

**SPECIAL MEETING CITY OF BEVIL OAKS
JANUARY 6, 2004**

Mayor Tom Cooley called the meeting to order.

Members Present: Jim Cearley, Tom Cooley, Pete Friloux, Tommy La Rouse, Kim Roberts

Member Absent: Anna Beth Leger

Accounts Payable – Sprint Cell Phone For Marshal \$46.04

M/M/2/C: To Pay Bill.

Friloux/Roberts

M/M/2/C: To Accept The Sprint Bill As A Regular Monthly Bill.

Roberts/Friloux

Mr. Cooley discussed suggestions and comments made by the auditor. Securing City Hall by locking all doors. The Mayor stated the fire department was to install the touch pad system.

M/M/2/C: To Purchase and Install New Locks.

Friloux/Roberts

Other suggestions by the auditor:

Log long distant calls. The phone bill has an itemized record of long distance calls.

Start a system of receipt of goods and services provided by the city that is pre –numbered. The purchase of pre-numbered books are available at office supply stores.

Budget workshops are beginning. There were not any held before the audit.

Employee documentation of days and hours worked, sick days and vacation taken. Mr. Cooley provided a book for employees' documentation. Planned vacation days planned, are to be turned to him by the end of January.

Mr. Carrico stated he had provided Ms. Galloway with vacation days while she was on the Council.

Council will give employees City holidays, number of sick and vacation days. Mr. Cearley said he had given a job description for the City Secretary to Mayor Galloway months ago. It was returned to him after her resignation. He will make copies of the amended job description.

Council will come to the office for minutes, accounts payable and reports to review before meeting day. This will be cost effective by not using postage and shorten the length of meetings.

Mr. Cooley asked for a meeting with Mr. Epps to discuss errors in the audit. If there is to be a charge, Mr. Cooley or Mr. Friloux will contact Mr. Epps.

Mr. Cooley said the pool should be a separate account from the general fund. During the past year, the park money was used on the pool. Grants are now being researched for the pool, recreation and adjacent park. The tennis courts need to be cleaned up. The grant application is long – approximately sixty - (60) pages and scored on a point system. This process will take time, but it is a beginning.

Marshal Carrico stated the pipeline is a right-of-way. One possibility is to use it as a nature trail to Pine Island Bayou. This would include large oak trees, endangered species and ties into the Big Thicket.

Mr. Cooley said City money would be tight. Employees and Council must cut costs. Fundraisers should be planned. He also suggested scheduling the Bevil Oaks Festival. It will promote the community and help regain the citizens' trust. Mr. Cearley thought money spent would be recovered.

The Mayor suggested using the road and drainage account to pay for streetlights. More streetlights could be considered.

**M/M/2/C: To Pay For Streetlights, Installation And Maintenance With The Road Use Account.
La Rousse/Cearley**

A Code of Ethics will be ready for Council's review and approval. Mayor Cooley said there should be no gray area in City business.

Mr. Hebert asked if the bookkeeper was qualified. Mr. Cooley said Ms. Richey-Galler had the running balance legible to the penny while Ms. Diaz did not. Ms. Roberts said \$240.00 was paid to the bookkeeper and she was only to work four (4) hours per week. Marshal Carrico said while Ms. Diaz was in the office, the secretary could not work. \$22.00 per hour was being spent.

Council decided January 20th would be Meet the Mayor.

Council adjourned to Executive Session.

Council reconvened the Council meeting.

**M/M/2/C: To dismiss the bookkeeper.
Roberts/Friloux**

Mr. Friloux stated the bookkeeper's salary of approximately \$2,800.00 was needed to run the City. The City will now use bookkeeper for the Fire Department. Council will send the City Secretary to school for Quick Books.

**M/M/2/C: To Table The Emergency Management Conference
Friloux/La Rousse**

Mr. Cearley acknowledged the new positive leadership for the City. Council would need to regain the confidence of the citizens. He also said Vautrot's Cajun Cuisine wanted to sell liquor. The City would benefit from the revenues. The City should be fair and equitable to all. Special Option Election requirements have been given to Mr. and Mrs. Vautrot. Private membership options include sell of liquor on the premises

Mr. Friloux said the City must work with Vautrot's to be fair.

