



## CITY OF DOUBLE HORN

### MINUTES

REGULAR MEETING  
CITY COUNCIL  
THURSDAY JULY 9, 2020  
7:00PM

**TELECONFERENCE CALL:** PURSUANT TO SECTION 551.127 OF THE TEXAS GOVERNMENT CODE, AND IN CONJUNCTION WITH THE GUIDANCE AND PROVISIONS PROVIDED BY THE GOVERNOR OF TEXAS IN THE DECLARATION OF DISASTER ENACTED MARCH 13, 2020, MEMBERS OF THE CITY COUNCIL SHALL BE PARTICIPATING REMOTELY IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT, AS TEMPORARILY MODIFIED BY THE GOVERNOR, AND COUNCIL RULES OF PROCEDURE. THERE WILL BE NO PHYSICAL LOCATION FOR THE MEETING. MEMBERS OF THE PUBLIC MAY PARTICIPATE BY JOINING AT: **866-607-3969** (NO PIN REQUIRED)

Members of the public will be allowed to speak on any agenda item during citizen comments, however, enforcement to the time limit (3 MINUTES) on comments will be enforced. **Citizens wishing to speak during citizen comments or on a particular agenda item need to notify the City Secretary at: [CITYSECRETARY@DOUBLEHORNTX.ORG](mailto:CITYSECRETARY@DOUBLEHORNTX.ORG) by 6:00 p.m. on JULY 8th (WEDNESDAY).**

1. **Call Meeting to Order:** Time 7:00 PM
2. **Rollcall to Confirm Quorum**  
RG Carver, Jim Millard, Glenn Leisey, John Osborne and Cathy Sereno were present and a quorum had been met. City Attorney Patty Akers and City Secretary Karen Maxwell were also present.
3. **Invocation:** Glenn Leisey
4. **Pledge of Allegiance** – U.S. & Texas
5. **Approval of Minutes** – 6/24/2020 Special City Council Meeting  
**Motion:** Glenn Leisey moved to approve the 6/24/2020 Special City Council minutes as distributed.  
**Second:** Jim Millard seconded the motion.  
**Vote:** The vote was unanimous and the motion passed.
6. **Citizen Comments** – This is an opportunity for the citizens to address the City Council concerning an issue of community interest not on the agenda. Any deliberation of an issue raised during Citizen Comments is limited to

a statement of fact regarding the item; a statement concerning the policy regarding the item or a proposal to place the item on a future agenda Each citizen will be allowed 3 minutes to speak and must sign up before the meeting begins and indicate the subject the speaker wishes to address.

No citizens have signed up to speak regarding items not on the agenda.

7. **Regular Agenda – the Council will individually discuss, consider, and possibly take action on any or all of the following items:**

A. **Treasurer’s Report-** See attached report

- 1) **Monthly Financial Reports**
- 2) **Status Update on the Installation of QuickBooks & Payroll Setup including action required with Texas Workforce Commission**

B. **Emergency Management Team Update-** Harry Brunner Coordinator

C. **Zoning & Ordinance Committee Update:**

- 1) **Discuss and consider action on proposed amendments to Double Horn Zoning Ordinance requested by attorney representing Spicewood Crushed Stone**

- i. **Establish Public Hearing date & determine required communication**

Mr. Bradford, legal attorney for Spicewood Crushed Stone, proposes to postpone the Public Hearing

Jim Millard agreed to continue the discussion to the next meeting.

- 2) **Discuss and consider action on 2020 – RES014, a Resolution of the City of Double Horn, Texas, Creating a Code Enforcement Official for the City of Double Horn, and Establishing Job Responsibilities, Requirements, and Title**

*Lew Feder* has offered his services to the City and recommended establishing the International Property Maintenance Code (IPMC). He also recommended changing the wording in the resolution to change “Official” to “Officer” as he is certified. Another reason to recommend a change to amend the resolution to use the term Officer is that an Officer is allowed to write citations instead of just a warning.

**Motion:** Jim Millard moved to approve 2020-RES014, a Resolution of the City of Double Horn, Texas, with a modification of changing Official to Officer and adding a requirement for certification.

