

**MINUTES OF REGULAR MEETING  
CITY OF BEVIL OAKS  
January 21, 2002**

The meeting was called to order and Tom Cooley gave the invocation.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway, Jane Hebert, Tommy La Rouse, Anna Beth Leger

To accept Minutes from the December meeting.

**M/M/2/C:**

**Leger/Friloux**

To accept Marshal's report.

**M/M/2/C:**

**Leger/La Rouse**

To accept financial report.

**M/M/2/C:**

**La Rouse/Cearley**

Building Permits: David and Angie Conley home mold removal. Approved with pending the moving of the trailer to a more sightly location.

**M/M/2/C:**

**Leger/Cooley**

Shawn Lewis existing mobile home on Highway 105. King's Supermarket put in gas pumps. Wayne McMullen workshop near house.

To accept building permits.

**M/M/2/C:**

**Cooley/Hebert**

Tom Cooley stated building permits are a MUST for us to received FEMA insurance. This includes an elevation certificate. Citizens are not complying with this by not telling the truth, etc, and we all could lose our FEMA insurance. We follow Southern building codes and National electrical codes. The Mayor suggested increasing the fee for NEW homes. Applications must be received before a Council meeting and before work begins.

This will be discussed at the next meeting.

Pat Barrett spoke for Whitacre and WesGeo for seismograph testing around the parameters of Bevil Oaks. Many residents spoke against this.

To deny permit.

**M/M/2/C:**

**Friloux/Hebert**

Council read a letter from Sharon Boldt. She is the sponsor for 4-H. She asks to use the Civic Center on the first Thursday of each month, rent-free.

**M/M/2/C:**

**La Rousse/Leger**

Elliott Bounds spoke of buy out of his house on River Bend. The mayor spoke with Jefferson County Emergency Management. Darlene Koch said no homes in Jefferson County are eligible. Mr. Bounds wants the City to make an application for the government to buy him out. Mayor Galloway said she would speak Karen Phillips of FEMA.

To table.

**M/M/2/C:**

**La Rousse/Friloux**

**Drainage And Roads:** DD6 will work on the Cammack and Toups culverts within the next two (2) months. The mayor encouraged council to call DD6 and/or Precinct 1 with any problems. She suggested streetlights in dark areas of the city. The cost is approximately \$1,000.00 per light. Shipley/Capital, Shipley/Leaning Oaks, North River Bend/Inwood, North River Bend/Thousand Oaks, Blackgum, Sweetgum/105, Davida/Saddlewood, and Sweetgum between Toups and 105.

Moble Home Ordinance will be amended "as deemed by council". Will discuss at the next meeting.

Kim Roberts asked for the festival date to be moved to April 24.

Pete Friloux and Deborah Richey-Galler will publish the newsletter.

**M/M/2/C:** To adjourn meeting.

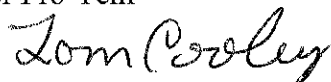
**La Rousse/Cearley**



Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem



**MINUTES OF REGULAR MEETING  
CITY OF BEVIL OAKS  
February 18, 2003**

The meeting was called to order and, Jim Cearley gave the invocation.

**Members Present:** Tom Cooley, Erin Galloway, Pete Friloux,  
Jane Hebert, Tommy La Rouse, Anna Beth Leger

**Monthly Reports:**

**Marshal's Report:** Given by James Carrico.

**M/M/2/C:** To accept report.

**Friloux/Leger**

**Minutes:** January 2003.

**M/M/2/C:** To accept minutes.

**Friloux/Cooley**

**Treasurer's Report:**

**M/M/2/C:** To table report.

**Leger/La Rouse**

**Building Permits:** Tammy Toups building a barn on Thousand Oaks.

**M/M/2/C:** To accept application.

**Leger/Cearley**

Mayor Galloway asked about the pending application of 7620 Yellowstone. Pete Friloux spoke with Mr. Connoly. He will move the trailer when the ground is dry.

Building Permit Applications and fees were discussed.

**M/M/2/C:** To table this issue.

**Cooley/Hebert**

**Roads And Drainage:** Niagara will be the first street to be resurfaced. Mayor Galloway will contact DD6 to complete the Cammack/Toups project.

The Marshal expressed concern for a culvert at North River Bend/Inwood. Water backs up into the Shower's property. The Mayor will discuss this with Doug Cannant of DD6 and ask Precinct 1 to investigate this site. Drainage at River Bend/Niagara needs a culvert placed under the road. The Mayor will also discuss this with Mr. Cannant.

Tom Cooley will chair the Bayou Clean Up Committee. Joan Howard, George Bryant, John Milam, and Anna Beth Leger names were mentioned to be on the committee. Tom will make a report at the next meeting.

Mayor Galloway noted that Elliott Bounds was on the agenda but was not present. She spoke with five FEMA representatives. They concluded there would not be a buy out, as the property on River Bend was not his residence.

The Mobile Home Ordinance as is does address necessity. No action is needed.

Building Improvements: The exterior door needs one more bid.

Swimming Pool: April is the tax deadline. Tom Cooley will research the taxes. Two bids only have been received. One more bid is needed. Mayor Galloway stated, Aquatic Dimensions is owned by her ex-brother-in-law. The pools do need to be cleaned with chemicals before the leak detector comes. Melissa Widner will talk with Doris Long. The Mayor stated season pass rates will be discussed at the next meeting.

Council went into executive session.

Council returned the meeting.

**M/M/2/C:** To adjourn meeting.  
**La Rousse/Friloux**

ErinGalloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

THE STATE OF TEXAS

COUNTY OF JEFFERSON

BE IT RESOLVED by The City Council of the City of Bevil Oaks,

That an election for the purpose of electing three Council Members, for the following positions:

Ward I

Ward II

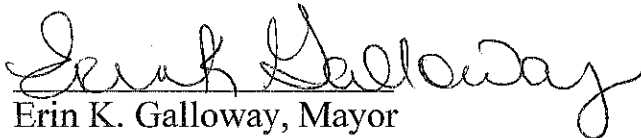
Ward III

And a Mayor

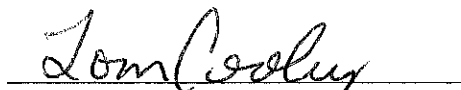
That the election shall be held on Saturday, May 3, 2002 at the Bevil Oaks Civic Center.

On the day of the election, the polls shall be open from 7:00 A.M. to 7:00 P.M. Paper ballots shall be used for said election. The place for early voting shall be at the Bevil Oaks Civic Center, 7390 Sweetgum, Bevil Oaks, Texas. Early voting hours will held from 2:00 PM to 5:00 PM commencing April 16, 2003 and continuing through April 29, 2003 on each day which is not a Saturday, Sunday, or official State holiday.

PASSED AND APPROVED, this the <sup>eighteenth</sup> ~~nineteenth~~ day of February 18, 2003.

  
Erin K. Galloway, Mayor

ATTEST:

  
Tom Cooley, Mayor Pro-Tem

**MINUTES OF REGULAR MEETING  
CITY OF BEVIL OAKS  
March 18, 2003**

The meeting was called to order and, Erin Galloway gave the invocation.

**Members Present:** Tom Cooley, Erin Galloway, Pete Friloux, Jane Hebert,  
Tommy La Rousse, Anna Beth Leger, Jim Cearley (late)

**Marshal's Report:** Not available.

**Minutes:** February 2003.

**M/M/2/C:** To accept minutes.

**La Rousse/Cooley**

**Treasurer's Report:** Not available

Terry Whiddon made a presentation for Real Estate Investment Funds.

**Roads and Drainage:** Blackgum Road's condition was discussed. Blackgum is on the list to be resurfaced. Ed Milam suggested if a road is damaged by equipment or other means, the operator should be held responsible. Niagra and Davida are to be repaired. Blackgum, Capital, and Village will also be resurfaced. The Mayor would like to shoot the grade on all of the ditches get them flowing correctly. She mentioned some driveways might need to dug up.

The month of April was proclaimed Autism month. Mayor Galloway read the proclamation.

Lisa Massey of Westech discussed the neighborhood cleanup, Saturday, May 17 from This will be put in the newsletter. Ms. Massey will provide a list of items that cannot be picked up. Watech has a pilot program on Saddlewood. The container will hold 95 gallons and will be picked up on Friday only. A deposit of \$25.00 for the container will be refunded after one year.

**Building Maintance:** Council reviewed the three (3) bids for the office door.

**M/M/2/C:** To accept the bid from Mr. Truax pending proof of insurance, a bond and signed bid.

**Friloux/ La Rousse**

Tommy La Rousse requested bookshelves for the library. The mayor stated the money was available. Pete Friloux will build the bridge for access to the park. Council Cleanup day was scheduled for Saturday April 12.

Mayor Galloway suggested labels to be placed in books (In Memory Of, Donated By, In Honor Of). This will be added to the newsletter.

Mr. La Rousse requested building a special flowerbed in memory of Michael Larson. Mr. Friloux stated he would donate the landscape timbers. Mayor Galloway requested a red, white and blue bed in honor of our troops.

The first Texas Hurricane Conference will be held in Galveston April 28 – 30. The information was just received prior to the meeting and could not be put on the agenda. Ms. Richey-Galler stated she would like to attend. She has enjoyed watching the Mayor, as the emergency management coordinator would like to learn more and help the community. She will split the room cost with a member of the fire department. Jack Colley, Texas Emergency Management Coordinator will have a major role in this conference. This will also be a good opportunity to network with other communities and learn the latest information. Mayor Galloway stated she would want the Hurrivac course attended. Council will vote on this at the next meeting.

**Building Permits:** Mr. Cooley voiced concerned of citizens not applying for permits.

**Swimming Pool:** Council discussed pool repairs and reviewed the bids.

**M/M/2/C:** To accept Aquatic Dimensions bid.

**Leger/La Rousse**

Mr. Cooley visited the Tax Collector's office. Back taxes are due \$3749.64. The Mayor spoke with Will Crenshaw, he will deed over the land. The land will not be taxed after the city receives the deed.

Pool decisions will be made at the April meeting.

Ms. Leger asked if the city had received the third bid for a C.P.A. Mayor Galloway said she would follow up on this.

Ms. Hebert asked for probationers to clean all signs. She also spoke of a citywide garage sale and Bar-B-Que sale. Several citizens are interested.

Mr. Cooley set the first Bayou Clean Up Committee meeting Tuesday, March 25<sup>th</sup> at 7:00 PM.

Mr. La Rousse asked that the city secretary work with the pool operation this year.

**M/M/2/C:** To adjourn meeting.

**La Rousse/Friloux**

Erin Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**MINUTES OF REGULAR MEETING  
CITY OF BEVIL OAKS  
April 15, 2003**

The meeting was called to order and, Jim Cearley gave the invocation.

**Members Present:** Jim Cearley, Tom Cooley, Erin Galloway, Pete Friloux,  
Jane Hebert, Tommy La Rousse, Anna Beth Leger

**Marshal's Report:** Given by James Carrico.

**M/M/2/C:** To accept report.

**Leger/Cooley**

**Minutes:** March 2003.

**M/M/2/C:** To accept minutes.

**La Rousse/Friloux**

**Treasurer's Report:** Not available.

**M/M/2/C:** To table report.

**Cooley/Leger**

**Building Permits:** Tom Cooley discussed the changes the building permit application.

**M/M/2/C:** To accept changes

**Leger/La Rousse**

**M/M/2/C:** To accept application.

**Cooley/Leger**

**Drainage And Roads:** Pct. 1 has concentrated on cleaning ditches in Bevil Oaks and in particular Davida.

Council discussed the upcoming May 17<sup>th</sup> Neighborhood Clean Up with Wastech's support and link sale to be held at City Hall. The Citywide garage sale is scheduled for Saturday, August 31 along with the opening of the pool. The City will handle the advertising expense. Interested citizens will be asked to call City Hall. Both events will be included in the newsletter.

Mayor Galloway presented prices for pool passes.

Season Pass: Family \$175.00, Senior \$50.00, Single \$80.00, Guests \$5.00 up to four guests then \$1.00 person.

Monthly Pass: Family \$ 65.00, Senior \$50.00, Single \$40.00, Guests the same

Weekly Pass: Family \$ 30.00, Senior \$20.00, Single \$15.00, Guests the same

Pool Rental:

Two-hour minimum. A non-refundable deposit of ½ of total is due upon reservation.

The pool may be rented before or after operating hours.

**M/M/2/C:** To accept pass costs.

**Cearley/Cooley**

Council discussed the First State Hurricane Conference and the possibility of sending the City Secretary.



**M/M/2/C:** To send Deborah Richey-Galler to the conference.

**La Rousse/Cooley**

Mayor Galloway read the Declaration Supporting Our Troops and President Bush. Council signed the declaration. It will be mailed to the White House, Donald Rumsfeld and SETRPC.

Mayor Galloway read the Unopposed Status and Cancellation Of Election. She and Mr. Cooley signed the documents.

Council adjourned for Executive Session.

Council returned to adjourn the meeting.

ErinGalloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**MINUTES OF REGULAR MEETING  
CITY OF BEVIL OAKS  
May 20, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Tom Cooley, Erin Galloway, Pete Friloux,  
Jane Hebert, Tommy La Rousse, Kim Roberts

**Members Absent:** Anna Beth Leger

Mayor Pro-Tem, Tom Cooley swore Mayor Galloway in to her second term.