Mr. Cearley continued with his discussion. He would like to reinvest City money with another firm to gain a higher percentage. He said he had previously written a Mission Statement for the City of Bevil Oaks. His computer had crashed and he could not retrieve it. His copy was returned after Ms. Galloway's resignation. The Mission Statement was read into the minutes.

**M/M/2/C: To Adopt The Mission Statement And Engrave Onto A Plaque
Cearley/La Rousse**

Bevil Oaks Community Group discussed the Bevil Oaks sign. Mr. Hall would be approached about using his land for this purpose. Bevil Oaks Baptist Church's sign is in the right of way. They would need to approve this as well as the City Council.

Mayor Cooley stated he would work with the Council and all citizens. He would delegate work and promote citizen participation. He said he would be working on the Pine Island Bayou issue. Bevil Oaks must look to the future. We must apply for grants and involve the community. We must learn from the past and not make the

same mistakes. Mr. Cooley said he was honored to represent Bevil Oaks and would work for positive development within the City.

Mr. Friloux stated all interested people in the Council position for Ward III should contact him.

M/M/2/C: To Adjourn The Meeting.

La Rousse/Cearley

Tom Cooley
Mayor

ATTEST:

Pete Friloux
Mayor Pro-Tem

**MINUTES OF REGULAR MEETING
CITY COUNCIL OF THE CITY OF BEVIL OAKS
JANUARY 20, 2004**

COUNCIL MEETING WAS NOT HELD

THERE WAS NO QUORUM

**MINUTES OF SPECIAL MEETING
CITY OF BEVIL OAKS
February 3, 2004**

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

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

Member Absent: Anna Beth Leger

Sherry Adams was appointed and sworn in as Council Woman, Ward III.

Council recessed for Executive Session.

Council reconvened the meeting.

Council discussed rules for more productive meetings. Citizens will sign in with Mayor Pro-Tem Friloux. The agenda will list "Citizen Participation" were three (3) minutes are allowed. Delegations will have one (1) speaker. At all other times, the public will not enter into any discussion.

Due to budget restraints, interference of council Meetings, all copies of City business - including agendas and minutes that have been approved - will cost \$.10 per page and will be available during business hours.

These rules will be in accordance with the Texas Open Meeting Act and the Public Information Act (formerly the Open Records Act).

**Adoption Of Rules For A Productive Meeting Ordinance.
Friloux/La Rousse**

**Establishment Of Municipal Court Ordinance.
Roberts/Cearley**

**Call For Election For Mayor And Council Members, Wards I, II, and III.
M/M/2/C:
La Rousse/Roberts**

**Adoption Of The Code Of Ethics Ordinance for Currant And All Further Council Members.
Roberts/La Rousse**

Council discussed the variance of the Mobil Home Ordinance by Alice Cammack.

**To Not Accept The Request By Ms. Cammack For The Mobil Home Ordinance Variance.
M/M/2/C:
Roberts/Friloux**

**To Accept Barbara Gundolf As Library Chair.
M/M/2/C:
La Rousse/Adams**

Mayor Cooley thanked Council for working together as a team. He informed Council and Citizens of the meetings with various public officials. He stated Bevil Oaks will be heard and will be active in Southeast Texas projects. The response has been positive and he appreciated everyone's support. Mr. La Rouse stated Council's foremost concern is voting for the City as a whole, never special interest groups. He also thanked Ms. Adams for accepting the Council position. Mr. Cearley announced his candidacy for Mayor. He stated the City needed to move in a new direction.

M/M/2/C: To adjourn meeting.
La Rouse/Friloux

Tom Cooley,
Mayor

ATTEST:

Pete Friloux,
Mayor Pro-Tem

REGULAR MEETING CITY OF BEVIL OAKS
FEBRUARY 17, 2004

Mayor Tom Cooley called the meeting to order.

Members Present: Sherry Adams, Jim Cearley, Tom Cooley, Pete Friloux,
Tommy La Rousse, Kim Roberts

Members Absent: Anna Beth Leger

Mr. Cearley announced he would not run for Mayor.

Mr. Friloux stated at the last meeting he asked citizens to allow the Council to do its job. He clarified his comments that citizen input was important and that it needed to be presented properly to Council and not to employees. Mayor Cooley said everyone has an opinion and there would be differences. He said Council should listen to the City as a whole.

Mr. Friloux stated the monthly financial report had not been prepared and the bookkeeper had been terminated.