**Second:** RG Carver seconded the motion.

**Discussion:** No further discussion

**Vote:** The vote was unanimous and the motion carried with the modifications.

D. **Discuss and consider approving the purchase of a hand-held digital sound level meter (Db Monitor)**

Jim Millard asked the mayor to have a hand-held certified digital sound level meter (Db), IXO calibrated for \$539, added to the 2020-21 budget.

E. **Review, discuss and consider action on the Permit (document) approved (May 14<sup>th</sup> Council Meeting action) for Spicewood Crushed Stone’s Partial Exemption Application to Conduct Blasting for Calendar Year 2020.**

*Chris Bradford*, legal representative for Spicewood Crushed Stone (SCS), shared that SCS has agreed to turn the northern berm to extend around the corner moving south to help mitigate sound. There will be additional buffer over the 300ft requested waiver added to the northwest corner to 500ft blast zone. SCS is also willing to vegetate the berm in the Fall with native vegetation to help mitigate the sound and dust.

*Mayor Cathy Sereno* clarified that in her discussions with Matt Dalrymple they discussed best practices recommended vegetation {for the aggregate producing operations (APO) industry} includes plants and trees.

**Action Item:** Karen Maxwell will send the map provided by SCS to Jim Millard to add to the ordinance explaining the modified set back.

**Motion:** Jim Millard made a motion that the waiver be approved with the modifications as recommended.

**Second:** Glenn Leisey seconded the motion.

**Vote:** The vote was unanimous and the motion carried.

- F. **Discuss and consider action on the waiver request submitted by Spicewood Crushed Stone to reduce blasting setback to 300 feet along the Northern and a portion of the Northeastern border**

**Action Item:** Jim Millard will modify the waiver request to include the modifications stated in Item E.

- G. **Discuss and consider action on the placement of water storage tanks for fire suppression to protect commercial and residential property and the safety of all – Update**

- H. **Discuss and consider approving Workmen’s Compensation Insurance through TML Intergovernmental Risk Pool**

Mayor Sereno stated the rate of about \$20 will be a prorated amount to finish this budget year. The annual rate of \$102.90 will be put in next year’s budget.

**Motion:** Glenn Leisey made a motion to approve acquiring Workmen’s Compensation Insurance through TML Intergovernmental Risk Pool at a rate at \$102.90 to cover the one city employee, Karen Maxwell.

**Second:** RG Carver seconded the motion.

**Vote:** The vote was unanimous and the motion carried.

- I. **Discuss and consider approval of the *Joint Election Agreement 2020-2021* for Burnet County Local Political Subdivisions**

**Motion:** Jim Millard moved to approve *the Joint Election Agreement 2020-2021* for the Burnet County Local Political Subdivisions.

**Second:** John Osborne seconded the motion

**Vote:** The vote was unanimous and the motion carried.

- J. **Discuss and consider approval of the *Contract for Election Services* between City of Double Horn and Elections Administrator of Burnet County, Texas**

**Motion:** Glenn Leisey moved to approve the *Contract for Election Services* between City of Double Horn and Elections Administrator of Burnet County, Texas

**Second:** RG Carver seconded the motion.

**Vote:** The vote was unanimous and the motion carried.

- K. **Discuss and consider action on *2020-RES015 a Resolution of the City of Double Horn, Texas, Supporting Inclusion into the Texas Countywide Polling Place Program.***

**Motion:** Jim Millard moved to approve *2020-RES015, a Resolution of the City of Double Horn, Texas, supporting inclusion into the Texas Countywide Polling Place Program.*

**Second:** John Osborne seconded the motion.

**Vote:** The vote was unanimous and the motion carried.

- L. **Discuss and consider approving an Order for the General Election to take place on November 3, 2020. Ordinance 2020-ORD020 (corrected from 2020-ORD021)**

**Motion:** Glenn Leisey moved to approve an *Order for the General Election* to take place on November 3, 2020 in *Ordinance 2020-ORD020.*

