:** It is a 6-inch then it reduces to a 2 then it goes back up to a 4?

**Hjar:** Yes, down lane 23. Then there is another line; 2-inch going east on H. **Paul:** According to this map, if you are going to do a split, you are going to have to make sure it is before it reduces down. According to this it won't work if you go past the 2 and the 4. **Hjar:** The tie-in would be before the meter that is now providing water to the Sugar City pipeline. That 6-inch line is a plug with a 2-inch line coming off it going to the meter pit. After the meter it goes to a 4-inch. What I want to do is do before the meter, 1 ½- inch tap then do the same thing they did. **Paul:** I want to reiterate to everybody else that according to this you have to stay above the 6-inches. **Mayor:** What did the county say? **Hjar:** The county said the same thing as soon as they get the engineers report it is accepted. They got your approval letter that and they said it was subject to the engineers report as well. **Mayor:** When are you looking to start development? **Hjar:** I had to get all my ducks in a row before I could even get a surveyor on site. The surveyor said that I had to get the approval from the county before I could get a surveyor. **Mayor:** Want to put this into perspective, we had a gentleman who came in and requested the same thing you did. That gentleman did not meet a deadline and we overruled that gentleman ruling with yours, because you are a new person coming in. So I would ask that you try to complete this within a respectable amount of time getting it through and not draw on. I can not say that for sure somebody might come in after you that might have more intent to follow through with something before you have and you might get cancelled out. You might want to think about locking this in and getting it done. If you don't get it done real quick there is a good chance that your going to lose the decision. Keep in mind that you are strapped to a time frame because I can't say with a future council that it would be restricted. For now you have it, take advantage of it. Wish you the best of luck and you got the approval for now. **Hjar:** Thank you

**Jim McCuiston:** Sugar City Pipeline. Our concern is a decrease in volume, flow, and pressure that could inhibit our line because of their prior connection to our main meter. **Mayor:**

According to these numbers, no sir, that will in no way affect your PSI. **McCuiston:** It's an engineering report, the reality of it is if it doesn't work, and he gets those eight units that he is proposing, there is a large draw, is it the liability of the Town of Sugar City to put us back in a position where we don't have a problem if we do have a problem? **Mayor:** Absolutely because he is tying to the Town of Sugar City not the pipeline. **McCuiston:** Correct, if we do have a problem with that, I want the town to understand that they are responsible. **Mayor:** Arch it kind of concerns me that you want to bring a project like this to the community. I understand that it is your property, and you can do with it what you want. Keep in mind that we have a very limited

resource around here, we are trying to work around that resource that is fair to everybody. As long as there is education backing those admirations. According to that and something I heard from GMS, which put in our water line. We can do that plus more on the taps. We can supply it. **Clifford Bunch** variance: 8 foot tall and 20 foot long not permanent going between 410 and 418 on Iowa. Just a fence between properties. Discussion over fence. Decision made reach out to building inspector.

**Mayor Dinsmore:** It has been great being up here with the board of trustees working with everybody here. We've done a real good job turning something around. I know talking with Mr. Del Rio that he has a good admiration to keep things going. It is going to take a strong connection between the council and Mayor to keep things on the path we are going on right now. We have good relations with our community, we have good relations with our county branches, we have good relations with companies. I absolutely believe you guys can keep it going. It has been awesome working with you guys. Joan I know we have had a few ups and downs, but that has been here sitting in the seat, that has nothing to do without there. Guys it has been awesome, it has been a blast. Anytime you ever need to reach out to me, please reach out to me.

Round of applause for Nathanael Dinsmore.

## **NEW BUSINESS**

Swearing in of new board members.

Black Hills Energy: Franchise fee; read aloud by Josh Vigil. Discussion over next reading. Ran the ad for Ordinances in the Ordway New Era. Any questions feel free to contact me.

PT Maintenance: No discussion

Budget 2022: Discussion over budget. **Motion** to approve the budget for 2022 made by Willis, 2<sup>nd</sup> by Hjar, motion carried.

Color printer for office: business cards. Discussion over purchasing color printer and business cards online. Decision made that Nikki would get prices for color printers and business cards.

