



# THE BEVIL OAKS CHRONICLE

## JUNE 2011

VOLUME 5, ISSUE 3

7390 Sweetgum Rd.  
Beaumont, TX 77713  
(409) 753-1475

### TOHME v. BEVIL OAKS

**Mayor:** Becky Ford  
753-1263

**Mayor Pro-Tem:** Rusty Moseley  
Roads & Drainage  
753-2075

**Council Members:**

**Sherry Adams**  
Secretary  
Building & Grounds  
753-2474

**Cathy Crane**  
Treasurer  
Investment Officer  
790-2703

**Jimmie Grimes**  
Community Development  
SETRPC Liaison  
753-3377

**Don Smith**  
Emergency Management  
Coordinator:  
658-8220

**Dave Tevis**  
Street Lights & Signs  
753-3216

**City Clerk:** Norma Lucus  
753-1475

**Utility Clerk:** Renate Mangus  
753-2126

**Utility Specialists**  
**1-409-755-3677**

**Marshal's Department:**

**Marshal:** Ray Crader  
**Call 911**

**Next City Council Meeting**

**Thursday  
June 23, 2011  
@ 7pm**

Bevil Oaks is Online

At  
[www.cityofbevilocks.com](http://www.cityofbevilocks.com)

On Friday, May 13, 2011, Hani Tohme, d/b/a Golden Triangle Engineers, filed suit against Bevil Oaks Municipal Utility District and The City of Bevil Oaks. The following is a statement from City Attorney, M. Dru Montgomery, that was read at the May 19, 2011 council meeting:

“Mayor and City Counsel of the City of Bevil Oaks, the City of Bevil Oaks independently and in its capacity as successor-in-interest to the Bevil Oaks Municipal Utility District, was sued by Hani Tohme doing business as Golden Triangle Consulting Engineers. The suit generally pertains to the breach of an “Engineering Services Agreement” and seeks actual damages in the amount of an outstanding balance of the contract plus attorneys fees. I have reviewed the petition and am in the process of taking the appropriate steps to protect the City’s interests. I anticipate that most future discussion regarding this matter will be limited to confidential attorney-client consultation during Executive Session. I would accordingly remind the Counsel of the prudence of refraining from comment on ongoing litigation matters and ask that all questions be limited to duly noticed Executive Session meetings.”

Your Mayor and Council are not at liberty to discuss the lawsuit with citizens at this time. As the situation progresses, our attorneys will provide us with authorized statements, such as the one quoted above, that we will make readily available to the community.

### CITY COUNCIL NEWS

In the matter of the embezzlement from the utility district, the court found that \$16,070.85 was due to the City in restitution and the defendant paid \$8,000.00 the day of the sentencing hearing. The remaining \$8,070.85 is to be paid in monthly installments of \$215.00 per month beginning in July, 2011. Payments will be made to the Jefferson County Adult Probation Department and forwarded to the City.

Realizing that, in the very near future, we have to have plans in place to address issues of storm water infiltrating our sewer lines and a permanent solution to the sewer plant problems, we consulted Carroll & Blackmon Engineers (CBI, City Engineer) and with Mike Will of Utility Specialists (Water & Sewer Plant Manager) to learn what options are available to us that we have not already seen. And, that would be suitable for Bevil Oaks from both an operations point of view and overall cost of construction. We have started the process of visiting existing plants and have been impressed at the fact that there are other options available to us that we can afford and that the Texas Commission on Environmental Quality (TCEQ) will allow us to build,

**PLEASE NOTE: The City Office will be closed on Friday, June 10 and Monday June 13, 2011 to allow time to move to the renovated building at 7525 Sweetgum. City offices will re-open on Tuesday, June 14, 2011 at the new location. During this time, please drop payments into the drop box and, if you have a water or sewer emergency, please call 409-755-7377. The June Council meeting will be at 7:00 p.m. on June 23rd at City Hall.**



## **ENGINEER'S REPORT**

At the May 19, 2011 Council Meeting, Tim Stinson, representative of CBI, (City Engineer) reported that the long awaited road repairs are about to begin. Bids were acquired for materials and a contract was awarded to APAC. Delivery of the materials began the week of May 31, 2011. The City has an inter-local agreement with Jefferson County Precinct 1 to maintain our streets. In addition to the agreement that dates back to 1985, CBI coordinated with Precinct 1 to construct and rehabilitate the roads being paid for with the Hurricane Ike Disaster Fund grant. This arrangement is the most cost effective way of using the grant funds. The City and Precinct 1 have a Memorandum of Understanding that is specific to the grant work. Due to a previous commitment and the Memorial Day holiday, the County could not start our project until after June 1. The County's plan is to install the hot mix asphalt level-up first and rehabilitate any areas that show signs of base failure. They will wait approximately two months before placing the Seal Coat (Chip Seal) to allow the hot mix asphalt to cure properly.