**Second:** John Osborne seconded the motion.

**Vote:** The vote was unanimous and the motion carried.

- M. **Discuss and consider action to fill, by appointment, an open position on City Council**

**Action Item:** RG Carver will take the lead on getting the message out that there is a position to fill.

- N. **Discuss and consider action required in preparation for 2020-2021 Budget Planning Cycle**

**Action Item:** Glenn Leisey will take the lead on this.

- O. **Discuss and consider action on the purchase of Acrobat Pro (Adobe) and Anti-Virus Protection/VPN software**

**Action Item:** Karen Maxwell will research with Glenn Leisey for best prices for Adobe Acrobat Pro and Anti-Virus Protection/VPN software.

- P. **Discuss and consider action on Guest Speaker Event Series previously postpone due to Covid-19**

Mayor Sereno received the Council's approval in support of an outdoor speaker for 2 sessions of 10 people for Native Plants sometime in late September/early October.

**Action Item:** Cathy Sereno will contact the speaker for available dates.

- Q. **Discuss and consider other matters for inclusion on the agenda for the next regular meeting of the City Council.**

8. **Close Regular Meeting:** Time 8:28pm

9. **Open Executive Session.**

Executive session in accordance with the Texas Government Code, Section 551.071 – Consultation with Attorney on pending litigation or on a matter in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law. The Council may require the citizens to vacate the meeting room, or teleconference line, during the executive session (alternatively a private line may be opened for executive session).

- i) Consultation with Attorney regarding Litigation: State of Texas v. Double Horn et al.

10. **Close Executive Session:** Time 8:45pm

11. **Open Regular Meeting:** Time 8:47pm

12. **Consider action, if any, from Executive Session**

No action taken from the Executive Session

13. **Adjournment:** Time 8:49pm

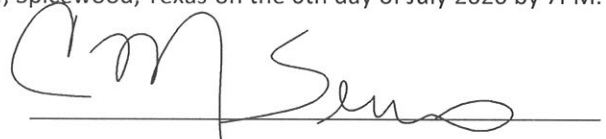
**Motion:** Glenn Leisey moved to adjourn the meeting.

**Second:** John Osborne seconded the motion.

**Vote:** The vote was unanimous and the motion carried. The Council will reconvene on August 13<sup>th</sup> at 7pm for the next Regular Council Meeting.

**The Council may go into closed session at any time to discuss an item on the agenda when permitted by Chapters 418 or 551, Texas Government Code, or Section 321.3022 of the Texas Tax Code. Before going into closed session a quorum of the Council must be assembled in the meeting room, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code, or Section 321.3022 of the Texas Tax Code authorizing the closed session**

I certify that the above notice of meeting was posted at 7901 CR 404, Spicewood, Texas on the 6th day of July 2020 by 7PM.

A handwritten signature in black ink, appearing to read "Cathy Sereno", is written over a horizontal line.

Cathy Sereno, Mayor

**JUNE 2020**  
**FINANCIAL AGENDA PACKET**  
**CITY OF DOUBLE HORN**  
**REGULAR MEETING of CITY COUNCIL**  
**7/9/2020**



City of Double Horn

FY2019 - 20 Monthly Revenue & Expense Report

As of: 06/30/20

Actuals:

