Regular Meeting Minutes—City of Plantersville

August 19, 2024

The Board of Aldermen of the City of Plantersville, Grimes County, Texas, met in Regular Session at 7:00

p.m. on Monday, August 19, 2024, in Town Hall, 11335 Lodge Lane, Plantersville, Texas.

Members Present:

Karen Hale, Mayor Sonya Brewer, Alderman

Kim Allphin, Mayor Pro-Tem John Greenwood, IV, Alderman

Marilyn Bettes, Alderman, Secretary Dedrick Mallard, Alderman

Visitors: Tyler Payne, Ashley Hill, Jessica Bomar, Jessica Bomar’s son, David Eppley, Linda Eppley, Shane Johnson, Tanya Tullos, Ron Robey, Brock Romero, John Welch, David Tullos (arrived 9 pm)

1. Call to Order: Quorum established. Mayor Hale called the meeting to order at 7:00 p.m. The

invocation was given by Alderman Kim Allphin with pledges led by Mayor Hale.

2. Minutes of Regular Meeting: Regular Meeting Minutes-July 15, 2024, and Workshop Minutes-August 7. 2024

**Motion to Approve:** Alderman Greenwood

**Second:** Alderman Brewer

**Voting:** Yes: Unanimous

**Final Resolution:** Motion carries

3. Public Comments: David Eppley-questioned Agenda Items regarding: lowering speed limit on SH 105, utilities franchise fee, citizen input and thanked council for their work; Tanya Tullos—reported Commissioner Tullos at Commissioners meeting with county VFDs, thanked Mayor Hale and Alderman Mallard for helping with back to school backpack distribution (100 delivered at event and additional 50 distributed later—Mrs. Tullos stated Commissioner Tullos’ goal is to increase number distributed next year. She also referenced concern for Old Schoolhouse Road project and abandonment of CR 201 from Legge Road to FM 1774.

4. Discuss/consider/approve: Invoices and items currently due and payable.

**Discussion:** Mayor Hale reviewed the invoices.

**Action – Motion to Approve:** Alderman Allphin

**Second:** Alderman Mallard

**Voting:** Yes: Unanimous

**Final Resolution:** Motion carries

5. Discuss/consider/approve: Items to be placed on future Agendas. None were suggested.

6. Discuss/consider/approve: Texas Department of Emergency Management. John Welch: grant availability and options.

**Action**-- Alderman Greenwood made a motion to move item to later when Mr. Welch arrives

**Second:** Alderman Mallard

**Voting:** Yes. Unanimous

**Final Resolution:** Motion carries

**7.** Discuss/consider/approve: Tyler Payne, President-Payne Empowerment: Discuss GLO Resilient Community Program and Payne Empowerment. **Discussion:** Mr. Payne began presentation with the question “do you ever have to make a major decision with bad information? Personal history and how he got to this stage….worked at GLO—Special Projects “fixer”. Planning—having the right information allows for leverage in planning process (pre-Hurricane Harvey) right information allows correct projection—then Hurricane Harvey hit! Number one question was “how do we get more money to fix the damage?” How do we plan for the future? Not so hard to design a project; but how does one get it built to it the need? Two years ago, he left the GLO and started his own process, but even that didn’t work. Decided to become a grant conduit to help towns without digital mapping, etc. present grant opportunities that are available. Complete informational study for what we have now….add to it as opportunities occur for growth. Mr. Payne has been working with County Engineer John Steiber and Grimes County (technology that is user friendly and can be used to help setting up for future plans, ie. water, sewage to make best future plans. Mayor Hale questioned $300,000 grant eligibility-no match. This grant is a planning grant—minimizing time to prepare grants. Essentially a 24 month grant. Does zoning have to be addressed or can a permitting standard with the county plans be substituted—building standards. What are some other cities working with his company-- Grimes, Jefferson, Waller, Orange and Liberty—ones he is choosing to work with. GLO Money is available—how can you qualify is what he helps with—fairly simple grant application—application to closing—fees are 100% covered if grant received—no upfront money—puts together his own team—pre-screens for best grants and can lead to more grants. Information is constantly updated, and it belongs to the City.