Mayor Galloway presented a plaque of recognition to Jane Hebert, outgoing Council Member

Mayor Galloway swore in Kim Roberts to the City Council, Ward III, and also swore in Jim Cearley to the City Council, Ward II.

**Monthly Reports:**

**Marshal's Report:** Given by James Carrico.

**M/M/2/C:** To accept report.

**Cooley/La Rousse**

**Minutes:** April 2003.

**M/M/2/C:** To accept minutes.

**La Rousse/Cooley**

Mayor Galloway stated in terms of the treasurer's report, the audit should begin within the next two weeks.

**Building Permits:** The Coates are building a new home in Bevil Oaks.

**M/M/2/C:** To accept application.

**Cooley/Roberts**

**Roads And Drainage:** The Mayor suggested contacting Paul with Precinct 1 on a stripe on Sweetgum and to discuss the schedule for Davida.

Mr. Cooley stated ditches along River Bend Drive had been sprayed with chemicals. The Mayor spoke with a resident concerning DD6. This citizen was told by DD6 they no longer clean out flow ditches. The Mayor will contact Jim Broussard.

Mr. Friloux remarked he and Mr. Cooley had worked together to mow grass on pool property. Mr. Cooley believes a larger machine is needed for this area.

Mr. Cooley also noted the article in the newspaper regarding Orange County drainage problems. He is collecting more information for the Clean Up Committee.

Mr. La Rousse made a motion for all work orders to be signed by the Mayor or the Mayor Pro-Tem.

**M/M/2/C:**

**La Rousse/Friloux**

Citizens asked for street signs to be installed.

Mrs. Hebert asked the Mayor if she had contacted the Juvenal Probation Department. The Mayor said she and the director were playing phone tag.

Mayor Galloway read the Hurricane Awareness Proclamation.

**M/M/2/C:**

**La Rousse/Cooley**

Building Improvements: The new door to the city office was installed.

Pool Parking Lot Repairs.

**M/M/2/C:**

**Cooley/Friloux**

Ms. Roberts asked if the lifeguards are required to have physicals. The Mayor stated the applications require each to be prepared for a physical and a drug test.

The Mayor and Zane Bledsoe met with Dr. Thomas of B.I.S.D. regarding the land adjacent to the pool property. The Mayor wrote a letter to Dr. Thomas asking for the use of the land (clearing under brush) and no permanent buildings.

The Marshal spoke Mr. O.C. Hall about using land for an entry sign. Mr. Hall agreed.

The Remembrance Garden was dedicated with special guests Dr. and Mrs. Larson.

Brent Turk was introduced as our municipal judge. Court will commence in July.

**M/M/2/C:** To adjourn meeting.

**La Rousse/Friloux**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**MINUTES OF REGULAR MEETING  
CITY OF BEVIL OAKS  
JUNE 17, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway, Tommy La Rouse, Anna Beth Leger, Kim Roberts

**Members Absent:** Pete Friloux, Ana Beth Leger

**Marshal's Report:** Given by James Carrico.

**M/M/2/C:** To accept report

**La Rouse/Cearley**

**Minutes:** May 2003

**M/M/2/C:** To accept minutes.

**La Rouse/Roberts**

**Roads And Drainage:** The Mayor spoke with Paul Truax of Pct. 1 to schedule roadwork for Bevil Oaks. DD6 needs to be more productive within the city. The Marshal addressed the drainage problems on Davida.

**Building Permits:** Dixon Conn

**M/M/2/C:** To accept application.

**Cooley/Roberts**

Fred Hellen of South East Texas Regional Planning Commission spoke of affordable housing in the region. Several cities have agreed to join the consortium and Hardin, Jefferson and Orange counties have signed off on this project. By signing the resolution there is no cost to Bevil Oaks but will open the way for funds available each year.

**M/M/2/C:** To not accept the Resolution Approving and The Execution of South East Texas Regional Home Consortium.

**Cooley/Roberts**

Council discussed the businesses inside the corporate city limits. The Marshal detailed businesses that should be paying sales tax. He spoke with the State Comptroller's office and there is to be a tax on prepared food.

Council and citizens discussed the city's financial future.

**M/M/2/C:** To appoint Jim Cearley as chair of the Community Improvement and Development Committee.

**Cooley/Roberts**

Council discussed lighting around the pool parking lot area. Mr. Cooley stated a 150-watt high-pressure sodium light on an existing pole would cost about \$5.00 per month. He also suggested using higher wattage. Council will at this matter.

Tommy La Rousse read a letter from dayspring Church asking to sell concessions near the pool area.

**M/M/2/C:** To write contract for Dayspring Church to sell concessions.  
**La Rousse/Cooley**

Mrs. Kay Bryant asked for monthly financial records from October 2002, through May 2003. She mentioned this information is necessary to apply for grants.

Pool Aid's bid was discussed. Mr. Cooley stated the bid was too expensive. He served on the pool committee in the past and lifeguards vacuumed and cleaned as part of their job duties. Mayor Galloway stated a vacuum would need to be purchased at an expense of \$2,300.00. She estimated \$3,300 in passes not including guest fees or parties, has been collected. Mr. Cooley stated the electric bills alone were several hundred dollars. He believes the pool can be a valuable asset to the community or it can become a money pit. The city must control the expenses.

**M/M/2/C:** To deny the Pool Aid contract.  
**Cooley/La Rousse**

Mr. Cearley discussed the money invest with Merrill Lynch. Terry Whiddon had made a presentation at a past regular meeting. Dividends are 7%. A check will be paid every quarter. The time period is three (3) to five (5) years. Mr. Cearley suggested investing one-half of the approximately \$55,000 with Merrill Lynch.

**M/M/2/C:** To invite Mr. Whiddon to the next council meeting to receive more detailed information.  
**Cearley/Roberts**

Mayor Galloway presented "City of Bevil Oaks City Council Honorable Leadership Resolution For A More Respectful Community".

Mr. Cearley made a motion to accept the resolution. There was no second to this motion.

Mr. Bryant asked why council did not have a treasurer. Mayor Galloway stated council received a letter from Mr. Friloux resigning as there had been not been an audit of the books. Mr. Hebert asked when the last audit was completed. The Mayor stated the last audit was in 1999. Mrs. Bryant reminded council of the Open Records Act. Mr. Cooley commented that council had planned an audit numerous times but it always fell through. He agreed that the records should be available year to date and month-to-month profit and loss statements should be kept in the office.

The Mayor turned the meeting over to Mayor Pro-Tem, Tom Cooley. Ms. Roberts stated a bookkeeper would be an excellent idea to help with the records. Mr. Cooley stated the financial reports should be easy to read and show a percentage of the budget that had been spent year to date.

Mr. Cooley noted regarding building permits, residents should be treated equally. The Marshal agreed and stated a procedure should be put in place.

The Mayor returned with financial records year to date and month-by month profit and loss statements.

**M/M/2/C:** To adjourn meeting.  
**La Rousse/Cooley**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**MINUTES OF SPECIAL MEETING  
CITY OF BEVIL OAKS  
JUNE 23, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway, Tommy La Rousse, Kim Roberts

Mayor Galloway stated Ms. Leger did not know of the meeting and therefore could not attend. The Mayor said she was not notified of this meeting. She said Chapter 22 Type A of General Law Code Section 22.038 states all members must be notified of a special meeting. It is her belief that the meeting was to be held without her knowledge.

Mr. Cooley stated Ms. Leger had not been sworn in to office for her second term and was not a member of the present council. Speaking for the council, Mr. Cooley said members were not advised of decisions made for the pool nor did they know how much money was being spent. Questions are asked and council never receives answers. Ms. Galloway said as Mayor, it is her duty to perform administrative duties between meetings. Mr. Cooley and Mr. Friloux expressed his displeasure of \$2010.00 paid to Pool Aid without council approval. Aquatic Dimensions had previously repaired the pools. Council expressed concerns of the two companies lack of productivity and the great expense.

Mr. Cooley stated it was his understanding the Mayor's husband was related to the owner of Pool Aid. Ms. Galloway said the owner told her after the work was done that he was her husband's third cousin, if that is considered kin. Mr. Cooley stated that was a relation. He said there was no communication, and that the Mayor was making all of the decisions without talking with council members. Mayor Galloway said it is in her ability to hire and fire within the City. Mr. Cooley also stated the mayor's duty is to conduct the meetings and vote in the event of a tie, and the council members are to make the decisions.

Council discussed a committee to plan work schedules and make decisions for the pool.

**M/M/2/C:** Pete Friloux and Kim Roberts to head up the pool committee.

**Cearley/Cooley**

Mr. Friloux read the letter written by Dayspring Church asking to sale concessions at the pool. Council discussed the pros and cons of this issue.

**M/M/2/C:** To accept a one-year contract with Dayspring Church to sell concessions at the pool.

**La Rousse/Friloux**

Mr. Friloux said he and Ms. Roberts would accept bids for a monthly eminence.

Council adjourned to Executive Session.

Council returned from Executive Session and the meeting resumed.

Mayor Galloway stated the city has received IRS notices for past due quarterly statements and payments when she was treasurer and during her first term as Mayor. She has not received all of the notices, but the records are here. The Mayor said the Council has a recommendation to make regarding the bookkeeping.

**M/M/2/C:** To hire an outside bookkeeper to keep the city's books and for the books to be kept in the office.  
**Cooley/Friloux**

Mr. Bryant asked for more information on the IRS notices.

The Mayor stated the IRS had not received two (2) quarterly reports and two (2) past due payments. The bookkeeper will resolve this situation.

Mr. Bryant asked if the city would pay penalties for these reports and late payments.

Mr. Cooley stated the penalties total almost \$1,000.00.

Mr. Bryant asked how far back this occurred.

Mr. Cooley estimated three (3) years.

Mr. Bryant asked for the date of the last audit. The Mayor said she conducted the audit in 2000. Mr. Bryant stated the late payments and past due quarterly reports should have come out in that audit.

The Mayor said under a Texas Statute a city official may audit the books. It was reviewed by the council and signed off by Mayor Hignett and Mr. Cooley. The late notices had not been received at audit time.

Mr. Stevenson asked if tonight's meeting was illegal. The Mayor said the meeting was illegal because she had not been notified, but the meeting is now legal because I am present.

Mr. Bryant who asked who will conduct the audit. The Mayor stated Steve Eppes is a C.P.A. and

Mr. Cooley commented for the citizens that sadly, Council had just received the rest of the books. He also wanted everyone to know there is a conflict between the Mayor and our Secretary. A City divided cannot stand.

Ms. Hebert said if she had a conflict with someone she would sit down with that person and work it out.

Ms. Howard also stated her hope for a resolution to the conflict.

**M/M/2/C:** To adjourn meeting.  
**La Rousse/Cooley**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem



**MINUTES OF SPECIAL MEETING  
CITY OF BEVIL OAKS  
JULY 8, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway, Tommy La Rousse, Anna Beth Leger, Kim Roberts

Council adjourned to Executive Session.

Council returned from Executive Session and the meeting resumed.

**M/M/2/C:** For Pete Friloux and Kim Roberts to head up the pool committee.  
**La Rousse/Cooley**

**M/M/2/C:** To accept Todd Lipscomb's bid to maintain the pool year round.  
**Robert/Cooley**

He will teach the lifeguards to vacuum and clean the pools. He will also maintain the entire system.

Ms. Roberts will speak with the bookkeeper for a quote for the review and maintaining the city records. He will have the work completed before the audit.

Joan Howard encouraged council to talk with local vets for a rabies/immunization clinic.

Pat Barbosa and Linda Patranella asked the council what preparations are being made for the neighborhood garage sale. The city will provide poster boards, markers and balloons on the day of the sale. A volunteer is needed to prepare maps. Further discussion will be held at the July 15<sup>th</sup> regular council meeting.

**M/M/2/C:** To adjourn meeting.  
**La Rousse/Cearley**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**MINUTES OF REGULAR MEETING  
CITY COUNCIL OF THE CITY OF BEVIL OAKS  
JULY 15, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway, Tommy La Rousse, Anna Beth Leger, Kim Roberts

Mayor Galloway swore Anna Beth Leger into her second term of office. Ms. Leger is Council Woman in Ward Two.

Tommy La Rousse voiced concerns to Council and Citizens of a Council Woman's husband's anger. He said the man has attended a meeting to protect his wife from his (Mr. La Rousse) expressions of disapproval. He stated he has never spoken disrespectfully to any woman. He has always treated a woman as a lady whether she was or not. Due to this situation, he will no longer sit next to any married Council Women. Mr. La Rousse will attend executive sessions for litigation and employee related matters only. Citizens have the right to know what is happening in their city. He will express his concerns and the problems of Bevil Oaks publicly and not behind a door. Mr. La Rousse further stated the City Council is in turmoil and the Mayor has created this problem. She has been asked to resign twice and has refused. He will continue to represent the best interests of the community.

Mr. Cooley asked how Mr. La Rousse was threatened. Mr. La Rousse stated the husband was attending the meeting to ensure the old man did not upset his wife. He also said at the age of seventy-nine he would not be intimidated.