ACCOUNT	Budget	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	FYTD	% Budget
<b>REVENUE</b>															
Ad Valorem/Property Taxes	\$ 64,132.73	\$ -	\$ 4,638.72	\$ 16,669.47	\$ 29,829.15	\$ 7,324.63	\$ 1,174.85	\$ 1,308.72	\$ 318.26	\$ 3,004.41				\$ 64,268.21	100.21%
Donations - General		\$ -	\$ 200.00	\$ 5,572.56	\$ -	\$ 40.00	\$ -	\$ -	\$ 94.97	\$ 110.00				\$ 6,017.53	N/A
Donations - Legal Defense														\$ -	N/A
Donations - Expense Reimbursements		\$ 180.00	\$ 54.08	\$ 399.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ 633.58	N/A
Grants														\$ -	N/A
Fees														\$ -	N/A
Interest														\$ -	N/A
Insurance Proceeds														\$ -	N/A
Other		\$ 0.67	\$ -	\$ 50.00	\$ -	\$ -	\$ 94.97	\$ -	\$ (94.97)	\$ -				\$ 50.67	N/A
<b>Total Revenue</b>	<b>\$ 64,132.73</b>	<b>\$ 180.67</b>	<b>\$ 4,892.80</b>	<b>\$ 22,691.53</b>	<b>\$ 29,829.15</b>	<b>\$ 7,364.63</b>	<b>\$ 1,269.82</b>	<b>\$ 1,308.72</b>	<b>\$ 318.26</b>	<b>\$ 3,114.41</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 70,969.99</b>	<b>110.66%</b>
<b>EXPENSES</b>															
Salary & Wages - City Secretary	\$ 11,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,395.93				\$ 3,395.93	29.03%
Employer Payroll Tax		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 351.48				\$ 351.48	
Training & Travel	\$ 1,200.00	\$ -	\$ -	\$ 50.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ 50.00	4.17%
City Council Meeting Room Rental	\$ 1,040.00	\$ 180.00	\$ -	\$ 120.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ -	\$ -	\$ 105.00				\$ 585.00	56.25%
City Hall Office Rental	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ -	
Utilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ -	
Office Equipment & Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ -	
Office Supplies	\$ 500.00	\$ -	\$ 54.08	\$ 399.50	\$ -	\$ -	\$ 240.70	\$ -	\$ 55.00	\$ -				\$ 749.28	149.86%
Computers	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 593.16	\$ -	\$ -				\$ 593.16	59.32%
Software	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ -	0.00%
Phone	\$ 250.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 260.86	\$ -	\$ 26.50				\$ 287.36	114.94%
Website	\$ 120.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 210.05	\$ -	\$ -	\$ -				\$ 210.05	175.04%
Email Accounts	\$ 250.00	\$ -	\$ 388.92	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 89.42	\$ -				\$ 478.34	191.34%
Accounting/CPA Fees	\$ 4,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ -	0.00%
City Attorney	\$ 8,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ -	0.00%
Legal Fees	\$ 15,000.00	\$ 6,660.80	\$ 7,531.40	\$ 1,818.00	\$ 4,513.63	\$ 8,362.99	\$ 1,068.00	\$ 282.00	\$ 84.00	\$ 5,388.00				\$ 35,708.82	238.06%
<i>Legal Fees - Retirement of Existing Debt</i>	<i>\$ 10,002.00</i>														
Burnet County Tax Collection Fees	\$ 1,900.00	\$ -	\$ 1,078.00	\$ -	\$ 274.06	\$ -	\$ -	\$ 274.06	\$ -	\$ 274.06				\$ 1,900.18	100.01%
Election Services Fees	\$ 400.00	\$ -	\$ -	\$ -	\$ 544.99	\$ -	\$ -	\$ -	\$ -	\$ -				\$ 544.99	136.25%
Newspaper/Notification Fees	\$ -	\$ -	\$ -	\$ 384.00	\$ -	\$ 780.00	\$ -	\$ -	\$ -	\$ -				\$ 1,164.00	
Insurance Prem (TML Intergovtl RiskPool)	\$ 980.00	\$ -	\$ -	\$ 986.86	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ 986.86	100.70%
Texas Municipal League Mmbrshp Fee	\$ 600.00	\$ -	\$ -	\$ -	\$ -	\$ 591.00	\$ -	\$ -	\$ -	\$ -				\$ 591.00	98.50%
<b>Total Expenses</b>	<b>\$ 57,142.00</b>	<b>\$ 6,840.80</b>	<b>\$ 9,052.40</b>	<b>\$ 3,758.36</b>	<b>\$ 5,392.68</b>	<b>\$ 9,793.99</b>	<b>\$ 1,578.75</b>	<b>\$ 1,410.08</b>	<b>\$ 228.42</b>	<b>\$ 9,540.97</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 47,596.45</b>	<b>83.30%</b>
<b>Revenue Over/(Under) Expenditures</b>		<b>\$ (6,660.13)</b>	<b>\$ (4,159.60)</b>	<b>\$ 18,933.17</b>	<b>\$ 24,436.47</b>	<b>(2,429.36)</b>	<b>(908.93)</b>	<b>(101.36)</b>	<b>89.84</b>	<b>(6,426.56)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>23,373.54</b>	