Core soil samples were taken from the site of the new fire station on May 19, 2011. CBI has continued to work on the fire station design and has coordinated with Chief Gonzales and Metal Depot concerning the design. CBI submitted the 60% submittal of plans and specifications for the station to Texas Department of Rural Affairs (TDRA) on May 20, 2011. The 100% submittal will be submitted to TDRA for review and approval on June 17, 2011. Once the plans are approved, the City can advertise for bids. It is anticipated that bids will be acquired in late July or early August depending upon the approval time of TDRA.

CBI has been assisting Mike Will (Utility Specialists) and the City with sewer plant problems that have arisen. They are consulting with a centrifuge supplier concerning the rental of a temporary centrifuge for dewatering solids.

## **UTILITY SPECIALISTS REPORT**

Mike Will reported to council at the May 19, 2011 meeting that the sewer plant is operating well at this time although the level of sludge concentration in the biological clarifier is still not where it needs to be after hauling off three more loads. He hopes the city's engineer will be able to find affordable pricing for the rental of a centrifuge to speed up the sludge removal and prevent a violation with TCEQ. A recent inspection by TCEQ required that we put sample points on the two ground storage tanks that do not currently have them. He will have this completed in advance of the July 11, 2011 deadline.

## **HURRICANE SEASON 2011**

June 1 through November 30 is our designated hurricane season. Predictions are that we will have a season very similar to that of 2008 due to the drought we are experiencing and, the fact that the high pressure, that can divert hurricanes away from us, is expected to stay farther to the north this year. With that in mind, we need to be sure we are ready for whatever might develop.

**Once again, Jefferson County Emergency Management is stressing the importance of evacuation and are telling us not to expect any immediate relief in the form of food, water and ice.** According to the plan they have in place, getting power restored to refineries and other critical parts of the area's infrastructure will be the top priority and from there they will work down to the smaller cities and finally to the individual. It is extremely important that you and your family have a plan in place and ready to implement when the call to evacuate comes. If you plan to take a travel trailer, boat, RV or more than one vehicle, they encourage you to leave prior to the evacuation notice so as not to crowd the evacuation routes. If you plan to stay and ride out the storm, please be sure you have medical supplies and enough food and water to sustain your family for several days and possibly weeks. **BE PREPARED!!**



## **FLOOD AND WINDSTORM INSURANCE**

It is also time to review your current insurance coverage. Flood insurance and windstorm insurance must be insured separately from your fire or homeowner insurance. And, there is a thirty (30) day waiting period for both from time of application. Also, once a disturbance enters the Gulf of Mexico, you cannot obtain coverage for either of these catastrophic occurrences. Be sure you are prepared in this area as well as your food and supplies.

At a "Flood Insurance for the Floodplain" seminar earlier this month, the FEMA representative told us that homeowners will often choose to not obtain flood and windstorm insurance thinking that, if the worst happens, they can get a FEMA grant or a low interest SBA (Small Business Administration) loan to restore their homes. Funds from these sources are no longer easily obtainable. After Hurricane Katrina, the average grant was between \$4,000 and \$6,000 and before the grant was funded, FEMA subtracted the cost of flood insurance from the total. A requirement to receive the grant was for the homeowner to maintain flood insurance for life. The rules to obtain SBA funding have also changed. The maximum loan amount is \$29,900 and, to qualify, the applicant's credit score must be at least 720 and they must have collateral to pledge. For many, the equity in the damaged home is all the collateral they could pledge and, because of its damaged condition, the equity no longer exists or is not enough to support the loan. Neither the grant nor the loan is enough in most cases to cover damages. Having flood insurance all along, is the smartest, safest and cheapest way to protect your assets.

Approximately two-thirds (2/3) of Bevil Oaks is in a Special Hazard Flood Area (SHFA) which means that we are at greater risk of flooding in these areas. In addition, we have flooding in our history that causes citizen concern. We participate in the National Flood Insurance Program and the Community Rating System (CRS). Our rating is currently an "8" which affords a ten percent (10%) discount on your flood insurance premium if you live in a SHFA. An annual update has been sent to CRS proving that our program has earned a "7" rating. Once confirmed, our residents will receive a fifteen percent (15%) discount.

In order to receive these discounts the City has to prove that we are managing construction in the SHFA by requiring new construction to be 2 feet above base flood elevation (BFE); by adopting the International Building Codes as the standard for new construction; requiring building permits that include elevation certificates; requiring inspections; keeping internal ditches and outflow ditches mowed and free of debris; strict fines for dumping along River Bend or any other area in the city that obstructs/diverts the normal flow of flood water; by requiring flood plain permits for all activity within the SFHA; and, by reaching out to citizens through our newsletters, mail-outs and website to keep them aware that flood insurance is available to them and needed in our area.