6. Discuss/consider/approve: Texas Department of Emergency Management. John Welch: grant availability and options. **This item, #6 on the Agenda, was moved because Mr. Welch’s arrival was delayed.**  Grant availability through TDEM—Hazard Mitigation Grants before disaster hits—natural disasters-- flooding, hail, lightning. Hazard Mitigation Grants are through FEMA - always come following a disaster. Hurricane Beryl in Texas—how much damage occurred—15% set aside. for prep . After the storm, but prep before another one. BRIC Grant Building/ Resilience/Infrastructure/Communities—national grant. Eligibility requires a plan (we are a part of Grimes County’s plan which has been approved.) Mitigating flooding, as in a grant Plan good for 5 years August 7, 2029. Availability--

2025 Post Fire Grant; Part 2 Disaster relief. Project directly related to mitigation of disaster. Severe Storms ^.8 million—Beryl money finalized a year after disaster occurs. No fees—any areas that are designated as disaster.

Texas applies for money and then TDEM sends out qualifications and build packet to be submitted through TDEM. All projects are sent to FEMA as eligible and the TDEM Chairman makes decision of who receives grant 75-25% split. Mr. Welch’s role is to help with the application process—he will let us know what FEMA looks for and how to qualify. FEMA Region 6 covers several states. A disaster has to occur to qualify for mitigation that will keep further damage from occurring. Benefit Cost Analysis –show impact and how to prevent further damage, $1 in $1 out. Lengthy process, likely 2 or more years for approval. Have a plan and have it included in the application.

8. Discuss/consider/approve: Resolution to apply for GLO CDBG Mitigation Resilient Communities Program.

**Action** **– Motion to Approve**: Alderman Greenwood

**Second:** Alderman Allphin

**Voting: Yes:** Unanimous

**Final Resolution:** Motion carries

9. Discuss/consider/approve: MIT MOD Grant (Old Schoolhouse Road Project)

**Discussion**: Mayor Hale announced she received a letter August 18, 2024, that the City of Plantersville qualified for the $500,000 MIT MOD Grant--Old Schoolhouse Road Project. She announced it at the Workshop Meeting, but wanted to officially notify others who were not present.

10. Discuss/consider/approve: City Office lease and particulars

**Discussion:** Mayor Hale sent the contract with our revisions to the attorney who approved it and the Mayor forwarded it to the PSVFD who signed and returned the contract to the Mayor. Main difference was that we would pay monthly and we requested yearly. There was also discussion regarding insurance coverage, and it would be an increase of approximately $100to double our coverage. If we terminate the contract during the year, the rent would be pro-rated. ADA compliance would be to post notice if ADA needed, call ahead.

**Action—Motion to Approve the lease as presented**: Alderman Bettes

**Second:** Alderman Mallard

**Voting:** Yes: 4; Alderman Greenwood recused himself from voting (He is President of the PSVFD Board)

**Final Resolution:** Motion carries

11**.** Discuss/consider/approve: City Secretary/City Clerk job description, hours, requirements, AARP Sr. Community Service Employment Program

**Discussion**: Mayor Hale spoke with AARP representative: salary $7.25 per hour; too many restrictions. Disregard AARP Grant Application. Consensus seems to be to budget $25,000 annual wage and particulars will be discussed later about per hour pay and exactly how many hours would be required. (City of Anderson budgeted $25,000 for their secretary/3 days/FICA/will attend city meetings/TML requirements.) City of Plantersville would probably begin with 2 days a week—one requirement is to manage City Elections (city will still pay county for elections in addition to secretary).

**Discussion about how to post:** 2 days a week—hours posted--flexible days/hours with applicant—how to post? Several options—TML. City Attorney has source, NGC Chamber of Commerce, Alderman Brewer will post on Indeed Job Search website—salary based on skills, etc. We will budget $25,000, and post requirements. Alderman Brewer said she is familiar with writing job postings and will write a notice. Mayor Hale asked for a draft to add the legal requirements to the notice.

**Action----Motion to Post City Secretary Position**: Alderman Mallard

**Second**: Alderman Allphin

**Voting**: Yes. Unanimous

**Final Resolution**: Motion carries

12. Discuss/ consider/approve: Speed limit changes on SH 105 (Relay Station to Dollar General) and FM 1774 (Carraway McKinney Rd. to Smith Lane (TxDOT representative recommendations.