Note - Budget includes additional funds:

General Fund	\$ 970.00
Reserve Fund	\$ 6,020.73
<b>Total Budgeted Expenses &amp; Funds:</b>	<b>\$ 64,132.73</b>

**City of Double Horn FY2019 - 2020 Balance Sheet**

**6/30/2020**

**ASSETS**

Current Assets:

Cash in Bank - Operating (2038)	\$	52,863.05
Cash in Bank - Legal Defense (5404)	\$	145.95
Cash in Bank - Tax Revenues (9060)	\$	4,538.87
Total Cash	\$	57,547.87
Gift Card	\$	50.00
Accounts Receivable - from Taxes	\$	-

**TOTAL ASSETS**

**\$ 57,597.87**

**LIABILITIES**

Current Liabilities:

Accounts Payable - Legal	\$	38,382.50
Accounts Payable - Payroll Employer Tax	\$	351.48

**TOTAL LIABILITIES**

**\$ 38,733.98**

**NET**

**\$ 18,863.89**



**City of Double Horn Legal Expense & Payment Summary FY2019 - 2020**

6/30/2020

Invoice #	Date	Invoice Amount	Payment Recipient	Payment Amount	Balance	Check #	Paid from Account
<b>AKERS &amp; AKERS</b>							
4730	4/19/2019	\$ 16,622.50		\$	16,622.50		
4763	5/17/2019	\$ 1,826.93		\$	18,449.43		
4799	6/3/2019		Akers & Akers LLP	\$ (10,000.00)	8,449.43	1002	Operating Account
	6/19/2019	\$ 2,251.60		\$	10,701.03		
	7/17/2019		Akers & Akers LLP	\$ (2,000.00)	8,701.03	1004	Operating Account
	8/4/2019	\$ 531.22		\$	9,232.25		
	9/19/2019		Akers & Akers LLP	\$ (2,000.00)	7,232.25	1001	Legal Defense
	10/22/2019		Akers & Akers LLP	\$ (7,232.25)		1008	Operating Account
<b>Total Akers &amp; Akers</b>				<b>\$ 21,232.25</b>			<b>Remaining Balance</b>
				<b>\$</b>	<b>(21,232.25)</b>		<b>\$ -</b>

**Paid in Full**

Invoice #	Date	Invoice Amount	Payment Recipient	Payment Amount	Balance	Check #	Paid from Account
<b>MESSER, FORT, McDONALD</b>							
10107	7/6/2019	\$ 14,330.20	Messer, Fort, McDonald	\$	14,330.20		
10290	9/5/2019	\$ 11,113.23	Messer, Fort, McDonald	\$	25,443.43		
10526	10/7/2019	\$ 6,660.80	Messer, Fort, McDonald	\$	32,104.23		
	10/22/2019		Messer, Fort, McDonald	\$ (2,767.75)	29,336.48	1009	Operating Account
10677	11/11/2019	\$ 7,531.40	Messer, Fort, McDonald	\$	36,867.88		
10889	12/10/2019	\$ 1,818.00	Messer, Fort, McDonald	\$	38,685.88		
11158	1/16/2020	\$ 4,513.63	Messer, Fort, McDonald	\$	43,199.51		
	1/17/2020		Messer, Fort, McDonald	\$ (5,000.00)	38,199.51	1018	Operating Account
11253	2/7/2020	\$ 8,362.99	Messer, Fort, McDonald	\$	46,562.50		
	3/4/2020			\$ (5,000.00)	41,562.50	2001	Operating Account
11381	3/5/2020	\$ 1,068.00	Messer, Fort, McDonald	\$	42,630.50		
11558	4/2/2020	\$ 282.00	Messer, Fort, McDonald	\$	42,912.50		
11780	5/5/2020	\$ 84.00	Messer, Fort, McDonald	\$	42,996.50		
	6/1/2020			\$ (5,000.00)	37,996.50	2012	Operating Account
11940	6/2/2020	\$ 5,388.00	Messer, Fort, McDonald	\$	43,384.50		
	6/12/2020			\$ (5,002.00)	38,382.50	2014	Operating Account
<b>Total Messer, Fort, McDonald</b>				<b>\$ 61,152.25</b>			<b>Remaining Balance</b>
				<b>\$</b>	<b>(22,769.75)</b>		<b>\$ 38,382.50</b>