**To Accept Marshal's Report.**

**M/M/2/C: Friloux/La Rousse**

**To Accept Previous Minutes.**

Mr. Friloux mentioned a mistake in the June 17<sup>th</sup> minutes. The figure \$53,000.00 should be \$5,300.00

**M/M/2/C As Amended: La Rousse/Roberts**

Terry Whiddon presented an investment opportunity. Jim Cearley then spoke on reinvestment of funds and community improvement development. Mr. Cearley made a motion to invest money in Mr. Whiddon's proposition. He later withdrew the motion and tabled it until August. He also voiced his frustration of tabling items and the nothing being accomplished. He stated, "Singles and doubles win ball games".

The Mayor asked Ms. Roberts the bookkeeper's estimate for preparing the books for the audit.

Ms. Roberts stated the bookkeeper would charge \$100.00 monthly.

Wilbert Denton said he was very pleased with the bookkeeper, but he did not believe the books would be ready next week for an audit. He further stated the Fire Department spent a good amount of time in getting the books up to date.

George Bryant asked what was the length for record retention. Mayor Galloway said the length was five (5) years. She said they should be boxed together by year and by account. Mr. Friloux said he did not believe the city has had a steady flow of bookkeeping in years. He was asked to be treasurer; he agreed to take the position

once the books were audited. Every time an audit was requested, it was during tax season, or cost too much money.

**To Table Financial Investment Until The August Meeting.**

**M/M/2/C: Cearley/Friloux**

Roads And Drainage: The Mayor shared the letter she wrote to DD6. Pct. 1 brought out equipment and will begin Bevil Oaks work as soon as their current job is completed. River Bend and Inwood area is not draining. Citizens mentioned other areas that are in need of attention. Culverts needing to be cleaned up are primarily the responsibility of the residents. Only one machine is owned by Jefferson County. The machine belongs to Pct. 4 and it is not often loaned out.

Ms. Leger spoke with Ronald Walker (former judge) he suggested Gerald Flatten for City Attorney. Mr. Walker believed Mr. Flatten would work well with the City of Bevil Oaks.

**To Accept Gerald Flatten As The City Attorney**

**M/M/2/C: Cooley/Leger**

Plans were made for the garage sale. Balloons will be available Friday night before the sale.

Trash accumulation problems cause health hazards. The West Nile Virus may be incubated in unkempt areas. This is problem for many locations nation wide.

**To Consult Mr. Flatten On Trash Accumulation Problems.**

**M/M/2/C: Cooley/Roberts**

The Mayor read the Resolution For Air Quality Classification.

**To Pass The Resolution.**

**M/M/2/C: Cooley/Cearley**

Mr. Cearley asked if the city had signs for the City Council meetings. Mr. Cooley suggested a lit sign. It would not be costly.

Mr. Friloux asked who wished to remain on the Sam's card. Currently all council and the two (2) city employees are listed at a cost of \$270.00. A card for the city and Deborah Richey-Galler were chosen. The cost will be \$60.00.

**M/M/2/C: To adjourn meeting.**

**La Rousse/Cooley**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**MINUTES OF SPECIAL MEETING  
CITY OF BEVIL OAKS  
JULY 21, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway, Tommy La Rouse, Anna Beth Leger, Kim Roberts

Council discussed the recent bounced checks and non-payment of electronic transfer of payroll for the two (2) City employees.

**M/M/2/C: To Transfer \$10,000.00 From The Merrill Lynch Account Into The General Checking Account.**

**M/M/2/C: To adjourn meeting.  
La Rouse/Cearley**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**MINUTES OF REGULAR MEETING  
CITY COUNCIL OF THE CITY OF BEVIL OAKS  
AUGUST 19, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway, Tommy La Rousse,  
Anna Beth Leger, Kim Roberts

**Approval Of Marshal's Report**

**M/M/2/C:**

Mr. Merindino discussed the animal problems he experienced on Davida. He expressed favoritism to Council members and family members. The Marshal disagreed and stated he treated everyone equally.

Mr. Merindino voiced concern that Ms. Floreys's mailbox that was damaged was not on the Marshal's report. The Marshal stated he could not list every incident that occurs.

**Approval Of Minutes**

**M/M/2/C: Friloux/La Rousse**

Joan Howard announced the cat and dog immunization clinic to be held in October. Volunteers are needed. This low cost service is available to everyone. Volunteers are to sign up at city Hall.

Ms. Howard voiced her concerns of the media attending Council meetings. Negative publicity hurts our community and our property value. She would like the media to reflect the positive aspects of Bevil Oaks.

Mayor Galloway thanked Ms. Howard for her inspiration and commitment to our city.

Roads And Drainage: DD6 will begin work on Ms. Toups property. The Mayor noted the ditches had been sprayed with poison to eliminate vegetation. There has been no discussion with Pct. 1; Blackgum Road has been scheduled for repairs. Paul Truax will be called Wednesday, August 20<sup>th</sup>.

Building Permits: Vautrot's Trailer Park

**Approval Of Building Permit**

**M/M/2/C: Cooley/Leger**

Jim Cearley discussed the Community Improvement Development meeting. The committee has decided to add a sign to the entrance at Sweetgum. Also, Community Proud or Pride In Community will be the theme. The lack of maintaining yards/property is a key concern in Bevil Oaks. Mr. Cearley stated the community will not deal with complaints. Complaints are for the Council. The community is a developmental group, bring ideas together, put them into projects, and see that they are completed. There is room for more members. The group meets the first Tuesday of each month at 7:00 PM at the Civic Center. All meetings are open to the public. The majority of the members have lived in the city for five (5) years and want to see improvements.

Ms. Howard suggested a community dance with food and colas. An admission fee would be necessary if hiring a D.J.

Ms. Roberts noted the pool is open 4:00 PM – 8:00 PM during the week and regular hours on the weekend. The pool will close Labor Day.

Grant Match Program Car Video System, previously voted on to be State complaint equipment has arrived. It will protect citizens and the Marshal. Tapes must be maintained. The equipment will be installed by the Sheriff Department.

**To Pay The 10% Match For Car Video System**

**M/M/2/C: Leger/Cooley**

Pat Barbosa asked that stop signs be replaced. Jane Hebert asked that street signs be replaced.

Mr. Tohme discussed grant money for the city. He knows one grant writer near Beaumont that he would like to invite to a Council meeting.

Ms. Howard suggested several events during the year to build unity and raise money. (Chili Cook Off)

Ms. Anna Belle Hall needs to be reimbursed for balloons and string.

**\$500.00 allowance for a copier and a service contract.**

**Friloux/Roberts**

Mr. Cooley met with Montra Lockwood (National Weather Service – Lake Charles) along with Mayor Galloway. He shared information from Texas A & M, and other reports. He will get with the Bayou Committee to schedule further meeting.

He strongly suggested we clean up the property we are to acquire (pool area), tennis courts, put in nature trail, picnic tables. Together we can do much.

Mayor Galloway announced B.I.S.D. voted to allow Bevil Oaks use the land for \$1.00 per year for fifteen years.

**M/M/2/C: La Rousse/Friloux**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**MINUTES OF REGULAR MEETING  
CITY COUNCIL OF THE CITY OF BEVIL OAKS  
SEPTEMBER 16, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway,  
Tommy La Rouse, Anna Beth Leger, Kim Roberts

**M/M/2/C: To Accept Marshal's Report  
Friloux/Leger**

The minutes were not available due to audit work.

**Roads And Drainage:** Drainage District 6 is following through with work on Ms. Toups' property on Sweetgum. Ms. Roberts asked when Pct. 1 would begin roadwork. Mayor Galloway stated she had not received any information. Ms. Leger asked which road was to first on the list to be repaired. The Mayor answered that Blackgum was scheduled first. Ms. Leger asked if Davida had been reconditioned. Mr. Cooley stated that neither Davida nor any other street in Bevil Oaks had received any work. Roads to be repaired are: Blackgum, Davida, Niagra, Capital, and Village. Marshal Carrico mentioned Inwood at Shipley needing drainage work. He suggested crossing Inwood with a culvert. Pct. 1 said they were allowed to work in Bevil Oaks day (1) day a month. The Mayor suggested residents contact Mr. Cokinos with their concerns.

Ms. Roberts and Mr. Friloux met with two members of the Lake Charles National Weather Service. They walked along Pine Island Bayou, inspecting water flow. The hydrologists will request a staff flood gauge for more accurate readings in Bevil Oaks.

**Building Permits:** Mr. Riley and Mr. Harold Watson, Vautrot's trailer park.

**M/M/2/C: To Approve Permits  
Cooley/Friloux**

**Emergency Management Coordinator Appointment:** Mr. Cooley stated the Emergency Management Coordinator was listed as vacant with Jefferson County. The Mayor said we do have an Emergency Management Coordinator but not a Hazard Mitigation Coordinator.

Mr. Friloux made the motion to appoint Ms. Roberts as our Emergency Management Coordinator. He also stated the city has had no representation at any emergency management meetings for some time. Mayor Galloway disagreed. She stated she had spoken with the state on Monday, September 15<sup>th</sup> and the state was upset this item is on our agenda. As Mayor, she has the right to make the appointment. She also remarked, Council may vote to make an appointment, but if the Mayor does not sign the document, it does not happen. If no one from the state was at the meeting tonight, they will schedule a private workshop with the council, because they (the state) do not see a reason for this to be on our agenda.

Mr. Friloux voiced again his motion for Ms. Roberts to be our Emergency Management Coordinator. Mayor Galloway asked if he understood the motion would not take effect if she did not sign off. Mr. Friloux stated he understood.

Mr. Cooley spoke of Ms. Roberts training – Texas Hurricane conference, CERT, Training The Trainer, working in Chambers County as an EMT and as a member of our own emergency service district. The Mayor stated Ms. Roberts would do a good job as the Hazard Mitigation Coordinator and that one person could not hold both positions.

Mr. La Rouse spoke of Ms. Roberts working two days a week in Winnie, going to school for more training and meeting with the two (2) representatives from Lake Charles Weather Service. Ms. Leger asked if anyone knew the hydrologists were coming. Mr. Friloux remarked he was notified after they were in route and asked for someone to show them around the bayou. The Mayor asked if he did not feel the need to contact her. Ms. Roberts said she received the information just before their arrival. They were coming whether there was someone to meet with them or not. Mayor Galloway said the bottom line was she was glad Mr. Friloux and Ms. Roberts met with them, but she was not contacted.

Ms. Leger voiced her concerns of a disaster occurring within the next day, and who would get us through it. Mr. Friloux replied that he looked at the Internet and that the Emergency Management coordinator is to conduct a series of mock situations, including assigning roles for who was to do what, how each would be handled, etc, ... This has not happened. He did acknowledge Mayor Galloway's stepping in during tropical storm Allison and that she did great job. He encouraged council to set mock situations up.

Ms. Roberts spoke of her training/school courses for homeland security and after this week, she would be certified to teach Community Emergency Response Team (CERT), and will offer classes in Bevil Oaks.

**M/M/2/C: To Appoint Ms. Roberts As Emergency Management Coordinator.**  
**Friloux/Cooley**

**M/M/2/C: To adjourn meeting.**  
**La Rouse/Cooley**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem



**SPECIAL MEETING  
CITY OF BEVIL OAKS  
OCTOBER 1, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway,  
Tommy La Rousse, Anna Beth Leger, Kim Roberts

Joan Howard and Kaye Bryant were preparing the quarterly reports (Texas Workforce and IRS) and found two (2) checks and their stubs missing from the checkbook. Stubs are required for our records and for audits. Check stubs are never to be removed from the checkbook. A stop payment must be made with the bank. Ms. Howard said the checkbook must be held in a secure. In preparing for the audit, ten (10) checks were missing. Council was asked to vote to stop payment on them.

George Bryant asked when the Entergy franchise check was received. Mayor Galloway said the check was received in September. Mr. Bryant asked why it was not deposited when it was received. He also asked who said not to deposit the check until October 1<sup>st</sup>. It was in the office when council met twice to remove a total of \$20,000 from Merrill Lynch. He also expressed concern for the check not being in a secure place. Ms. Leger explained she made the bank deposits and postal stops. Ms. Leger looked into the prices fireproof, four drawer, locking safes. The best price was \$629.99 at Office Depot. Manning's and Office Max prices were more expensive and must be ordered.

Mr. Hebert asked about cutting costs. Mr. Cearley stated when the audit report is received, meetings will be scheduled to set a budget, stick to it and track the money as it is spent. Ms. Roberts stated the auditors would be back within the next few weeks for the remaining information. After the report is complete, the city will begin applying for grants.

Mr. La Rousse shared his concern in the manner purchases are made and checks are signed. He stated council is to approve payment of bills at meetings. He also discussed the expense of the Mayor's cell phone and the Marshal's pager and cell phone. Mr. Friloux said the contract was up January 2004 and council should consider not renewing the Mayor's cell phone and finding a less expensive cell plan..

**M/M/2/C: To Approve All Bills For Payment With The Exception Of Entergy, Entex, Office Phone and Salaries. Emergency Items Require Four (4) Council Members For Approval.  
La Rousse/Friloux**

Mr. Hignett suggested two meetings per month to take care of accounts payable and shorten meetings.