512 Iowa hook-up: couple of weeks ago this came before you and you stated that he had to pay for everything to get reinstalled. Last Thursday, Nate came into the office and demanded that we put a meter in now. I called Gary because I wasn't sure what to do because you guys had said no. Gary said go ahead and put it in and we would deal with it at the next meeting. Discussion over the account and that it was closed in '18 because I sent it to collections. **Dinsmore:** The issue seems to be that since we switched services and we didn't touch that account in so long, that it got deleted out of the program. That seems to be a very basic thing on a couple of accounts that we have come across. **David:** It has been an issue but most of them have paid the facility maintenance fee. **Dinsmore:** Mr. Hopkins have not paid. **David:** He didn't pay anything. He hasn't paid a dime to us. **Dinsmore:** He has. **David:** Did you take money from him? I didn't take any money from him. **Dinsmore:** What about when Mr. Hopkins and Mr. Thomas came in. **David:** They didn't give me any money they asked me to open the account and I said I had to bring it before the board. No money exchanged hands. **Dinsmore:** So, you are saying that all his previous debts are still owed then? **David:** They were sent to collections, whether or not they are still owed?! I haven't received money, but whether Julie did I can't speak. **Dinsmore:** When Pual and Dan came in here and paid their debt are you kidding me? **David:** If they paid them, they didn't pay them to me. I sent them to collections, both of them. I even looked at the list not to long ago to see how current I was. **Dinsmore:** Wow, what it's been about 10 minutes and we

are starting the bulls\*^t show? **David:** No, I am asking a question about a meter. **Dinsmore:** That is Mr. Hopkins issue and not mine, we resolved that. I would be willing to testify as previous mayor of this town that debt was paid. **David:** The debt may have been paid, that's fine. However. **Dinsmore:** Now it was paid, now from I didn't receive nothing. **David:** No, I didn't receive any type of payment. You're stating it was paid. If it was paid it was not paid to me. I cannot speak for Nikki she is saying it was not paid to her. So, my question is...

**Dinsmore:** I'm not speaking for any either, I am speaking for the town of Sugar City and debts received. **David:** OK like I said maybe it was, but it was not received by me. For this meter to have been installed... **Dinsmore:** Could it have been before you came in and Julie was still on board? **David:** Maybe, I guess. You came in with them one afternoon, you had discussed everything with me and I brought it to the board because I could not find the ????? **Dinsmore:** I know that Mr. Hopkins and Mr. ???? have paid in full and I will take that to court against you guys. That is just dumb to discuss this issue. **Hijar:** Do you think they paid by check or did they pay by cash? Who did he pay it to? **Dinsmore:** Cash. **David:** That's fine if the accounts were paid in full. My question is why didn't he have to pay a deposit to put his meter in? Why didn't he have to pay to reinstall the tap? **Dinsmore:** Because it was pulled because of the system, we switched over and so on. David, I don't even know why I am going over this with you right now, we had this conversation several days ago. **Hijar:** Did we put a new meter in there? **Dinsmore:** Yeah, one of the new ones. **David:** Yes. The issue is, part of the facility maintenance fee was if it wasn't paid for so long they had to reinstall a tap. That was part of the deal on that, if its no longer part of the deal. I just need to know. **Dinsmore:** I tell you what, I hope he takes you guys to court. I am going to back him 100%. I was literally here in the office when he paid it and I was here when everything was paid across the board. I can't believe that this is a crock of sh\*^t. **David:** I don't know when he paid it! I will be honest. I know back before I quit, I had sent him and Mr. Thomas to collections. If they came in and paid after I left or before I came back, I can not speak to that time. **Dinsmore:** It was you and Nikki in the office when they came in and they paid in full. That was the only reason that I had Terry put it their meter. Because their meter was pulled based off the old software. The old software cancelled them out because their account hadn't touched in X amount of time. That was kind of the towns fault, when it got transferred over there was no recollection on our end cause of new service. Their service is there. What kind of annoys me, is that these people are kind of attached to me as far as a personal relationship and I feel they are being targeted. Which has been honestly one of the cases since day one. Go ahead and make your decision and I will back them up in court and I will slam you guys. **Tony:** Nate can I ask you a question. Did you see them pay in cash? **Dinsmore:** I was literally standing in the office. **Tony:** But did you see them pay in cash? **Dinsmore:** I was in the office when they paid, I don't know how they paid but I know they paid. **Dinsmore:** They did not give me money! **Betty:** Do they have their receipt? **Dinsmore:** I will have to ask them if they have a receipt, if they don't have it. Then that's on them for not keeping it. I was in the office when this was resolved and if you guys try to nail this, I am going to the wall, I am going to nail you to the f%\$#ing wall. **Hijar:** How much did they pay? **David:** I remember writing addresses, phones number, and all that stuff down. **Dinsmore:** I am going to have them start pulling bank records if you guys want to play this game. As quickly as this transitions you guys want to play this game, I am going to nail you to the wall. **David:** My question on this is... Why did he not have to put a deposit down on his meter? **Dinsmore:** Because the town of Sugar City removed his meter without due process. **Hijar:** We removed the meters last spring the town went in and put the new meters in. They probably didn't put one in