**ALL LEGAL EXPENSES**

<b>Total Legal Fees</b>	<b>\$ 82,384.50</b>	<b>Total Payments</b>	<b>\$ (44,002.00)</b>	<b>Remaining Balance</b>	<b>\$ 38,382.50</b>
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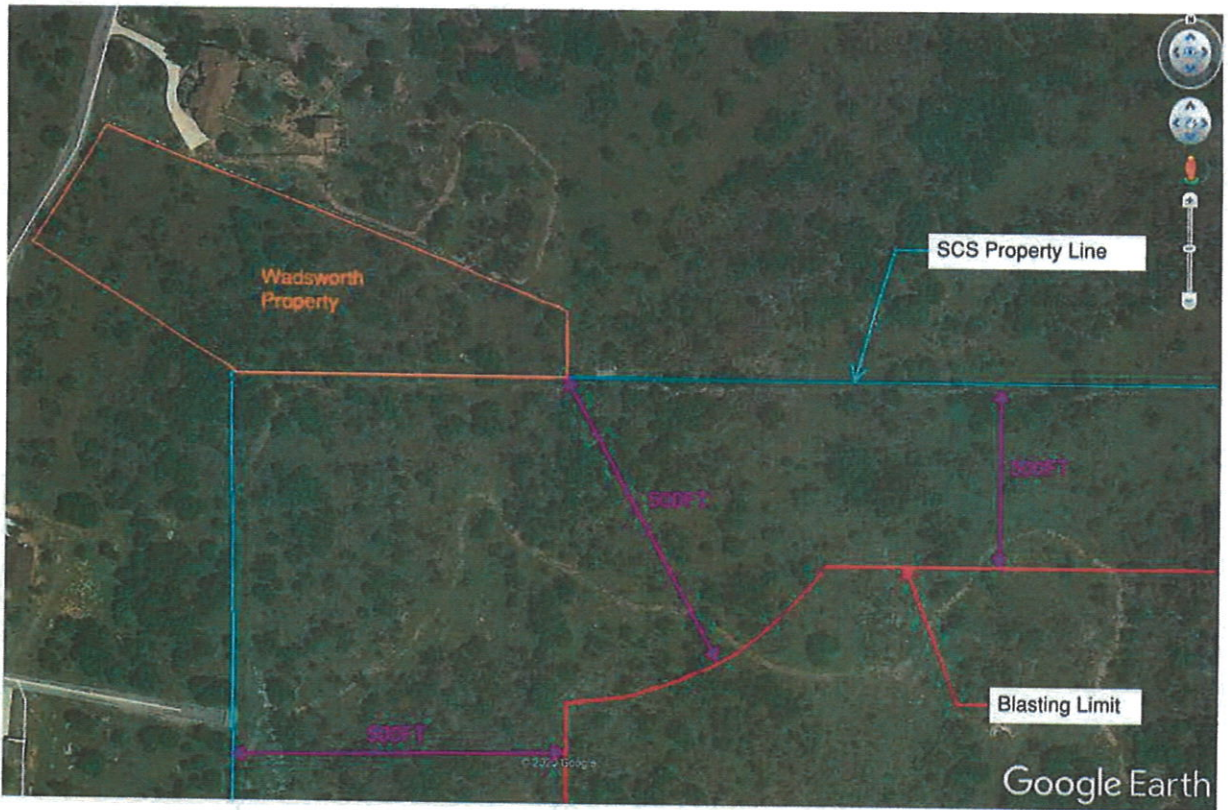


Figure Showing Blasting Limits Along NW Portion of SCS Property