Mayor Galloway discussed the one (1) year audit and the estimated cost of \$2400.00. She asked if the cost would be \$7600.00 for multiple years. As council agreed to an audit for the years 1999-2003, she asked for a revote. Ms. Roberts said she had spoken with the auditor recently and he estimated the cost to be \$6000.00. The audit will cost less, as it is a combination of years. The Mayor asked for a vote, as it was not the original \$2400.00.

**M/M/2/C: To Amend The Cost Of The Audit To An Estimated \$6000.00 For 1999-2003.  
Cearley/Roberts**

Ms. Leger spoke of communication and working together. All phone numbers were printed. An amendment will include cell phones and E-mails. She suggested a telephone line to contact all members. The last person would then call the first person to complete the communication. Three (3) council persons should handle anything that comes up rather than one (1) person. Communication is the problem. If a person sees one (1) side and does not know the other side, how can you form a good judgment of opinion. No one can judge anyone because they do not know what the other person thinks. This city is a professional place and we must respect that. Council must pull together and stay together. Ms. Leger thanked everyone present for their interest and suggestions. She stated that there is nothing that cannot be worked out. Two (2) and three (3) heads are better than one.

Mr. Hebert said that information was important to communication. Ms. Leger agreed. She said get the information out, fight it out and do it. Council members may disagree, but there is always a solution. Ms. Hebert stated as a former council member, three fourths of time she did not know what was going on. She was left out of the picture and her opinion did not matter. She felt she was not a necessary member of the council.

Mr. Hignett warned the Mayor of the Open Meetings Act. A quorum is illegal. Phone calls are dangerous. The call that starts with the first council member will not be the same when it reaches the seventh member. The same letter to all council members is the best way to get the same information to each person. He stated he was very angry with council two (2) years ago concerning the BOMUD election. The information was given by telephone before the meeting. Council came to the meeting with their minds made up. That was wrong and illegal. Council must come to meetings with open minds. Make your choice individually, not based on what the Mayor wants.

Mr. La Rousse stated he had told every council to vote for what was best for the city, not what another person, or another group wanted.

Ms. Barbosa said she realized council members were volunteers. Council members are to help the community. Council works for Bevil Oaks. If you cannot do the job, we need to find someone who can. Mr. Bryant repeated his statement from the last meeting. Seven people were elected to represent the city. Six vote on all matters. No one person can run this community.

Mr. La Rousse asked the Mayor what was being done about the position of Emergency Manager Coordinator that council vote Ms. Roberts to fill. Ms. Galloway replied she would not signed off on any paperwork. She said she had spoken with the Regional Planning Commission, Jefferson County, FEMA and the State. She felt it was in the best interest of the city that she remains in that position. Mr. La Rousse countered with the fact that the council had voted for Ms. Roberts to be Bevil Oaks's Emergency Manager. The Mayor said she knew what was best for the city. Mr. La Rousse said council had voted and that council had the best interests for the city. The Mayor stated she would not sign off.

Ms. Hebert stated she was on the council when the city took in the pool. She was told we would apply for a grant, and it would be relatively easy to attain one this year. It did not happen. She doubted she would have voted for the pool since a grant was not applied for. Mr. Friloux said when the pool issue was voted on, council would get a grant. Mr. Cearley remarked the city couldn't run the pool by the general fund. The pool must stand on its own. Ms. Hebert agreed. More money was spent on the pool than brought in.

Council discussed fundraisers to generate some revenue and the possibility to grow.

Ms. Hebert suggested stating in the next newsletter franchise fees are decreasing and our funds are decreasing. The citizens must be informed.

Mr. Cooley told council and citizens Entergy franchise fee is our largest revenue. With deregulation, we will have big problems.

Ms. Roberts discussed the FEMA reimbursements. She acknowledged the Mayor's great work during tropical storm Allison. She shared an unsettling experience while at work at Vautrot's Restaurant. She said the incident was either a threat or a warning. She did not name the two (2) people who approached her about the FEMA reimbursement. She was told it was in her best interest not to pursue it. The FEMA reimbursement is \$2415.54 total. She was told repeatedly, it was not in her best interest to pursue it. She asked why and was given no answer. The two (2) people again repeatedly said it would not be in her best interest to pursue this. Ms. Roberts took this as a threat and called the Sheriff's Department. She did not name names. The department told her to be careful but they did not see this as a threat. She spoke with her employer in Winnie, Texas, who works for a judge. The employer did see this as a threat and advised Ms. Roberts to be very careful and discuss this in the council meeting. In an open meeting, it would become part of the record, in case something does happen. She concluded that she was not likely to do anything that would place her in jail, she also stated she was the biggest chicken around and abided the laws.

Ms. Roberts discussed the FEMA reimbursements with the Sheriff's Department. She was told it was a misappropriation of funds not fraud. Rick Patterson, State Emergency Management Coordinator, said the State would not go after the money, because of the amount. He also stated the city was well within their rights to do so, however council seen fit to get the money back. Ms. Roberts was asked to clarify the reimbursement issue.

After tropical storm Allison, Kenny Kidd, Emergency Management Coordinator, Brenda Kidd and Mayor Galloway received FEMA reimbursement for volunteering, which was written from the city's general bank account. This is illegal. The totals were as the following: Mayor received \$765.00, Kenny Kidd \$417.42, and Brenda Kidd \$433.12.

According to FEMA publication Public Assistance Policy Digest state donated resources, which include: volunteer labor, donated equipment and donated materials. This money is eligible to offset State and local portions of the cost share for emergency work. Also, donated resources must apply to actual, eligible work such as: debris removal, or the filling and placing of sand bags. The city may not pay volunteers for their time or what they donated, which is what happened. The total amount of \$2415.54 should rightfully return with interest to the city's funds because it is city money.

Ms Roberts said she had a big problem with being threatened and she does not want to go to jail. She wanted everyone to understand she would not commit any action that is illegal and result in an arrest and/or jail time. She is well aware of what could be done to set her up. This concerns her. She wanted this out in the meeting and to go on record exactly what she had said. This threat might be nothing more than to ensure the city remained out of the media. Ms. Roberts she said did not want Bevil Oaks in the news either.

What does bother her is this money was taken and yet Erin wants to remain Emergency Management Coordinator. During Tropical Storm Allison, Mayor Galloway appointed Kenny Kidd Emergency Management Coordinator. Mr. Kidd should have known volunteer hours are not paid or reimbursed. Erin should have known this. Neither one knew this apparently. Ms. Roberts was not accusing anyone of anything, but does not want to see anything happen like this again. \$2415.54 plus interest adds up to quite a bit. This money was released to the Mayor when Kenny Kid was Emergency Manager Coordinator, whom she appointed. He should have known better. The Mayor should have known better.

Ms. Leger asked why the checks were even cut. Ms. Roberts answered she did not know. The Mayor stated once this was figured out, she would be happy to take care of it. Mr. Cooley asked if the city could get into trouble for this kind of action. Ms. Roberts replied the Rick Patterson, State Emergency Management Coordinator, said we would not get into trouble this time because she brought it to their attention.

Ms. Roberts said if she had not reported it, we might have gotten into trouble. If we had found it and not reported it, the City of Bevil Oaks would have been held liable. Rick Patterson stressed that council had every right to go after the money however we see fit. She stated she would like to make a motion to get the money back. The Mayor responded before a second was made on the motion.

The Mayor said Ms. Roberts brought this up in the last meeting and she (the Mayor) was going to check into it. She spoke with Ben Patterson who was over Rick Patterson at the time she also spoke with Rick. They sat at a table and FEMA filled out all paper work for them. This was not just something we provided information on. She told Rick Patterson if she made a mistake she would need to correct it, clarify it, and find out what we have done. He said what has happened does not violate any federal or state law; it is a internal Bevil Oaks issue and has nothing to do with FEMA either way. He is not sure why Ms. Roberts is pursuing it, but she has the right as a council member to do so. The Mayor said he told her he does not want to get involved in this, because it sounds like a battle with council.

Ms. Roberts said the issue was \$2415.00 plus interest. The council needs to get this money back. The Mayor said Rick Patterson stated these were eligible costs that were verified by FEMA. He said perhaps the reason Ms. Roberts was pursuing this is having to be there for State to make sure Bevil Oaks' cost were as high as they could be in case we got the 401 reimbursement from State. The Mayor said the reason we did not get the 401 reimbursements from the State was the County did not apply for it. That is the only reason we did not get the 25% match. No policy or procedures would indicate there was any wrongdoing and the credit had been given to the City of Bevil Oaks based on loses and the payment responded to the City of Bevil Oaks. We made it through the FEMA audit, with everything approved and hours were verified by FEMA, Kenny and Brenda Kidd, the Mayor, Leigh Carrico, and she believes Tom Cooley and Jane Hebert were listed. All those hours coming to us, and it was our choice whether to take the money or not. Ms. Roberts replied that Mr. Patterson did not explain it that way to her in the letter he wrote and signed.

Mr. Bryant stated he volunteered 14 hours doing various tasks and he was not asked how many hours he volunteered. He was not asked if he wanted his money back. When he took the office on the water board, he promised not to take any money for anything he did for BOMUD or the city. If he took any money, he would be in trouble with the federal government.

The Mayor said as she stated in the last meeting, if it came to where she had done something wrong, she would agree to reimburse it. She stated she donated seven (7) twenty-four (24) days that were not consistent of full work that she donated in the office. Some of the days were twenty-four (24), one day she did go to the Houston FEMA office, days she was missing from work. It was not general mayoral duty. Mr. Friloux stated he had several thousands of dollars of electronics that he donated to the city. Ms. Leger said she donated her share also. The Mayor said this was something FEMA said she was entitled to take. Mr. Friloux said no one should be paid for volunteering. In addition, Mr. Friloux said he had volunteered hours repairing electronics and he had done building maintenance and repairs. He did not expect to be paid. Mr. Hebert asked the Mayor if she received any money for those two jobs. She said she did not get paid for Emergency Management Coordinator or as Mayor. During Tropical Storm Allison she was compensated for the volunteer hours from FEMA. Mr. Hebert asked what rate she was paid by FEMA. She said about \$7.00 or \$8.00 per hour. Mr. La Rousse asked her if she was including him or Mr. Cooley in volunteer hours because he had not done any volunteer hours during Allison.

Mr. Cooley stated Ms. Roberts did indeed receive a letter from Rick Patterson. He asked the Mayor if she had received a letter from Mr. Patterson. She said no, but she could get one. Mr. Cooley said he want to see it and Ms. Roberts said she also wanted to see it. Mr. Friloux asked to see both letters. The Mayor stated FEMA gave \$1020.00 for her volunteer hours. She only took 75%; she did not take the full amount. Ms. Roberts responded the problem is it is volunteer hours. The money is for the city not the volunteer. The Mayor disagreed.

Mr. Bryant said the fact is volunteer hours are given freely and voluntarily. There is no payment for such work to an individual.

Mr. Cooley stated FEMA is a federal government entity. We must follow their guidelines to the letter, walk a straight line to keep our flood insurance. We have complied with new construction at 31 feet above mean sea level. There is a lot of red tape involved and we must be very careful. The flood insurance could be jerked away.

The Mayor said she did not want to jeopardize Bevil Oaks. She checked with Karen Phillips when she came to do the audit and with Mr. Patterson. She said she would get a letter from him and make copies for council. Mr. Friloux said perhaps he should step away from the table, because he was giving a personal opinion. He stated it took a sick individual to hurt from a woman or a child and it takes a sick individual to take money for volunteer work. That is something you do purely out of your heart. Ms. Barbosa said the Mayor took money for volunteer hours and it was wrong.

Mr. Hebert addressed the Mayor about working 24 hours 7 days. She replied that was the total number of days. After reviewing both letters from Mr. Patterson, if he transfers his opinion, the Mayor will reimburse the city.

Ms. Roberts continued with the motion she had already made, for reimbursement to the city for FEMA volunteer hours.

**M/M/2/C: To Request The FEMA Volunteer Money To Be Returned To The City  
Roberts/La Rousse**

Mr. Bryant asked why wasn't it announced to the people that they would get paid for volunteered hours. No one knew about it until it came up here.

Ms. Leger asked how the checks were cut from FEMA. Ms. Roberts said the money wasn't cut from FEMA; they were cut from the Bevil Oaks account.

Mr. Stevenson said most all problems of the city stem from money. He suggested discussing accounts payable item by item. If a check was cut to Erin or Kenny Kidd and it not approved by the council, then council should ask why the check was written and get the money back.

Ms. Leger spoke of communication with Mr. Flatten our new city attorney. Needed are agendas, minutes, city charter, etc, to set up a file for him. Mr. Bryant concerned about the cost would be for this file. Mr. Friloux suggested two (2) council members to be contact people for legal matters. This will be discussed later.

**M/M/2/C: To adjourn meeting.  
La Rousse/ Cearley**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**REGULAR MEETING CITY OF BEVIL OAKS  
OCTOBER 21, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway,  
Tommy La Rousse, Anna Beth Leger, Kim Roberts

Mayor Galloway declared after speaking with several council members, the meeting would continue. The notice on Sweetgum at Highway 105 had fallen down. There was a poster board with information about the meeting. The notice was labeled "Notice Of A Regular Meeting" but the opening paragraph stated it was a "Special Meeting". Mr. Friloux stated this was a type-o. Mr. Cooley agreed. The notice did state "I, the understand authority, do certify that the above Notice Of A Regular Meeting, etc, with the city secretary's signature. The notice was in place in the civic center and in the enclosed message board outside city hall. In the future the notice at Sweetgum and Highway 105 will stapled into the message board.