**Discussion**: Alderman Brewer introduced TxDOT spokesperson Ashley Hill. There was a speed test study done in 2021—will shared what is in place and what will need to be done. Set electronic device to record speeds or have person with radar gun monitor speeds. After study completed and use 85%ile of drivers—can reduce by 10 MPH if other factors are used. Austin office approves. 2021 study was approved to make changes and signs are already in place—55 MPH; FM 1774 has not been studied since 2018. Another study on FM 1774 is recommended. City has right to ask DPS to enforce speed limit. TxDOT will perform study at no cost. City can request Hwy. 6 to County Line of 105 would need ordinance in September that the Speed Limit be reduced to 65 MPH instead of 70 MPH. Electronic speed signs: City would pay for; TxDOT would help with installation/maintenance. ($5,000 cost range),

Alderman Allphin asked how long would a study take and how quickly would information be available? Ms. Hill’s reply was approximately 2 months with request from Mayor.

Action—Motion for Mayor to send request to TxDOT for FM 1774 Speed Study: Alderman Brewer

Second: Alderman Greenwood

Voting: Yes. Unanimous

Final Resolution: Motion carries

13 Discuss/consider/approve: IRC adoption and/or development requirements by the city

**Discussion**: Mayor has discussed topic with ~~both~~ Mayors of Anderson and Todd Mission; both entities adopted the 2023 IRC version. She suggested we have a discussion at our Special meeting where the city attorney will be in attendance. Should we request that the attorney write an ordinance or wait for additional discussion?

**Action—Motion to Approve:** Asking the attorney to write an IRC Ordinance for presentation at the September Special Meeting**:** Alderman Bettes

**Second:** Alderman Mallard

**Voting:** Yes: Unanimous

**Final Resolution:** Motion carries

14. Discuss/consider/approve: Drainage study for 350 Acre Development in Grimes County (Plantersville); defer approval to the GC Engineer

**Discussion:** Mayor sent email to John Steiber requesting information regarding the study sent to city by Moore Company requesting approval. GC Engineer Steiber replied that he had reviewed the study and approved it as the plan exceeded the requirements.

**Action—Motion to Approve**: Alderman Greenwood moved to defer approval to GC Engineer John Steiber

**Second:** Alderman Allphin

**Voting**: Yes: Unanimous

**Final Resolution:** Motion carries

15. Discuss/consider/approve: road maintenance

Discussion: Mayor communicated with Road and Bridge Engineer—he is working on way to pave part of CR 201 which county damaged when doing bridge work for county. Part of CR 201 is in city and mostly in county. Also received info that Cemetery Road was repaired. Commissioner Tullos suggested redoing ditches along there. Discussion regarding culverts to help with water issues on that road. Alderman Allphin reported on CR 311—one mile was done six weeks ago and then one man, one shovel sat under tree most of time. The Commissioner asked that he be CC’d on communication regarding worker performance.

16. Discuss/consider/approve: Franchise Fee Ordinance

**Discussion:** Mayor Hale reported several requests for use of City ROW. She suggested an ordinance regulating the use of “our” property by utility companies. It is a revenue source and the city’s responsibility to collect funds for city property being used by others who benefit financially from usage. Her recommendation was to ask our attorney to prepare an ordinance that would cover this issue.

**Action—Motion to Approve:** Alderman Allphin moved to request that our attorney prepare a ROW Franchise Fee Ordinance to be presented at our next meeting.

**Second:** Alderman Mallard

**Voting:** Yes. Unanimous

**Final Resolution**: Motion carries

17. Discuss/consider/approve: permitting for underground and overhead ROW projects

**Discussion**: If there is an Ordinance for this, we also need permits. Suggestion is that since our attorney is writing the Franchise Fee Ordinance that she also write the rules required for permitting.

**Action—Motion to Approve**: Alderman Allphin

**Second:** Alderman Bettes

**Voting:** Yes. Unanimous

**Final Resolution**: Motion carries

18. Discuss/consider/approve: Municipal Court formation

**Discussion:** Information only, no action yet. Mayor spoke with City Manager of Todd Mission to see if request from Plantersville could be on their next agenda. She will attend that meeting. Anderson currently has no Municipal Court but is considering one.