there because it was vacant. **Dinsmore:** Did the town of Sugar City send him a notification letter? No. You know how I know that it happened to the mayor. The fact that it was brought up in this meeting is bulls\$&#. **Hijar:** Tell him to find the receipt. We will credit him. **Nikki:**

David, you have been through the deposits. Is there a deposit in there for this situation?

**Dinsmore:** That is a very good point, if it was a paid transaction. That record should be there.

**Nikki:** Throughout the year was there something in there? **Dinsmore:** Honestly at the end of the day. When it comes to them; and they have to prove they had receipt. When the fact that I was standing there when they did pay. I am not going to sit here and try to say on that. I tell you what you guys take them to court on that. I am going to nail you to the wall. **Hijar:** Did you have a deposit slip...

**Dinsmore:** I tell you what as the person accusing the city of all your doing good luck. I am not going to say anymore on that person's sake. You guys go ahead and make your decision. **David:** I have not seen one. **Tooker:** If you want to look into it or not. I know Dan and Paul came in, August or September time frame. They did pay some money to Julie in that time frame. **David:** There you go he just said he paid it to Julie. I was not here. I told you they did not give me money. **Dinsmore:** That would make sense David, if you did not know about that was probably before your time. **David:** I am inquiring why a deposit was not required. Even if the tap was dead or whatever? **Dinsmore:** His tap was removed without due process. He was given no notification, his tap was removed based off that we switched programs and the old program was cancelled out because his account hadn't been touched since 2010. **Willis:** Nate didn't he have a pretty size delinquent account? I do remember Julie collecting part of it.

**Dinsmore:** He absolutely paid it in full. I know he did that. **Willis:** Then we need to look into it, because I do remember Julie taking a payment. I am not sure if it was a full payment. **Dinsmore:** As the accuser on your end, it actually up to your guy's duty. **Hijar:** When do you take deposits to the bank? **David:** It depends on how much we make, but it is usually two times a week.

Since we illegally removed his meter, I understand that. I can respect that; he should get it back. If we did yes. To get it back if he doesn't have a deposit on hand wouldn't we still need that deposit. **Massey:** Yes. **David:** That is all my question is. Do we not need a deposit for this meter? That is all I want to know. **Hijar:** Maybe he paid it when he paid. **David:** Maybe I will have to look through the records. If he did there was no paperwork completed. **Tooker:** July is when we reached out to them, both Paul and Dan. I believe it was August or September when they came in and made a payment of some sort. I talked with Paul and Dan when they came to town that day. **Tony:** I don't think it is fair, I know I don't live in this town. It's not her fault the cash could have disappeared if they paid cash. **David:** I'm not asking if he paid his account, I'm not asking any of those questions. All I want to know is why the meter was put in without a deposit, even if we pulled it illegally. There is no deposit on record for him having that meter. I will have to look into it. That is my question, I wasn't looking to start a war, I just want to know why he didn't have to pay a deposit. **Willis:** He had to have a deposit at some point. **David:** If it has been refunded, he needs to repay it. Am I correct in my line of thinking or am I incorrect?