**M/M/2/C: To Approve Marshal's Report.**  
**Friloux/Roberts**

**M/M/2/C: To Approve Minutes.**  
**Leger/La Rousse**

**M/M/2/C: To Approve Financial Report.**  
**Friloux/La Rousse**

Ms. Howard stated two (2) checks were written from the general account for culverts and road materials that should have been written on the road use account. The amount was \$6320.00. This money will be deposited into the general account. Ms. Roberts reminded her the Merrill Lynch money that was left over was to be redeposited into that account. Ms. Howard said the City must tighten its belt and be very cautious with money.

Mr. Friloux thanked both Ms. Howard and Ms. Bryant for their work on the city books.

The Mayor asked the city attorney review the BISD land lease agreement. He had several suggestions to alter the contract. The definitions of "landlord" and "tenant" need to be refined to "landlord" as trustees of BISD and "tenant" as Bevil Oaks City Council. The land must be included in the TML coverage. Any contractor for work on this land must provide liability insurance acceptable to the landlord. There is a "termination clause" providing BISD the right to adopt a resolution and terminate the contract within six (6) months. The agreement does not provide the same for Bevil Oaks. A clause with a six (6) provision for termination for Bevil Oaks must be included.

**M/M/2/C: For The Mayor To Make The Changes To The BISD terms.**  
**Roberts/Leger**

Rick Thomas spoke with council to chair a committee to continue with improvements the ball park and adjacent land. Mr. Thomas will work with volunteers. The committee will gather ideas and bring them to council. Trees may be cut and sold with BISD's approval (trees, debris, underbrush, etc.)

**M/M/2/C: To Form A Committee And Bring Information To Council.**  
**La Rousse/Roberts**

**Roads And Drainage:** The Mayor addressed water crossing Sweetgum after heavy rains. Culverts are clogged and more culverts might be needed. She put in a work order to correct the grade on both sides of Sweetgum. DD6 will begin work on the Cammack property soon. There is an erosion problem in the city. Herbicides kill plants and cause soil to erode. The Marshal said there is a problem by the Bounds' rent house. A good grade with a big ditch and cleaning around the culverts, continue down both sides of Moss Hill, River Bend and to the Blvd. The area behind the BOMUD office is also a problem area.

Mr. Bryant said ditches along Sweetgum needed to be cleaned out. Chimney Rock does not drain. Mayor Galloway asked residents to note problem areas and call the city office and Jim Broussard will be called. Jefferson County is facing a financial short fall. Crews may not be sent out, herbicides may be used until the budget is improved. Mr. Friloux stressed citizens must clean their culverts or have neighbors help them. Citizens were also asked to note and call in areas where street signs were needed. We are all taxpayers and need and deserve this to be corrected. The Mayor reminded the Marshal of street light inventory.

**Building Permits:** Mr. Cooley presented the building permits. One (1) applicant is at Vautrot's Park, the other is a mobile home on 13570 Highway 105 changed the ownership name.

**M/M/2/C: To Approve Permits.  
Cooley/Friloux**

Ms. Leger addressed a policy to contact the city attorney.

Mr. Friloux discussed concern for building security. A safe has been purchased to house all financial information. Previous council members have not returned office keys to the city. He spoke of a recent incident when Ms. Howard, Ms. Leger and Ms. Bryant were working on the books. A former council member popped their head in, turned around and left. Mr. Friloux offered to install a new lock set for the inner door.

Mr. Bryant suggested a metal door to replace the current inner office door and to buy a good quality lock set.

Mr. Kidd asked to comment before council voted. He stated while on council, he had changed the lock on the double door leading to the parking lot. He returned his inner door key when he retired from council. He further stated a comment was made that a former council member came into a meeting and left. He said came into a meeting recently around 11:00 PM and left. He did not know if that was where this was going. When he entered, the double door was unlocked, and it has been staying unlocked.

Ms. Kidd said when he looked in here, they were not in the office, and they were in the civic center.

Mr. Friloux asked Ms. Kidd, who said anything about her. Ms. Kidd responded she was with Mr. Kidd when he looked inside. The women were not in the office; they were in the civic center. Mr. Friloux stated he was not given any one person's name, just that a former council member had opened the door (one of the double doors), looked inside and left. The issue was not who came in but security.

**M/M/2/C: To Secure The Inner Door Of The City Office And The Key Pad For The Double Doors.  
Friloux/Roberts**

Mr. La Rousse stated the new safe only had two (2) keys.

**M/M/2/C: The Two (2) Safe Keys Be Kept By Mr. Friloux And The City Secretary.**

**La Rousse/Cooley**

**M/M/2/C: A Petty Cash Of \$50.00 Be Kept In The Safe With A Receipt Report Presented At The Council Meetings.**

**La Rousse/Leger**

Mayor Galloway said an emergency light had been purchased in February 2002 that needed to be installed. Mr. Cooley said he would install it on the wall near the closet.

**Expenditures:** Mayor Galloway remarked that Entergy was charging tax on the pool account. Research must be done on this. The city secretary will contact Sam Bethea's office.

SETRPC	\$ 236.02
TML	\$4968.34
Jerry King (Marshal's Gas)	\$ 113.37

**M/M/2/C: To Approve Payment With The Exception Of Partnership Of S.E.Texas.  
Leger/Friloux**

**Fundraisers:** Ms. Leger suggested a holiday hayride on weekends. Mr. La Rousse stated in the past there was a Christmas decoration contest. Judges were from outside of Bevil Oaks. Mr. Cearley said the block of the month would begin in the spring. Families may rent out new baby flags. Fundraisers will be put in the newsletter. Ms. Howard said the Pet Vaccination Clinic was a big success. Selling sodas and cookies would help raise money. All Of God's Creatures, headed up by Valerie Cooley, made over \$600.00. A gumbo or chili cook off was recommended.

Mr. Cooley said the city can pull together. The Fire Department, the Church, the city and many volunteers made the clinic possible. When we work together it is great.

**Bookkeeper:** Ms. Leger presented Geraldine Diaz's resume. Mr. Cooley asked what Ms. Diaz's fee. Ms. Leger stated she charges \$15.00 per hour for at least over two (2) to three (3) hours. If only two (2) or three (3) hours the fee would be \$20.00 per hour. Ms. Leger and Ms. Galloway had discussed this and thought \$50.00 to \$60.00 per week. For the first couple of weeks, she would probably need five (5) hours. After that, it would not take as many hours. If we paid Ms. Diaz a straight fee, she was comfortable with it would even out.

Ms. Kidd asked if Ms. Diaz had worked for the Texas Comptroller's Office. Ms. Leger said yes and that Ms. Diaz was a Quick Books genius. A citizen asked why we need a bookkeeper. Ms. Howard said the cost was inexpensive. There are several accounts, employee taxes, IRS TWF. The city is non-profit and has special requirements.

Ms. Leger stated she had called several people for the position. Ms. Diaz was the only one interested. Mayor Galloway said if she does not work out, it is not set in stone.

Mr. Bryant asked if council had interviewed Ms. Diaz. Ms. Leger told Ms. Diaz, if hired, she could attend a meeting, meet council and answer questions. Mr. Cooley said he wanted to give Ms. Diaz a try. Ms. Bryant and Ms. Howard spent many hours getting the books up to date. He did not want the books to get behind. A resident asked if she was a relative or friend of anyone on council. Council stated they had not met Ms. Diaz, nor were there any relationships.

**M/M/2.C: To Hire Ms. Diaz Pending Positive Reference Check, And Absorption Of Penalties.  
Friloux/La Rousse**

Mr. Cearley and Ms. Roberts voted nay. Mr. Cearley stated a formal interview was very important.

**M/M/2/C: To Conduct A Background Check On Ms. Diaz.  
Friloux/La Rousse**

**M/M/2/C: To Request A Formal Interview Prior To Employment.  
Cearley/Roberts**



**Waste Collection:** Ralph Massey formerly of Wastech addressed council and citizens. The business was sold to IESI and he is now employed by this company and is the city's service representative. He apologized the letter explaining the business transaction was not mailed with the billing. Customers may reach IESI at 899-3008 as well as the Kountze telephone number.

Mr. Cooley asked Mr. Massey when the city would receive the franchise fee check (quarterly). Mr. Massey will check with his office.

Ms. Roberts announced the flu clinic at the Civic Center Tuesday, October 28 from 10:00 AM – 12:00 PM. The cost is \$10.00 cash only. The vaccine is provided through Jefferson County Health And Welfare. The health department will be contacted for a 5:00 PM – 7:00 PM clinic in September.

Ms. Roberts said Dr. Schneider will schedule a horse vaccination clinic for March 2004. This will offer another service to the area and help the vet with his busy schedule. It will be promoted like the pet clinic. The location will not be at the church.

**Mitigation Coordinator:** Mayor Galloway said she spoke with SETRPC and FEMA. There was no paper work to be filled out, just the announcement during the meeting. Kim Roberts was formally appointed to this position.

**Newsletter:** The letter will go out as soon as possible. Ms. Howard suggested the community gathering items for a family and needs to be publicized.

Mr. Bryant spoke to council and citizens.

Sherry Adams spoke of unkempt property in the city and stated something must be done.

Mr. Cearley thanked Mr. La Rouse for expediting the agreement with Mr. Hall for the Bevil Oaks sign. The Community Development Committee will be non-profit. At the completion of the planning a formal proposal will be presented to the city. Because of lengthy time involved in grant writing, the committee had chosen to seek donations concentrate on fundraisers. All members have lived in Bevil Oaks for less than five (5) years. Mr. Cearley stated he was amazed that long time citizens are not interested. He thanked Mr. and Mrs. Hebert and Mr. and Mrs. Bryant for their commitment. Approximately twenty-five (25) questionnaires were returned. All were complaints without any solutions or offer of help. Mr. Cearley said these had no merit.

Mr. Cearley said there were six (6) residents involved in the committee. After the completion of plans, he hopes not to hear complaints. All citizens have been asked to participate.

Mr. Merindino asked if the road use account could be used for the sign. Mr. Friloux explained the sign was not a road or drainage issue.

Mr. Cearley noted there would be an unveiling ceremony in 2004.

Mr. Kidd stated he was not at the last meeting but some things had come to his attention. He stated he had attended two (2) meetings since leaving the council. He felt they had worked together as a team. With this council, he has felt disharmony. He has not received answers he had asked for while he was in emergency management. He said agenda items that were approved while he was on council had not been addressed.

He said the information presented was incorrect in many areas. Mr. Kidd said Mr. Cooley was present at the FEMA meeting. The representatives drew up the paper work on how they would proceed after Tropical Storm Allison. He thought the rate for volunteer hours was \$7.50 per hour. He only accepted money for one-third of the time he volunteered. He recalled being in Austin for one (1) week. After September 11, 2001, the focus changed from the bayou to security. He said he it was unusual to be the only one present at emergency management meetings not paid. He felt there were misconceptions and loose interpretations of last month's minutes. The tone was low and he did not hear the minutes approved. He said he was not on the council but he could not stand to see the minutes as written up be put forth.

Mr. Hebert asked Mr. Kidd if he was present at the last meeting.

Mr. Friloux and Mr. La Rousse said three (3) minutes were up. Mr. Kidd replied that more than three (3) meetings (with written minutes) were held with discussion about him and he was not there.

Mayor Galloway said she appreciated Mr. Kidd's comments. She was in some agreement there were things that needed to be done that had been agreed upon in the past. Council must be consistent with tabled agenda items and see that they are brought forth.

Ms. Adams asked what meeting was Mr. Kidd speaking of not being paid for. The Mayor explained FEMA reimbursed the city for a number of things - culverts, drainage repair, Marshal's vehicle, emergency items that were both personal and belonging to the city and volunteer hours. Some of the hours were for paid employees, which that money went back to the city to reimburse the city for comp time or overtime. There was also money set aside for people who were not paid employees but were considered as volunteer.

Ms Galloway said she had spoken with FEMA, and the CPA. The CPA considered this as not misappropriation of funds. She quoted the CPA as saying; the term volunteer is a reference of someone who is not employed by the city, who gives his or her time above and beyond normal work hours. According to FEMA, the volunteer time was when volunteers should have been doing their work somewhere else. She felt Ms. Roberts concern was she (the Mayor, Mr. and Mrs. Kidd) were being paid for volunteer hours and that the money should be donated to the city because they were volunteers. They were paid for their time taken from pursuing their jobs.

Mr. Hebert asked the Mayor about the oath taken when she was sworn in. He asked if she swore she would not take money. Ms. Galloway answered she did not take money for volunteer hours. She received money as the FEMA coordinator during something that was above and beyond her mayoral duties. Mr. Hebert asked if she and Mr. and Mrs. Kidd were the only people who knew of this money. Mr. Bryant named the various jobs he had preformed for B.O.M.U.D. without consideration of money. It had to be done and he did not receive any funds. Mr. Kidd stated B.O.M.U.D. was invite to go to the FEMA meeting to sign up.