19. Discuss/consider/approve: review 2024-25 (corrected date) budget and make notes of proposed changes

**Discussion:** Possible changes suggested: Election Expenses=$6,000; General Office Supplies/Expenses—computer, printer, etc.=$5,000; TML/Chamber dues=$900; Insurance=$4,000; Advertising=$500; Legal=$25,000; Communication/Telephone=$2,500; Audit=$8,000; Electronic Road Signs=$15,000; Road Maintenance=$150,000; Lease for Office Space=$1,800; FICA for City Secretary=$2,500; PTH Meeting Space Rental=$1,200, Community Outreach=$1,000

Other expenses to be determined: Professional Road Engineer Services, Bonding **(Alderman Greenwood suggested inviting Steve Duncan with Bleyl Engineering to attend our Special meeting.)**

20. Discuss/consider/approve: bank accounts interest bearing accounts: first step, write an investment policy

**Discussion:** This PFIA (Public Funds Investments Act) step is necessary because of state law.

**Action—Motion to Approve:** Alderman Greenwood suggested having our attorney write a PFIA for the city

**Second:** Alderman Brewer

**Voting**: Yes. Unanimous

**Final Resolution**: Motion carries

21. Discuss/consider/approve: Vape Shop Ordinance

**Discussion:** On previous agendas…need discussion with attorney present

**Action—Motion to Approve:** Alderman Allphin moved to *postpone* action until our attorney is present for discussion at our Special Meeting.

**Second:** Alderman Bettes

**Voting**: Yes. Unanimous

**Final Resolution**: Motion carries

22. Discuss/consider/approve: RV Park Ordinance

**Discussion:** Alderman Brewer first suggested postponing until attorney present and then agreed that we should ask her to write the ordinance to be presented at the Special Meeting.

**Action—Motion to Approve:** Alderman Brewer moved to ask our attorney to write RV Park Ordinance for presentation at the Special Meeting.

**Second:** Alderman Mallard

**Voting**: Yes. Unanimous

**Final Resolution**: Motion carries

23. Discuss/consider/approve: PSVFD Emergency Services contract

**Discussion:** Are we covered/protected by the PSVFD? Commissioner Tullos stated that we needed a ”contract” with the PSVFD. Originally, we were told by David Lilly with GC Emergency Services that our interlocal agreement would cover all the emergency services. However, the question has recently been asked and Mr. Lilly was unable to give a definitive answer to the question. The Commissioner asked the County Attorney and Mr. Fultz told him there needed to be a contract.

**Action—Motion to Approve:** Alderman Brewer moved to ask our attorney to write a contract to present to the PSVFD at our Special Meeting.

**Second:** Alderman Mallard

**Voting**: 4. (Alderman Greenwood recused himself from vote as he is President of the PSVFD Board of Directors.)

**Final Resolution**: Motion carries

24. Discuss/consider/approve: city handling of emergency services before/after hurricane/emergency events

**Discussion Only:** Alderman Greenwood questioned actions if severe weather or storm. Emergency Management and Mayor are to coordinate services. Jessica Bomar reminded Board of Alderman of prior discussion regarding NIMS (National Incident Management System- FEMA). Previous issues included was lack of training, planning, lack of communication and information. Questions from community—where do we go, etc. Mayor questioned, should we have a workshop with PSVFD and include Todd Mission and Anderson? Mr. Welch with TEDM will put Mayor in touch with the local state coordinator. Alderman Brewer suggested topic be on Special Meeting Agenda for consideration. Mayor Hale asked Alderman Greenwood to be coordinator with City and PSVFD. Alderman Bettes recommended that this issue be placed on the Plantersville Town Hall Agenda for the Town Hall building to be a designated gathering place for emergency purposes.