**Willis:** Yes, if it has been refunded.

Signers at First National Bank. Discussion over continuing with Joan Willis and Gary Massey and adding Mayor John Del Rio as a signer. **Motion** to have Joan Willis, Gary Massey, and John Del Rio be the three check signers for the town of Sugar City made by Hijar, 2<sup>nd</sup> by Tooker, motion carried.

**BILLS** Discussion over bills. **Motion** to approve bills in the amount of \$42,869.76 for made by Tooker, 2<sup>nd</sup> by Willis, motion carried.

## TRUSTEE REPORTS

**Hijar:** Inaudible.

**Roberts:** No Comment

**Willis:** I've done code enforcement the office. I feel the need to have special events, bring the pancake breakfast. Start back up something Easter.

**Massey:** Employee cookout. Would like to close the office this year so they could enjoy it this year. **Willis:** Would like to see it at the park instead of here. **Tony:** Would like to cook so employees don't have to. **Willis:** That would be nice. Discussion over having the cookout. No decision made.

**Del Rio:** What about the flagpole that hasn't been put up? **David:** I contacted them, and they said it would take them 2-3 weeks to get here. Discussion over time frame. No decision made. The streetlights need to be reported to Black Hills. Discussion over Black Hills fixing lights. Decision made that Black Hills is working on it.

**Tooker:** Glad to be a part of the council. I hope I can make a difference in this town. Intentions on fixing roads and sidewalks. Discussion over holes in the roads. Decision made to look into more grants.

Water situation: what are your intentions, as you know 90% of this town does not drink this water. **Del Rio:** We need to see that the chlorine being put in the wells is the proper amount.

**Dinsmore:** Are you kidding me? **Del Rio:** Who goes out and checks them out? **David:** Terry.

**Dinsmore:** That is the stupidest sh%^ I've ever heard. **Del Rio:** That's one of the first things we got to do. **Tooker:** All those measures are being done right now. Last I heard we are one well. **Massey:** Two. **Tooker:** We are on two now. Sucking water from the edge of a reservoir that is bringing in sediment and that is why they are having to pump so much chlorine into the wells. **Dinsmore:** No, all this is set up through the county to get all this lined up. John, I had a conversation with you last week about all of this. That is redundant because I had a conversation with you about the companies that were going to be acting, about the actions that were going to be taking, about the levels we are at right now. The fact that you just asked what you just asked, it is absolutely ridiculous. John, you already know this, we had a 20-minute conversation about who is monitoring, who is going to maintain, and who is going to be upkeeping it and the steps that we have made. Are you kidding me? Jesus f\*%^ing Christ. **Del Rio:** Did anyone check the depth of where the water table is? **Massey:** Yes. **Del Rio:** Where is it sitting at?

**Massey:** I believe Terry checked it Thursday. **David:** I have the measurements right here. **Massey:** Well 2 and well 5 were active when he tested them. Discussion over the wells and redrilling well one, can redrill if we move it 200 yards without a permit. Discussion over depth of vein. **Tooker:** Could we go to a horizontal well in, we would need a variance. **Dinsmore:** You need a special allocation for square footage upon what the request is for what the predicted amount of what you spool is going to contain because it will retain more water and you will actually need a variance for that. **Del Rio:** Who does the work now?

**Willis/Massey:** Broce **Dinsmore:** No Broce doesn't survey our wells. Call them and ask if they survey our wells and they will tell you no. **Willis:** I thought that is who we were using now. **Dinsmore:** That's a real stupid thought. **Willis:** Excuse me. **Dinsmore:** I'm sorry did I speak French? **Willis:** I think you called me stupid. **Dinsmore:** Broce is not servicing our wells right now and that is knowledge across the board. **Willis:** I thought he was going out and helping with things at the wells. The last I heard yes, he was. **Del Rio:** Check that out and see who does it. We have one well going that is not good. When I was mayor before we had four wells going. **Dinsmore:** That company offered me a bribe to keep their contract I cancelled it. The company you are talking about right now is the same company who offered me a bribe to keep the contract, might want to keep that in mind. **Willis:** Broce is who you are talking

about? Am I correct? **Hijar:** Nate is going to talk to the new mayor in the morning I think we should let them talk. Further discussion over questions Tooker inquired.