The National Flood Insurance Program has suffered heavy losses from all of the flooding across the country during the past few years. As a result, they expect participating cities and counties to do everything possible to prevent flood damage in their jurisdictions. Your cooperation in complying with our permit and building requirements has been appreciated and has paid off with the discounts. **Since obtaining our "8" rating, citizens have received over \$11,000 in annual premium discounts. In October, when the "7" rating becomes effective, citizens will receive in excess of \$16,000 in discounts. In addition, we have a large group of citizens with Preferred Risk Policies who receive the lowest premium available.**

Out of the 565 homes in Bevil Oaks, only 344 have flood insurance. Now is the time to make sure you have appropriate insurance coverage before our first tropical depression arrives and it is too late.

**For more information about the NFIP and flood insurance, call 1-800-427-4661, or contact your insurance company or agent. For agent referral, call 1-888-435-6637 · TDD 1-800-427-5593 · <http://www.fema.gov/business/nfip> · <http://www.floodsmart.gov>**

**MONDAY, JULY 4—STARTING AT 6:00 p.m.  
On the grounds of First Baptist Church**

**JULY 4TH CELEBRATION**

**Thursday, June 23, 2011...7:00 p.m.  
NEXT COUNCIL MEETING**

**NEWSLETTER**

**JUNE 2011**

Resident  
Rural Route 1  
Beaumont, TX 77713

7390 Sweetgum  
Beaumont, TX 77713



PRESRTD  
POSTAGE PAID  
BEAUMONT, TX  
PERMIT NO. 60



**JULY 4TH CELEBRATION**

**MONDAY, JULY 4, 2011**

**AND..... YOU'RE INVITED!!**



Bring lawn chairs, family and friends to the grounds of First Baptist Church, Bevil Oaks. Decorate your bicycle, wheelbarrow, 4-wheeler, golf cart, yourself or whatever and be a part of the parade. Trophies will be presented to both adult (over 12 yrs old) and child (under 12 yrs. Old) winners in the following categories: Best Motorized, Best Bicycle Entry, Best Costume. Single trophies go to Best Pet and Most Creative Entry.

**AGENDA**

4:45—5:45 p.m. Registration for parade entrants  
6:00 p.m. Parade begins its 4 mile route through the city  
6:00— 7:30 p.m. Links, Hot Dogs & Soft Drinks Served  
7:30 — Presentation of colors and parade winner trophies  
7:30 - 9:00 Games, waterslide and other activities  
**9:00 p.m. Fantastic Fireworks!!!!!!!**



**NOTE: Volunteers are still needed to serve food and set up tables. Please call 409-880-5311 or 409-363 to sign up.**



**We see a first responder who does more than fight fires.**

To-day's firefighters provide emergency medical services, participate in search and rescue and are trained to respond in the event of a natural disaster or a terrorist threat. They have families who need them; careers that are necessary to keep bills paid and food on the table; and, hobbies they would like to enjoy same as everyone else.

Regardless of how many personal responsibilities they have, they drop everything and answer the call to put out a fire or to try to save a life; they participate in local events, such as July 4th celebrations to ensure the safety of participants; and, they put up the flags that make everyone stop and remember the price of our freedom. **They do it all without any pay and always with a smile.**

The new fire station will give them much needed space for equipment and room to perform their duties without being cramped. We are

grateful that we were able to obtain a grant to cover the cost of this project. But, the building is just the tip of the iceberg. It costs a lot to operate a fire department.

Chief Gonzales has been expressing concerns that we do not have enough people to keep the station sufficiently manned during the day when our volunteers are at work. And, the district's annual income of less than \$90,000 does not leave any funds to hire additional responders.

A recent article from Texas Municipal League pointed out the following items that are necessary to properly outfit a firefighter and the cost: helmet and hood, \$250; self-contained breathing apparatus, \$3,300; "pass" alarm to monitor firefighter while deployed, \$500; heat-reflective, fire-resistant coat, \$1,300; firefighter pager, \$350; heat-reflective, fire-resistant pants, \$700; and puncture-proof heat-resistant boots, \$300. That is a total of \$6,700 for just one man and does not include trucks, diesel and all of the other equipment necessary to run a fire department. It is no wonder that the Chief is concerned about finances! District taxpayers have not seen an increase in the district's tax rate for the past ten years. With rising costs of everything, it is not possible to continue without some additional income.

Our volunteer firemen are vital to the life of this community and deserve appreciation beyond measure from every citizen. The time has come for taxpayers to give them more than a "thank you". We can't afford to be left unprotected!