Mr. Bryant stated Ms. Roberts had a letter saying these payments were illegal. The Mayor disagreed. Ms. Roberts stated FEMA reimburses the city 75% and all volunteer hour were to stay within the city to help recoup the 25% we may or may not received from the state. She learned this in a class in April taught by a FEMA representative. She has a letter from Rick Patterson explaining this.

The Mayor stated this happened in 2001. It is over. FEMA and the CPA say this is not a problem. Ms. Roberts said FEMA also said council had the right to get the money and council voted to do so. The Mayor disagreed. She said the letter did not state this. Mr. Bryant reminded council of what he had just addressed. If you cannot play the game, get out. Resign, get off the council and let someone who will work with the council. Ms. Howard stated the Mayor was going through a difficult time the city needed to stand behind her.

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Mr. La Rousse said he had been on the council for thirty-seven (37) years and had missed fewer than five (5) meetings. He stated he had never asked for, expected or would take anything from the city. He recognized Ms. Adams as being on the council for a long period of time. She took on the project of getting cable television in Bevil Oaks. Ms. Adams remarked the cable company offered her free access and she refused. She said she was a citizen and paid like everyone else. Mr. La Rousse stated he had worked on a number of projects and wanted nothing in return. He said it gave him a good feeling in his heart by helping others. Mr. Kidd named the three (3) gun shows he had helped put together as well as other project he had worked on. He said he wanted to see the city grow.

Mayor Galloway said everyone present wanted the best for Bevil Oaks. She mentioned Mr. Hall, Ms. Adams and Mr. La Rousse for their years of service. She hoped the council would come to an agreement to move forward. The CPA said everything was fine. This does not need to be revisited and rehashed. This is not a point of contention. Ms. Howard recommended adopting a policy of the city. This would clear up any questions for the future. Ms. Galloway said this could not be done tonight, as it was not on the agenda. She would add it to November's agenda.

Mr. Cooley stated he was here to take papers to and from city hall and Jefferson County emergency management. He volunteered to do this. The paperwork was needed to get the resources and assistance that was needed. He recognized other council members work during 2001. The council had an obligation to say we found a problem. It was wrong and we have to address it. He asked to see the letter stating the funds taken was legal. A councilperson does give their time; it varies from person to person. Council voted to recover the money so this situation would not happen again. He recognized the Mayor and Mr. Kidd's work. Mr. Cooley stated he was on the council because of what had occurred in the 1994. Ms. Galloway did a very good job in 2001.

Mr. Cooley told the council he wanted to see both letters as soon as possible and for a decision to be made. Mayor Galloway said she would put that on the next agenda.

The Marshal stated he would like to see the council, fire department and B.O.M.U.D to work together and then progress would be made.

**M/M/2/C: To adjourn meeting.  
La Rousse/ Cooley**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

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**SPECIAL MEETING  
CITY COUNCIL OF THE CITY OF BEVIL OAKS  
NOVEMBER 4, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley (late), Tom Cooley, Pete Friloux (late), Erin Galloway, Tommy La Rouse, Anna Beth Leger, Kim Roberts

Accounts Payable were discussed.

Reimbursement of \$50.00 for civic center deposit for civic center rental to Judy Callesto. Ms. Callesto wrote one (1) check \$50.00 for deposit and \$50.00 for rental. The usual procedure is to write two (2) checks one (1) check rental and an additional check held as a deposit.

Payment to John Steve Epps, CPA for \$2,000.00 for audit work.

Payment to Home Depot \$5.97 charged by Mr. Friloux to repair the toilet in the men's restroom.

Reimbursement to James Carrico for \$75.00 cell phone and \$10.60 pager. Ms. Roberts stated the Marshal had faxed the front page of the cell phone invoice to city hall. The fax was not legible. Ms. Leger said the cell phone bill was expensive. She said other plans were available. She uses Nextel, which includes a radio and cell phone. All incoming calls are free. Nextel to Nextel radio is also free. She will have the price available for council at the November 18<sup>th</sup> meeting. Mr. Cooley agreed that \$75.00 monthly for a cell phone was too costly. Ms. Leger stated a full invoice must be presented to council to be paid. Invoices are required for all checks written by the City of Bevil Oaks and will be filed. Mayor Galloway expressed concern that the cell phone was a budget item. She suggested council consider payment for this invoice after it is received; and give advance notice that council was seeking a plan with a fair price.

**M/M/2: Pay all bills including the Marshal's cell phone pending receipt of a full invoice.  
Roberts/La Rouse**

A deposit from SBC (phone) was received for the quarterly franchise fee.

Ms. Leger introduced Ms. Geraldine (Geri) Diaz as the new bookkeeper.

The Mayor announced the financial management review by the state comptroller's office was scheduled for September 2004 and was postponed until January 2005. She also noted the editorial section of the Beaumont Enterprise mentioned Bevil Oaks, Jasper, and Beaumont taking the initiative to use this service provided by the comptroller's office.

Mr. Bryant asked if council was to discuss check-writing procedures. Ms. Leger answered that she did have questions. She asked what were the bills that would automatically be paid without four (4) signatures. Mr. La Rouse had in a previous meeting made the motion and it was passed that Entergy, Center Point Entex, office phones, payroll, and emergencies were to be paid automatically.

Ms. Roberts told council she was waiting for a response from Citgo credit services. This would be for the Marshal's gasoline and invoices would be mailed to the city. Mr. La Rousse stated he asked Mr. Carrico to present council with his monthly mileage log. The Marshal responded that it would not exact report because the patrol truck sat idle much of the time. Mr. Cooley remarked leaving the engine on idle increases gas consumption and gasoline prices are very high. Also, he stated idling the motor produced wear and tear on the engine would produce automotive problems. The Marshal's gasoline bill for a city of approximately two (2) miles was much more than his (Mr. Cooley's travel to and from work over 200 miles). A resident mentioned the Marshal's gas bill included trips to Market Basket to buy groceries. Mayor Galloway stated the patrol vehicle should leave the City of Bevil Oaks city limits for business only. Ms. Leger remarked an October 1<sup>st</sup> mileage count should be turned for the beginning of the fiscal year and on September 30<sup>th</sup> for the end of the fiscal year. Mr. Cooley requested the Marshal keep a daily log.

Mr. Bryant requested that Mr. Carrico leave a recording on his answering machine, if this is an emergency call 911. He does not need to state he is not at home.

**M/M/2/C: Ms. Diaz to begin bookkeeping this Friday, November 11.**

**Leger/Cooley**

Rick Thomas presented council with a folder containing a grant application. Ms. Galloway read the letter she wrote, and signed by Mr. Thomas and the Mayor. The copies of the letter will be available in the city office. The accountability of the money is stringent. The ballpark account should be completely separate Mr. Thomas suggested trees be cleared near the pool; all other clearing should be debris and undergrowth and a few trees. Entergy will donate poles and lights. B.I.S.D. must review this proposal. Mr. Cearley suggested researching the bank choices. Mr. Thomas asked council to fund the survey and be reimbursed. Ms. Leger and Ms. Roberts will investigate surveyors.

Mr. Cearley discussed Bevil Oaks moving forward. Annexation of Northwest Forest is one (1) possibility. Homeowner association meetings are the 1<sup>st</sup> Tuesday of each month at 7:00 PM.

**M/M/2/C: Ballpark banking account to be kept separate from all other accounts.**

**Roberts/Cooley**

Mr. Friloux discussed the safety of the city council. Incidents have occurred throughout the country where city officials were harassed and physically attacked. Mayor Galloway stated she would inform the Marshal that no one is to walk behind the city council dais.

**M/M/2/C: To adjourn meeting.**

**La Rousse/Leger**

Erin K. Galloway, Mayor

ATTEST:

Tom Cooley, Mayor Pro-Tem

**REGULAR MEETING CITY OF BEVIL OAKS  
NOVEMBER 18, 2003**

Mayor Erin Galloway called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway,  
Tommy La Rousse, Anna Beth Leger, Kim Roberts

Mr. Cearley introduced two (2) new residents Sgt. A.J. Anjenan and Rev. Larry Lindsey of First Baptist Church of Bevil Oaks.

Ms. Leger noted an amendment was needed of the minutes of October 21st. On page 2, the paragraph beginning with "Mr. Friloux discussed concern for building security. A safe has been purchased to house all financial information. Previous council members have not returned office keys to the city. He spoke of a recent incident when Ms. Howard, Ms. Leger and Ms. Bryant were working on the books." Ms. Leger stated it should read Ms. Hebert not Ms. Leger.

**M/M/2/C: To Approve Minutes of October 21st As Amended And Minutes Of November 4<sup>th</sup>.  
Cooley/La Rousse**

Mr. Kidd asked for copies of minutes of both minutes. Mr. Friloux said once minutes were approved, copies would be made available to the public.

Ms. Hebert asked Marshal Carrico what was the outcome of the young woman who threw out trash. The Marshal replied she was a senior in high school and was now riding the school bus rather than driving her car.

**M/M/2/C: To Approve The Marshal's Report.  
Friloux/La Rousse**

Mayor Galloway stated the Merrill Lynch account reflected the credit or deposit of unused funds from a withdrawal. It was not to be looked upon as income. Mr. Hebert asked about check 2562. It was for South East Texas Regional Planning annual dues. Mr. Bryant asked if check 2553 to the IRS for \$54.36 included any penalties or fees were included. The Mayor said it was a regular payment. Mr. Bryant stated the city was late on one (1) payment. Mr. Cooley had spoken with the bookkeeper. She had suggested getting up to date on payments and then she would contact the IRS about the payment in question. Mr. Bryant asked if there was penalties and interest. Mr. Cooley said there were.

**M/M/2/C: To Approve The Financial Report.  
La Rousse/Cooley**

Mayor Galloway announced the audit was not ready. It was an agenda item in case the C.P.A. called after the posting deadline. Mr. Cooley stated they were waiting for bank confirmations.

**M/M/2/C: To Table The Financial Audit  
Friloux/Roberts**

Mr. Friloux addressed the letter from the Marshal. He suggested obtaining a City cell phone and pager.

**M/M/2/C: To Provide Prices For a City Cell Phone And Pager For The Marshal And To Have A  
Decision On This By The Next Meeting.  
Friloux/La Rousse**

The Marshal asked for Council to seriously consider an analog phone. He had one and suggested having the service reconnected. This phone had worked well in Bevil Oaks. He asked about payment for the past two (2) months for the cell phone and pager.

**M/M/2/C: To Pay Marshal's Cell Phone/Pager \$170.18 (two months), Gasoline \$42.00, Office Max \$666.89, Also Quality Concrete \$3935.40 (Roads/Drainage Account For Toups Project) Roberts/Leger**

**Roads And Drainage:** Water was standing near Jerome Booker's home. The Marshal stated the water does not go anywhere – it trickles. If we had open culverts everywhere in Bevil Oaks, the problem would be greatly reduced. Inwood Road by Mr. Showers' home is not in good shape. Our cross ditches are in fairly good shape with the exception of the vegetation. The regular ditches desperately need attention. Ms. Hebert said the debris was a major problem. Mr. Friloux stated when he moved into Bevil Oaks three (3) years ago, there was good drainage. Now there is a low spot in one ditch by his home. With a slight amount of rain, the water stands and does not drain. He put in a work order to the County. During Tropical Storm Allison, the water flowed even with great amounts of rainfall. The Marshal stated one (1) problem was residents telling the County work crew not to clean their ditches because it becomes more difficult to mow.

Mr. Lindsey who lives at 6060 Sweetgum had six (6) inches of rainwater come into his yard after a big rain. Jerome Booker, who lives across the street on the west side of Sweetgum, was nearly flooded. He spoke with Doug Canant of DD6. Mr. Canant said all culverts on the east side of Sweetgum Road needed to be enlarged. The pipes we have now are too small and were clogged up. Water was coming from the Vautrot's Trailer Park area to his home and along Sweetgum. The water had no place to go and did flow across Sweetgum. Mr. Lindsey stated his home would flood and something must be done soon. The Mayor replied that she had sent a work order to Pct. 1 after she had first spoken with him. She encouraged all residents and voters to call Commissioner Cokinos' office with concerns and to state the Mayor has signed off on work orders and nothing had been done. Mr. Lindsey said he had a deep ditch and did not enjoy mowing it, but the ditch was considered not a homeowners property. Pct. 1 and DD6 should take the authority to do their job.

Mr. Smith agreed with the Mayor, and said residents calling Mr. Cokinos would go a long way toward getting work done. Mr. La Rouse said Jefferson County was focused on the entertainment complex. Mr. Carrico mentioned the large square culverts put into the Toups project on Sweetgum was a hazard to children. DD6 was to have taken the ditch further out into the lowlands.

Mr. Smith asked if there was \$85,000 in the roads and drainage account. The road use fee was set for a five (5) year plan only. All roads and drainage work should have been complete. The fee is now in its eighth year. Ms. Galloway stated the entertainment complex was preventing work. Mr. Smith asked how long the road use fee would continue. Mayor Galloway this would an agenda item for the December meeting.