25. Discuss/consider/approve: possible stance on local ESD

**Discussion only**: Alderman Greenwood requested this item be on the agenda. The local fire department in southern Grimes County (Plantersville, Todd Mission and White Hall) are experiencing rapid population growth. The county funding is quickly becoming inadequate to meet the accelerated growth needs. The conversation began with a group of citizens—local fundraising is not enough to meet the increasing needs for service. Is an ESD formation viable for southern part of Grimes County.? Funded by sales tax at first, but eventually moving to some other kind of taxing that makes protection viable to all residents within whatever boundaries are set. Plantersville should be included in future discussions regarding the ESD topic. Lay framework for future funding. Local, not countywide; officials would be elected within the district or appointed by cities. Southern GC would be in control/accountable to ESD Board. Commissioner Tullos stated that priority is public safety—local control is key—look at NOW! Possible boundaries could be NISD—outside Navasota city limits. PSVFD Board is not involved with this discussion!

26. Discuss/consider/approve: Citizen involvement, workshop to hear from constituents, hurdles engaging with city, delivery/reply, need to educate citizens in future on process of city, a more open forum

**Discussion:** Topic requested by Alderman Brewer. Alderman Allphin has been working on pamphlet that explains meeting processes; how to contact individuals; many of the rules are state law. Alderman Brewer wants an open meeting with citizens free to discuss and ask questions. Mayor said that we are required by law to have a legally noticed meeting with legal procedures followed during the meeting. That is not the format that Alderman Brewer wants but we must follow the Local Government Code and the Open Meetings Act for all city meetings that have a quorum of the Board present.

27. Discuss/consider/approve: Treats on a Dirt Street

**Discussion:** Alderman Allphin has chaired this event since its beginning. The date is traditionally the Thursday before Halloween. Alderman Allphin will update banner and flyer and contact people to have their treats out. Alderman Bettes will contact Only 1 Rentals for lighting and Stoneham Food Mart for water donation. Mayor will purchase candy and arrange for restroom facilities.

**Action—Motion to Approve:** Alderman Brewer moved to hold event on Thursday, October 24

**Second:** Alderman Bettes

**Voting**: Yes. Unanimous

**Final Resolution**: Motion carries

28. Discuss/consider/approve: Cybersecurity Training: available through TML IRP online: required by state

**Discussion**: All members must do it—deadline is early September.

29. Discuss/consider/approve: calling a Special Meeting on Thursday, September 12, 2024, at 6:00 pm

**Action—Motion to Approve:** Alderman Bettes.

**Second:** Alderman Greenwood

**Voting**: Yes. Unanimous

**Final Resolution**: Motion carries

30. Discuss: abandon CR 201 from Legge Rd./Old Schoolhouse Rd. to FM 1774 due to safety concerns

**Discussion:** CR 201—abandon means close the road—road would be split in half and would go to landowners on each side. Alderman Greenwood suggested at 30 minute discussion at Workshop Meeting. GC Road & Bridge Engineer John Steiber recommended abandonment and our previous R&B Engineer also recommended abandonment; Mayor Hale has had numerous complaints regarding the dangerous intersection with FM 1774.

**Action—Motion to Approve:** Alderman Greenwood moved to have Public Hearing prior to September Regular Meeting. Invite GC Engineer to be present to explain process. Have the attorney discuss legality; is there cost to city for survey, etc. Commissioner Tullos asked about consideration of closing the road and what dangers will it add to FM 1774—Consider October or November Public Hearing as there are already 2 meetings in September. *After further discussion Alderman Greenwood withdrew his motion and the second by Aderman Bettes died.*

**A new Motion to Approve was Presented by Alderman Allphin** to postpone the Public Hearing until October or November when the issues associated with abandoning (closing) CR 201 from Legge Rd. to FM 1774 will be discussed

**Second:** Alderman Brewer

**Voting**: Yes. Unanimous

**Final Resolution**: Motion carries

31. Discuss: PSVFD Report and concerns—There was no report as PSVFD Fire Chief and Assistant Fire Chief were attending a meeting with County Commissioners

32. Board Update discussion: Items of community interest (no action may be discussed, except to put on an agenda).

St. Mary Bazaar—September 1

Big Boy Engine will come through Navasota—October 4 and October 7

Plantersville Town Hall Dollar Day—September 22

Treats on a Dirt Street—October 24

**Closed Session**

33. The Aldermen may meet in closed session pursuant to the Texas Government Code

**Open Session**

34**.** Return to open meeting: take action on items discussed in closed session

35. Mayor Hale adjourned the meeting at 10:51 pm.

Approved: Attest:

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Karen Hale, Mayor Marilyn Bettes, Secretary

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_