Discussion over Crowley County assisting with funds for different projects.

Willis left meeting at 10:00 pm.

**Tony:** You got new board members, you got give them a chance to get up to speed. Let them get up to speed with what is going on. I will tell you if that man comes in and disrespects my wife again, we are going to have a problem.

**Lloyd Rogers:** I had a problem with your code officer. Is he still employed with the city? **Hijar:** No. **Rogers:** When was that? **Tooker:** As of today. **Rogers:** April 5<sup>th</sup>? **Tooker:** I was on medical leave for about two weeks. **Del Rio:** Are you still on medical leave? **Tooker:** No, I can't be employed by the town and a board of trustee's member. **Rogers:** Got a question. Have you been charged with a crime? **Tooker:** No. Everything has been dropped/dismissed. **Del Rio:** If you had been charged with a crime then you couldn't be on council. **Tooker:** I am very aware of that. **Betty:** Then how could the previous mayor be on it? **Rogers:** I would like to explain the situation. I was here on a Friday when you had a meeting and none of the council or the ex-mayor did anything, when it was brought up to attention. That I had problems with the code officer, after that meeting I went to the county court and to the county judge, Medina, and I got a restraining order. The last council and the ex-mayor have done nothing till today if he is still working. They should have done something that took his code officer away from him and made him sit till it was settled. We went to court, and he was on a restraining order for 30 days, then the judge had a choice to put down a full restraining order or drop it. That is just the start of it, the case has been turned over to the DA. **Tooker:** It has been dismissed. **Rogers:** The case has been turned over to the DA, they are going to investigate it and on account of the covid and the docket is backed up, they are going to decide whether to bring criminal charges or civil charges against him or both. **Tooker:** The city attorney... **Rogers:** Excuse me Robbie. They are going to decide it might take 45-60 days. Then I got another complaint about him against John Florez it says that the city and the council and the code officer, it was turned over and it is a civil matter. I haven't talked to him whether he has brought any charges. That is dead wrong, you guys were voted on there to take care of the city, to protect the city, the new mayor knows this, you was elected and got quite a few votes. You are supposed to protect the city and by letting him to be on the city council until this matter is closed is dead wrong. You are doing nothing but getting the city in more trouble day by day and getting the city council members included with a suit. If he wants to sit, there and deny that he did anything wrong. Do think that we are going to give the city a break? We are no looking to hang the city, we just want some respect, and that person right there does not respect the law, he does not respect the court, he does not respect the town. He cares nothing but himself. **Tooker:** If I may give a rebuttal here. There are two sides to every story, I was a code enforcement officer I was doing my job. Anytime and every time I go to somebody's house, ever since Mr. Florez that he is talking about. The city council will remember the last incident with John Florez, he attacked me, he hit me, he threw a chair at my vehicle, even though he admittedly denies and says that I got in his face, that I screamed at him. Didn't happen, the story was false. The story with Mr. Rogers, he showed up on my property, cussing and screaming at me. Demanding I get in his vehicle and ride around town and look at all these violations with him instead of doing things the right way. He showed up on my property, threatening to go home and get his gun and shoot me. My wife was there she heard everything. **Rogers:** I was never out of my pickup. **Tooker:** He tried to get out several times. I had to close his door to keep him in. Now this all did go to court; you can talk with the city attorney he would be very glad to catch you up to speed. This has been totally dismissed. **Rogers:** It has not been dismissed. **Tooker:** It has been totally dropped. I have no restraining order; the restraining order has been dropped. It is not at the DA's office,

again talk with the city attorney, because he is here trying to stir up more trouble. **Rogers:** This has not been dropped. **Tooker:** I am done talking about it, I am not going to incriminate myself any further. **Del Rio:** Show me a clearance. **Tooker:** I don't have to; the city attorney will address it all with you. **Rogers:** See he don't care about nobody but himself. Decision made that Mayor Del Rio will reach out to attorney to get correct answers.

## **ADJOURN**

**Motion** to adjourn at 10:11 made by Massey, 2<sup>nd</sup> by Roberts, motion carried. Willis not present.

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Mayor

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Clerk