M/M/2/C: To Table The Financial Report.
Friloux/ Roberts

M/M/2/C: To Approve Minutes
Adams/La Rousse

M/M/2/C: To Approve The Marshal's Report And To Approve Patrol Vehicle Repairs And Maintenance.
Friloux/La Rousse

The flare from the oil well produced an obnoxious smell and the Marshal will call the environmental agency.

Roads And Drainage: Mr. Cooley met with Mr. Barton the new engineer for Texas Department of transportation. The Mayor asked for a sign with the city name and population. The sign would be located at Highway 105 and Sweetgum. He also discussed the danger of turning onto the highway and the excessive speed. A letter will be written to Mr. Barton as a formal request for a traffic light feasibility survey. Mr. Cooley and Ms. Roberts will meet with John Cassio, Jefferson County Emergency Management Coordinator and Clay Kennelly, DPS Regional Liaison Officer. They will also met with Montra Lockwood, hydrologist with NOAA.

Mr. Friloux stated Mr. Arnold would like to speak with residents after the adjournment.

Mr. Cooley said the City Court would be a wake up call to traffic violators and ordinance offenders.

M/M/2/C: To Accept The Municipal Court Security Fund.
Friloux/Roberts

Mayor Cooley read the Call For Election – Amended with Mayor’s position for 1 (one) year to complete the unexpired term.

**M/M/2/C: To Accept The Call For Election As Amended
Roberts/Friloux**

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

Tom Cooley,
Mayor

ATTEST:

Pete Friloux
Mayor Pro-Tem

SPECIAL MEETING CITY OF BEVIL OAKS
MARCH 2, 2004

Mayor Tom Cooley called the meeting to order.

Members Present: Jim Cearley, Tom Cooley, Pete Friloux,
Tommy La Rousse, Anna Beth Leger

Members Absent: Sherry Adams, Kim Roberts

Mr. Lowery addressed the Council regarding the need for street signs on Carroll Lane. Ms. Leger explained signs had been ordered and Lowery Place would have signs.

Mr. Bryant asked for Citizen Participation to be moved toward the end of the agenda.

Mr. Lowery discussed the franchise fees and renegotiating the contracts with the providers. He suggested raises the sales tax and contact the Texas Comptroller's office. He asked Council to exhaust all avenues before imposing a City tax.

Mr. Cooley stated no one wanted a City tax and Council was investigating all resources. Mr. La Rousse said the Council asked everyone to support Bevil Oaks' businesses. Mr. Cooley stated he loved the community and wanted it to thrive and not be taken over by Beaumont. The Mayor also discussed the meetings he had to clean up the bayou. He remarked the bayou was coming up faster and receding slower. The Cammack Project was near completion. He commended Ms. Roberts in receiving an Emergency Management grant for the Marshal. Mr. Cooley said he was working on a sign with the City name and population as well as a traffic light.

Mr. Thomas gave an update on the Ball Park. Entergy donated poles. Mobile Credit Union donated a date. Bids would be taken to remove brush.

The South East Texas Regional Planning Commission sent notice of a planning workshop for small cities. Mr. Friloux said he would represent Bevil Oaks. The workshop is scheduled for Friday, March 19th.

M/M/2/C: To Table Executive Session Until The regular Meeting.
Cearley/Leger

M/M/2/C: To Open A Separate Account For the Municipal Court.
Friloux/Leger

Mr. Cooley announced Ms. Collins and Ms. Jones would be the election judges for the City election.

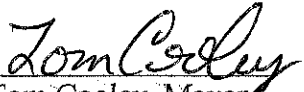
The "No Burn Days" was discussed and will be on the regular meeting agenda.

Mr. Cearley announced there would be a dedication for the new Bevil Oaks sign.

Ms. Leger received five (5) bids for street signs. The cost was approximately \$3600.00.

Marshal Carrico stated he had photos of junked cars and other ordinance violations. Letters would be mailed to the offenders. Sites would be revisited after 30 – 40 days. If no progress were made in the violations, citations would be issued and turned over to the Municipal Court.

M/M/2/C: To adjourn.
La Rouse/Friloux


Tom Cooley, Mayor

ATTEST:


Pete Friloux, Mayor Pro-Tem

CITY OF BEVIL OAKS

MUNICIPAL COURT TECHNOLOGY FUND

An ordinance of the City Of Bevil Oaks, Texas, establishing a Municipal Court Technology Fund; providing for the assessment and collection of a municipal court technology fee; providing for severability and effective date.