**Building Permits:** None

**FEMA Volunteer Money Reimbursement:** Mr. Cooley voiced his concern for the amount of money spent in attorney fees and how much money would be recovered. Mr. Bryant asked what the government said about this. Mr. Cooley said he did not know. Mr. Bryant stated the letter said we should get all of the money back. The Mayor disagreed. Mr. Bryant said no letter stating the opposite had been produced. Ms. Kidd asked Ms. Roberts if she had her letter with her. Ms. Roberts said she did not. She replied that the letter stated volunteer money was to be used for filling sand bags, etc; ... Mr. Bryant said he understood the money was taken under different pretenses, which it must be paid back. Ms. Galloway said that was not the case. The city attorney had spoken with FEMA and there was no wrongdoing. Mr. Bryant asked why she had not produced the letter she had said would prove she was rightfully due this money. The Mayor said she thought this issue was a done deal and that the audit would show there was no wrongdoing.

Mr. Bryant stated the federal government did not do the audit. Officials take an oath and swear as a volunteer not to take money or reimbursements with the exception of personal items. Ms. Galloway asked if he would accept a letter from Rick Patterson saying there was no wrongdoing. Mr. Bryant said he would. The Mayor said she would get a letter from Mr. Patterson by the end of the week.

Mr. Smith asked the Mayor what she had done to receive this money. Ms. Galloway said the hours were classified as volunteer because they could not be classified as an employee as the City did not employ her. The hours were above and beyond mayoral duties devoted to Tropical Storm Allison. Mr. Smith asked specifically what she had done. The Mayor responded being at City Hall, filling out paperwork, traveling to Houston to meet with FEMA. Mr. Bryant said the Mayor first said the payment was for lost time from her job. The Mayor agreed. Mr. Smith asked who else was paid. Ms. Galloway replied Kenny Kidd, Brenda Kidd, Marshal Carrico and Deborah Richey-Galler.

Mayor Galloway was asked what type of paper work was involved. She said current damage, damage from the past and a thick packet of questions. Mr. Smith said the Mayor was entitled to lost time from work, which would require documentation from her employer. There is no duty above and beyond mayoral duties. When you take the oath, you are Mayor twenty-four hours a day, seven days a week, just as the Marshal is the Marshal twenty-four hours a day, seven days a week. There should be strict documentation for time away from work. Volunteer was exactly what it was, a volunteer. This was a real problem.

Ms. Adams stated her husband Ronnie, Mr. Gundolf and the Fire Department stayed around the clock for days during the 1994 flood. They did not receive any money. It was all volunteer. Mr. Friloux said he could not see being paid for volunteer work, but if volunteers were to be paid, it should be distributed equally. Mr. Smith stated there was criteria to be met. To clarify this, thorough documentation, letters, etc, should be available to prove entitlement to this money. This was playing with the federal money and was a class C felony. Mr. Bryant stated the Mayor said the money was given to the City and they were told to take the money out. Mr. Smith said the money was to go into the City coffers and only be taken out for certain things. Mr. Grimes asked if the three (3) individuals who received money were the only volunteers. The Mayor said yes the three (3) were the only ones serving at the time, not employed by the City.

Mr. Kidd said the term "volunteer" was continuing to be used. He told some people the previous Friday, the answers to questions were in the office with the exception of the letter from Mr. Patterson, which he had requested numerous times. If the letter was brought up in a meeting of this Council, it was to be in the office. He had been promised for over a month for a copy and had yet to receive it. He further stated, the City had books in the office, someone has recently brought some and he brought some when he was on the Council. The books explain this was not volunteer work. The volunteer term got thrown in someplace. This was for a declared emergency disaster. This was grant money that the City would not have received if the City had not gone to the kick off meeting at Commissioner's Court with FEMA, State and local officials. The City signed the paper work; FEMA came out, looked at the sites and the list. They offered to do the paperwork for us. There were audited two (2) to three (3) times throughout the procedure. This was a Presidential Decree under the Stafford Act. It was not volunteer per se hours.

Ms. Hebert said a letter from FEMA stating the money was used properly would clear this issue up. The Mayor said she would contact Mr. Patterson and try to reach Karen Phillips, a FEMA auditor. Ms. Hebert stated this had dragged on for three (3) months, the City needed proof and to move on. Mr. Kidd showed the Mayor a document he said had the answer. Mr. Friloux asked Mr. Kidd to move from behind Council seats and stand in front. Ms. Galloway said she had spoken with the attorney that morning and the information would need to be read at the meeting and into the minutes. Mr. La Rousse said he felt left out. He had been on the Council for over thirty (30) years, rarely missed a meeting and had never asked for anything.



Mr. Bryant said he wanted Ms. Howard and Ms. Bryant paid for one hundred (100) hours. They got the City out of a bind. They did book work for the audit that should have been done when the Mayor was keeping the books.

**Solid Waste Franchise Fees:** Mr. Cooley stated the City had not received payment from Wastech before the business was sold to IESI. He questioned if the liabilities were bought when the company was sold. There is no contract with the new owners. The Marshal spoke with Ralph Massy the owner of Wastech. He is now employed as a representative for IESI and he said the liabilities were assumed when the company was sold. Ms. Leger had previously requested a letter from IESI to be sent to Bevil Oaks customers explaining the situation. Residents had received billing statements without any description of garbage collection services. The Mayor will contact Ralph or IESI in writing by certified mail. Ms. Howard asked how Wastech could sell their Bevil Oaks service without an agreement with the City. Ms. Galloway said it was in the contract. She also stated the contract should be rewritten.

Mr. Smith asked if the City realized the huge liability of a ballpark and the large amount of money needed. Ms. Roberts said Mr. Thomas was receiving corporate donations and working on grant applications. Ms. Howard suggested allowing Mr. Thomas to continue with his plan and see what the results were. This would be great for our children. Ms. Leger reminded everyone Mr. Thomas stated in the last meeting he was working with corporate contacts. Ms. Hebert said the location was perfect, there would be no liability to the City and it would be covered by TML.

**Swimming Pool:** Mr. Friloux stated he and Ms. Roberts were appointed to manage the pool. Chemicals were needed and repairs were needed on the filters. He asked Council to approve this. The cost should be \$285.42

Mr. Cearley asked if this would be a monthly cost. Mr. Friloux said Council needed to set a budget for chemicals. Filters and o-rings are changed on an average of fifth teen (15) years. Mr. Bryant asked if Mr. Lipscomb was still maintaining the pool. Mr. Friloux said that was correct. Mr. Lipscomb needed these parts to vacuum the pool. Ms. Hebert asked if there was a complete rundown of what the pool cost the City. Mr. Friloux stated he had payroll figures. He did not have totals on chemicals, treatments, repairs and maintenance. He estimated the cost to be \$2,500 to \$10,000, probably closer to \$10,000.

**M/M/2/C: To Purchase Chemicals And Pay For Repairs to The Filters.  
Friloux/Roberts**

Mr. Friloux stated the volunteer committees of the past had not spent funds on maintenance and repairs. Mr. Cearley said it was absolutely necessary to establish that the pool stood on its own. He was not comfortable with general funds being used to pay for the pool.

**Newsletter:** All entries were needed as soon as possible. Ms. Howard had suggested at a previous meeting collecting canned goods for a needy family. This was being including in the newsletter.

**Civic Center Rental:** Several renters had backed out of renting the Civic Center because champagne could not be used. One family asked for Council to consider allowing them to give a toast to their married daughter at her college graduation dinner party. They considered this a very special occasion. It was planned for a Sunday afternoon. If they cannot be accommodated they would most likely make other plans. Council members have stated security would a must if alcohol is served.

**M/M/2/C: To leave the no alcohol policy to stand.  
Friloux/Cooley**

Ms. Howard said she thought the library was getting out of hand. It was beginning to take over. The newsletter included asking for donations for bookshelves as we had run out of room for books.

## **M/M/2/C: To Table Modification Of Civic Center Rental Contract**

Friloux/Roberts

Mr. Bryant said he had a few questions for the Mayor. He asked if she thought she was doing a good job as Mayor. Ms. Galloway answered yes. He stated the City had been paying penalties and interest to the IRS and Texas Work Force, there was no audit for years, Council wanted an audit from 1999 - 2003, the Mayor wanted an audit for only one (1) year, she had spent money without Council's approval on the swimming pool for \$2,000.00, there were overdraft checks penalties and disconnect notices from Entergy for bills not paid, was not doing a good job. The Mayor said she was not aware of any disconnect notices. Mr. Bryant said this occurred when Ms. Galloway was keeping the books. Ms. Galloway said notices were received because of the way the bills were paid. She also said there were six other people on Council who signed checks. Mr. Bryant stated these things told him the Mayor was not doing a good job. He made a recommendation that in the best interest of the City she resign as Mayor. The Council was trying to work together and the Mayor was not willing to work with them. He said we needed a Mayor who would direct this City in the right direction. He said he had stood before Council several times with suggestions. Mr. Bryant stated Ms. Galloway was not willing to work with Council or citizens. Mr. Bryant said Ms. Galloway needed to resign and let this Council go to work. He said that was all he had to say. The Mayor asked if he wanted a response. Mr. Bryant said no.

Ms. Hebert said she was concerned and asked if \$26,199.14 was the checking account balance. The Mayor said that was correct. Ms. Hebert asked if the money market account balance was \$40,355.35. Ms. Galloway agreed. Ms. Hebert said she came on the Council in May of 2001. There was had a checking account, a money market account, a road user account and a NOW with \$100,481.33. The difference was \$33,906.84 in two and one half years and she stated this disturbed her. The Mayor said last year's income decreased and the City had taken on the pool. Ms. Hebert asked how much was the income decrease. Ms. Galloway estimated \$10,000.

Mr. La Rouse thanked Ms. Roberts for organizing the flu vaccination clinic. He also thanked Mr. Cooley and Ms. Richey-Galler for attending the Summit on November 10<sup>th</sup>. Ms. Howard voiced her concern for the secretary attending this meeting. The secretary's duty was to be in the office to answer to phone. Mr. Cooley stated Ms. Richey-Galler took a vacation day and paid her own way. She had made contacts at the Hurricane Conference that Mr. Cooley needed. She had met Jack Colley, Director of Emergency Management and introduced him to Mr. Cooley. They discussed Bevil Oaks situation - the 1994 flood, the condition of Pine Island Bayou and the negative publicity we have continued to receive. Mr. Colley assured him he would help him. This was a very productive meeting. He also spoke with Tuffy Hamilton who was working on waterways and drainage. Together they could get both areas addressed. He was introduced to other officials. He learned it was important to attend these meetings and keep Bevil Oaks' concerns in the public, with the officials who have influence and authority.

Ms. Howard stated she had talked with Alan Ritter. He told her he had lined up a meeting with the Big Thicket to dredge the bayou and we had dropped the ball. Mr. Cooley said Jack Colley guaranteed something would be done. The more people on our side the better the chances were of positive results. That was why this meeting was so important. Ms. Hebert said Mr. Ritter told her if the committee reconvened, he would meet with them.

Mr. Grimes asked the Mayor what her response was to Mr. Bryant's questions. Ms. Galloway acknowledged there had been problems and she had learned much as Mayor. She said there had been financial problems with the books. It was too difficult to be Mayor and maintain the books. She stated she did not take full responsibility for the downfall of this City. Ms. Galloway said this was a full Council and all bare responsibility to make sure this City stands tall. She saw a positive turn at the last meeting and saw a setback of negativity at this meeting. She stated she would strive for positivity in the future.

Mr. Gundolf told Council he would no longer be Fire Chief after December 1<sup>st</sup>. Mr. La Rouse voiced his appreciation for Mr. Gundolf's years in the Fire Department and his working relationship with the City.

Mr. Smith said there is a major problem with speeding and running of stop signs. His son was in an accident. This problem was not only near his home, but also throughout the City. Council must find a solution before someone is lost. Mr. Bryant stated the school buses had been speeding in the past. Marshal Carrico said he would work on weekends periodically and take Monday and Tuesday off. He would concentrate traffic enforcement.

Mr. Smith said there was \$120,000 when he left the Council. Franchise fees would probably become a thing of the past. The Council must find another answer to run the City. His solution had always been annexation of the land across Highway 105. That land would one day develop. We must act soon or the City of Beaumont would get it. Meeker has no interest in it. Mr. Kidd agreed. Beaumont had only one (1) way to move and it was west.

Mr. Smith said it is important to convey the right message with the media. Council must work to produce a positive image or our property values would decrease. It does not flood here. 1994 had all the right conditions come together to produce a flood. He also cautioned Council on the Open Meetings Act. Being seen together will constitute an illegal meeting.

Mr. Grimes also voiced his concern about speeding and running stop signs. Ms. Hebert said most residents considered flooding and drainage as their greatest concern. Mr. Lindsey stated he would help the city in any possible way. Ms. Howard voiced concern of employees' vacation and holidays. The books do not reflect taking of any time off. The Mayor said she had spoken with the CPA about this. Mr. Friloux said any overtime is comp time. Ms. Howard said it was important for all of the Council to know the guidelines.