Whereas, Article 102.0172 of the Code of Criminal Procedure provides for the establishment of a Municipal Court Technology Fund.

Be it Ordained by the City Council of the City of BEVIL OAKS, TEXAS:

Section 1: Establishment of Municipal Court Technology Fund

- A. There is hereby created and established a Municipal Court Technology Fund, pursuant to Article 102.0172 of the Code of Criminal Procedure.
- B. The Fund may be maintained in an interest bearing account and may be maintained in the Municipal Court bank account.

Section 2: Establishment of Amount of the Fee and Assessment and Collection

- A. The fee shall be in the amount of \$4.00 (four dollars).
- B. The fee shall be assessed and collected from the Defendant upon conviction for a misdemeanor offense in the Municipal Court as a cost of court. A Defendant is considered convicted if:
 - (1) judgment, sentence, or both are imposed on the person;
 - (2) the person is placed on deferred disposition; or
 - (3) the court defers final disposition or imposition of the judgment and sentence.
- C. The fee shall be collected on conviction for an offense committed on or after the ordinance is adopted.
- D. The Clerk of the Court shall collect the fee and deposit the fee into the Municipal Court Technology Fund.

Section 3: Designated Use of the Fund and Administration

- A. The Fund shall be used only for the purpose of financing the purchase of or to maintain technology enhancements for the Municipal Court of the City of Bevil Oaks, Texas. "Technology enhancements" shall include any and all items described in Article 102.0172 of the Code of Criminal Procedure.
- B. The Fund shall be administered by or under the direction of the City Council, of Bevil Oaks, Texas.

Section 4. Severability

If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance of the application thereby shall remain in effect, it being the intent of the City Council of Bevil Oaks, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reason of unconstitutionality or invalidity of any portion or provision.

Section 5. Repealing Conflict

All ordinances and parts of ordinances in conflict with the ordinance are hereby repealed to the extent of conflict with this ordinance.

Section 6. Effective Date

This ordinance becomes in effect in accordance with state law upon passage, but no earlier than September 1, 1999.

Section 7. Administration of Fund


The purpose of the use of any funds remaining in the fund shall continue to be used and administered as required by this ordinance and for that purpose this ordinance remains in effect.

Passed, Approved, and Adopted on this the 16th day of March, 2004.

Attest:



Mayor



Mayor Pro-Tem

NOTICE OF A REGULAR MEETING

CITY OF BEVIL OAKS

MARCH 16, 2004

Mayor Tom Cooley called the meeting to order.

Members Present: Sherry Adams, Jim Cearley, Tom Cooley, Pete Friloux,
Tommy La Rousse, Anna Beth Leger

Member Absent: Kim Roberts

M/M/2/C: To Approve The Financial Report.
Leger/Adams

M/M/2/C: To Approve Minutes Of Special Meeting.
Leger/La Rousse

M/M/2/C: To Approve Minutes Of Regular Meeting.
Friloux/Cearley

Mr. Friloux commended Marshal Carrico in the recent dumping situation at the swimming pool. Mayor Cooley asked citizens to get the license number and/or make of vehicle for illegal dumping.

M/M/2/C: To Approve The Marshal's Report.
Leger/Friloux

Accounts Payable: Patrol Vehicle repairs – John's Automotive \$375.72

Ms. Richey-Galler noted the repair included tax. The check was written for \$362.55 with Council's approval.

M/M/2/C: To Approve Accounts Payable.
Friloux/Leger

Roads And Drainage: Mayor Cooley explained material costs for road repair/restoration are 20%–25%. The City has an agreement with Jefferson County Pct.1. The Marshal in exchange would assist on Reins/Tram Roads.

Mr. Cooley reminded citizens building permits were for the protection of the consumer. Work that begins before receiving a permit will be fined.

Sam Bethea of Entergy spoke of a reconciliation case regarding fuel costs. He will provide information when it is available.

M/M/2/C: To Accept The Municipal Court Technology Fund.
Friloux/La Rousse

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

Tom Cooley,
Mayor

ATTEST:

Pete Friloux
Mayor Pro-Tem

**REGULAR MEETING CITY OF BEVIL OAKS
APRIL 20, 2004**

Mayor Tom Cooley called the meeting to order.