**M/M/2/C: To Adjourn The Meeting.**  
**La Rousse/Cooley**

Erin K. Galloway  
Mayor

ATTEST:

Tom Cooley  
Mayor Pro-Tem

**REGULAR MEETING CITY OF BEVIL OAKS  
DECEMBER 16, 2003**

Mayor Pro-Tem Tom Cooley called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux,  
Tommy La Rouse, Anna Beth Leger, Kim Roberts

**Members Absent:** Erin Galloway

Mr. Cooley recognized Lee Langston and his work in the community. A certificate as Citizen of the Year was presented to him. Cindy Chute, the other Citizen of the Year was unable to attend the meeting.

**M/M/2/C: To Begin Meeting With Comments From Council  
Cearley/Friloux**

Mr. Cearley stated there was an unfair characterization of Council during the last meeting. He referred to page 5 of last month's minutes. Mayor Galloway said there were six (6) other people on the Council and she would not take full responsibility for insufficient funds, penalties, interest and late payments. Mr. Cearley said he had not had knowledge nor was he in control of the financial records during that time. Ms. Galloway's statement was not true and was not legitimate and therefore; he could not accept the minutes.

Mr. Friloux said agreed with Mr. Cearley and that he had further comments further into the meeting. Mr. Cooley said everyone, especially those in public office should learn to take responsibility and say they had made a mistake. Mr. Cearley said the City was stuck. There was no conclusion because there was no accountability. Ms. Leger stated Ms. Galloway had the books when she became Mayor and Mr. Friloux had agreed to become Council Treasurer after an audit. She further stated, Ms. Galloway later said it was a conflict for her to do the books and be Mayor. Things were dropped and the audit was not done until now. Ms. Leger asked Mr. Friloux if he was still willing to the position. Mr. Friloux stated he was.

Mr. Kidd asked what minutes were in question. Ms. Roberts stated the minutes were from the meeting held November 18<sup>th</sup>.

**M/M/2/C: To Approve Minutes As Amended.  
Cearley/La Rouse**

**M/M/2/C: To Approve The Marshal's Report.  
Friloux/La Rouse**

**M/M/2/C: To Approve Payment Of Bills In The General Account For: Epps \$2918.00, L&L Texas Koi \$50.00, Sprint \$45.95, IRS \$250.67 For A Federal Tax Deposit Penalty, Flatten \$1533.12, TML, \$88.00, Carrico \$75.00 For Cell Phone/\$10.60 Pager, Jerry King \$59.50 Marshal's Gasoline, Fasulo \$250.00 Marshal's Video Installation and Jefferson County Taxes \$1440.97 And Road User Account To Jefferson County Pct. 1 \$1359.68.  
Leger/ Roberts**

**M/M/2/C: Postpone Payment Of Attorney Fee Until Further Discussion In The Meeting.  
Friloux/Roberts**

**Building Permits:** Kathy LeMaster (Jim Walters Homes, Inc.) and John May.

**M/M/2/C: To Approve Building Permits.**

**Friloux/Roberts**

**Roads And Drainage:** Mr. Cooley asked everyone to clean out ditches. Ms. Hebert stated DD6 was putting in Gulf Terrace Reservoir on Dishman and Keith Road. Anyone interested in free dirt should contact them. Council must contact them to have dirt placed along River Bend. Ms. Leger received bids for street and stop signs. The cost was estimated to be \$6,000.00. Stop signs in quantity cost nearly \$30.00, street name signs (non-reflective) cost \$11.70. There are different type of posts and different types of signs. Ms. Leger wanted Council's approval. This could be done in sections or all at one time. Mr. Kidd mentioned hiring someone to put up the signs. He stated this was voted on when he was on Council. Mr. Bryant suggested getting bids. Marshal Carrico said Mr. Truax might persuade Pct.1 to put the signs up. Ms. Leger said she would contact Mr. Truax.

**M/M/2/C: To Table This Issue.**

**Roberts/Cearley**

Mr. Epps presented the City Of Bevil Oaks Audit. Reports were passed out. He stated an audit was not examining each transaction nor was it designed (unless it is a special type of audit) to detect fraud. Audits report on financial transactions, issue an opinion and to make recommendations and criticisms with anything found wrong with the accounting system. As the City has received a small amount of funds from the federal government, a special report was completed on the compliance of internal control. The audit was for four (4) years. The balance sheet was a picture in time of September 30, 2003. The income statements or revenue expense statements are the revenue taken in and what the expenditures were for that period of time. Page 3 and 4 were the auditor's opinion. There was no general ledger. The auditors built Page 6 – a general ledger.

The FEMA money totaled \$10,051.00 and all was expended. The report of compliance of internal control stated there were issues that needed to be addressed. Mr. Epps said there were no approved budgets. The City's Response is what must be done. During the next audit, auditors will check for compliance. Non-compliance would be reflected in the report and would affect the City receiving federal money. Segregation of duties is important. The person doing the books should not sign checks. Packets should be mailed to Council Members three (3) days before the meeting with copies of checks made out to the payees along with copies of the invoices. Checks are to be signed at the meeting. The check number with the payee is to be included in the minutes for approval. The person taking money should be bonded. Mr. Epps said that his company could set up and organize a system. The management letter, a summary of the audit was also included. He estimated \$6,000.00 was the audit cost. Yearly audits cost was estimated at \$4,000.00.

Mr. Cooley stated the books were in chaos for more than four (4) years. If the system was followed, the City could apply for grants. Action was needed for Bevil Oaks to move forward. Ms. Cooley said Council should set up specific guidelines to be handed down from Council to Council and not allow one person to handle it all.

Mr. Cooley read the resolution of the Special Warranty Deed of the Crenshaw land to the City.

**M/M/2/C: To Accept The Resolution With A Name To Be Decided At A Later Time.**

**Friloux/Cearley**

Mr. Cooley stated the ten acres of land for less than \$10,000.00 is an asset for the community.

**FEMA Volunteer Money Reimbursement:** Mr. Friloux stated this issue would be decided at this meeting. He wanted copies of the letters. He recommended turning this over to the District Attorney and it would be out of Council's hands. Mr. Friloux moved to turn this issue over to the district attorney.

Ms. Howard said her opinion was to forgive and let the Council move on. Ms. Cooley said she did not agree. Asking the D.A.'s office to review this matter would put it to rest. Mr. Kidd said he called the City Attorney and had Mr. Flatten in his office. Mr. Kidd showed Mr. Friloux copies of information.

Ms. Kidd stated no one asked her husband or herself about this money. Her opinion was the letter was not what Ms. Roberts quoted in the meeting. Ms. Roberts disagreed. Mr. Kidd gave a copy of the letter addressed to Ms. Roberts to Mr. Cearley. Mr. Cearley read the letter aloud. An amount was scratched out.

Mr. Kidd said read from FEMA Public Assistance Digest. Subsection 44 CFR part 206 ... FEMA share for assistance shall not be less than 75% of the eligible cost. Eligible Cost category B ... what is eligible for reimbursement. FEMA filled out paper work. Mr. Kidd said he could not find anything about 25%. He said it was mentioned that the books must be in order to receive a grant. This was a FEMA grant. This was work beyond our regular job.

Ms. Cooley asked if there were letters from employers stating the people involved were not at work. Anytime there is reimbursement there is documentation stating the employee would have worked so many hours at so much per hour. There is a 25% match by the City. Mr. Bryant said he had asked the Mayor what the money she received was for. The November 2003 minutes read she said for volunteer hours. Mr. Bryant said he took an oath not to take or receive money while in an elected office and he felt the City Council took the same oath. In what he heard during this meeting, nothing was said about lost wages. Ms. Roberts added this reimbursement was not approved by the City Council. Mr. Bryant agreed. He read the minutes in the months before and past Tropical Storm Allison. There was no approval for reimbursement. Mr. Cearley said the letter stated it would reimburse the City for its expenditures not individuals. Mr. La Rousse said he would never think of receiving money for any work he did for the city. Ms. Bryant wanted to see the application. She asked who filled it out, whose names were on it, and if anyone else had the chance to put their name on it. She asked if this was offered to anyone who worked. Mr. Cooley said he was in a meeting with FEMA, the Mayor, and Mr. Kidd. The reimbursement was already laid out. The money was available after a disaster not before. At that time, his primary interest was in obtaining money to preclude a disaster.

Mr. Kidd said Bill Osborn with FEMA would talk with Pct.1 and DD6. Mr. Osborn thought many of our problems were because these two (2) entities had not provided the services to take care of Bevil Oaks. While looking at sites in the City, example near the Bounds' rent home; Mr. Osborn said they would look at these areas to see if they were eligible for emergency work under category B.

Mr. Cooley reminded citizens there was a motion on the floor and the only discussion to be made was by Council only.

**M/M/2/C: To Turn The FEMA Reimbursement Issue Over To The District Attorney.  
Friloux/Cearley**

**M/M/2/C: To Terminate The Mayor's Cell Phone Usage, Give The Cell Phone To the Marshal And  
Request A Local Number  
Roberts/La Rousse**

**Attorney Fees:** Mr. Friloux stated the city should not pay \$68.00 for Mayor Galloway to call the attorney regarding the Rick Patterson letter and FEMA dated 10-30-03. This is a personal matter. Clarification is needed. The mail from Mr. Flatten is addressed to Erin Galloway. Mr. Cooley stated Council should asked Mayor Galloway about this. Mr. Cearley said this was a conflict of interest.

Mr. Friloux called the attorney and told him to send all mail addressed to the City of Bevil Oaks not to any one person. Ms. Cooley suggested a meeting or workshop to set up boundaries and guidelines.

Mr. Cearley said he is interested in annexation for the City. This will take money and about three (3) years minimum. He noted we need to work together, the City, B.O.M.U.D., the Fire Department and all other groups. The Bevil Oaks Community Group is seeking donations for a City of Bevil Oaks sign. Donations may be mailed to his home.

Ms. Roberts stated the bookkeeper makes \$15.00 per hour. She has called her, Mr. Friloux, the Mayor with many questions. She does not know quick books. Ms. Roberts is concerned and Council needs to consider terminating her and finding someone else.

Ms. Cooley, president of "All God's Creatures, discussed the animal ordinance. The ordinance should be rewritten because it does not have any teeth. Also, there are no place to take to take animals. Citizens are upset by dogs getting into garbage. All animals should be spayed or neutered. Many cities have ordinances with mandatory rules to register all animals. If the animal is spayed or neutered, you pay a one-time fee. If it is not, fees are paid annually.

Mr. Bryant commended the Council for seeing that the audit was completed. He suggested meeting with Mr. Epps and getting the city on track.

Mayor Galloway had stopped by before the meeting and gave the Marshal two (2) letters. She had a family function and might not be at the meeting. If this were the case, she asked that Mr. Cooley read the letter aloud while Mr. Carrico read to ensure it was read verbatim. The letter stated after thorough evaluation, she tendered her resignation effective immediately. She also wrote she would return all City items.

Mr. Cooley asked Ms. Richey-Galler to call the Attorney General's office for a ruling on filling the Mayor's position and to schedule a meeting for the evening of Sunday, December 28<sup>th</sup>.

**M/M/2/C: To adjourn.**  
**La Rousse/Leger**

Tom Cooley,  
Mayor

ATTEST:

Pete Friloux  
Mayor Pro-Tem

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**M/M/2/C: To adjourn.**  
**La Rousse/Leger**

Tom Cooley,  
Mayor

ATTEST:

Pete Friloux  
Mayor Pro-Tem



**SPECIAL MEETING OF THE CITY OF BEVIL OAKS  
DECEMBER 21, 2003**

Tom Cooley called the meeting to order.

**Members Present:** Jim Cearley, Tom Cooley, Pete Friloux, Erin Galloway,  
Tommy La Rousse, Kim Roberts

**Member Absent :** Anna Beth Leger

**M/M/2/C: To Accept Erin Galloway's Resignation As Mayor.**  
**La Rousse/Friloux**

**M/M/2/C: To Appoint Tom Cooley As Mayor.**  
**Friloux/Roberts**

**M/M/2/C: To Appoint Pete Friloux As Mayor Pro-Tem.**  
**La Rousse/Cearley**

Mr. Cooley stated the Mayor is responsible for emergencies in the City. No one person can do this job alone. Bevil Oaks' officials must work together

**M/M/2/C: To Appoint Kim Roberts As Emergency Management Coordinator.**  
**La Rousse/Friloux**

Mayor Cooley stated the City would be represented at all emergency management and homeland security meetings and conferences. The Council, employees and all representatives will aid the City in urgent situations.

He spoke with the City attorney, Gerald Flatten regarding the FEMA reimbursement. His suggestion was to drop the issue. Reimbursements will only occur after documentation, research and a vote by the City Council.

**M/M/2/C: To Rescind The Motion To Turn The FEMA Matter Over To The District Attorney.**  
**Friloux/Cearley**

**M/M/2/C: To Establish Two (2) Meetings Per Month, The 1<sup>st</sup> and 3<sup>rd</sup> Tuesday Of Each Month.**  
**Cearley/Friloux**

Mr. La Rousse suggested using Roberts Rules Of Order for more efficient meetings.

The budget workshop was scheduled for January 2, 2004. Mr. Epps needs to meet with Council on discrepancies in the audit. Mr. Cooley said the parks needed to be separate from the pool.

**M/M/2/C: To Adjourn The Meeting.**  
**La Rousse/Cearley**

Tom Cooley  
Mayor

ATTEST:

Pete Friloux  
Mayor Pro-Tem