Members Present: Sherry Adams, Jim Cearley, Tom Cooley, Pete Friloux,
Tommy La Rousse, Anna Beth Leger, Kim Roberts (late)

Mayor Cooley announced Ms. Roberts would be late for the meeting.

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

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

M/M/2/C: To Approve Financial Report As Amended.
La Rousse/Cearley

Accounts Payable:

GENERAL ACCOUNT

Jerry King (Marshal's Gasoline)	\$ 93.18
TML (Dues)	\$ 487.00
Cole's Publishing Services	\$ 190.00

ROAD USE ACCOUNT

Red Bud Supply (Street/Road)	\$3558.58
------------------------------	-----------

M/M/2/C: To Approve Accounts Payable – Jerry King, TML, Red Bud Supply And Not Pay Cole's Publishing Services.
Friloux/La Rousse

Ms. Leger stated all signs must be accounted for. Volunteers must register in the office through the city secretary. This is a form of inventory control.

Ms. Leger spoke with Mr. Flatten regarding the fees and services in question. Services were for transactions for Bevil Oaks to receive the deed of the pool property, the Kidd issue and phone calls for various dates. Mr. Flatten told Ms. Leger he would not spend any money frivolously. He also told her he thought the meeting in question needed to happen in the best interest of the City.

M/M/2/C: To Approve Paying Attorney Fees.
Leger/Friloux

Building Permits: Mr. King had not furnished proof of a bond. The property owners are Kevin and Angie Walker. Mr. Cooley spoke of a situation on Yellowstone where improper work had damaged a home. The proof of a bond protects the homeowner. The bond is provided by the contractor's insurance company.

**M/M/2/C: To Approve Building Permit Upon Proof Of Bond.
Adams/Friloux**

Ballpark:

Mr. Cearley reported he Mr. Rick Thomas and Mr. John Fisher met with Dr. Thomas of B.I.S.D. Approximately one (1) acre was to be cleared near the pool area. The timber would be sold for approximately \$4,000.00. The result would be approximately \$80,000.00 in land improvement. They were waiting on a reply from the school district. Mr. Cooley stated the City would approve or disapprove of actions taken by the ballpark committee but the funds would be completely separate.

Mobile Variance:

Mr. Cooley read a letter represented to him. The City ordinance dated June 2002, prohibits mobile homes from being located within the City limits. Council did a moral and ethical deed that most cities would not by allowing Ms. Cammack to move a mobile home into the City due to serious health problems. The community has fought to uphold property values since the flood. By state law, the City has met the need of HUD-CODE manufactured homes through the two (2) mobile home parks. Mr. Cooley stated Ms. Cammack asked Council to approve the moving of her mobile home to the property occupied by her brother. Mr. Cooley asked Council for comments.

Mr. Stevenson, President of Bevil Oaks Municipal Utilities District discussed new hook up connections updating and smoke testing for violations. Ms. Cammack stated a mobile home had previously been at the location. Mr. Stevenson stated if another household located on the property, another tap would be required. Ms. Cammack asked how to relocation of the mobile home would affect property values. Mr. Friloux said the permit had expired and it had been issued on a temporary basis. He said this should not happen. Mr. Friloux stated the next move of this mobile home is out of the City.

**M/M/2/C: To Deny Ms. Cammack A Mobile Home Variance.
Friloux/Cearley**

Ms. Leger explained the reason Ms. Cammack was allowed a variance was due to severe health problems with a six (6) month review. The property the mobile home is on (Sweetgum) is now in bankruptcy. The mobile came into Bevil Oaks after the ordinance was adopted. Mr. Cearley stated Council must stick to ordinances that have been adopted.

Ms. Barbosa asked if other mobile homes were located near the Blackgum location. Ms. Leger stated there were other mobile homes there and that the distance was nearly the same. Ms. Mosley asked Council for their reason for not allowing the move. Ms. Leger stated other mobile homes were grand fathered. Ms. Barbosa said it would not decrease property value. Mr. Friloux said Council was not ready to issue a permanent permit. Council had already decided that this was not going to happen.

Mr. Cearley stated TML wrote they could not assess Bevil Oaks's insurance without a budget. Ms. Roberts stated she had just arrived and wanted to clarify this issue. TML already had a budget on file for the year. The city secretary had contacted Roger Johnson and he had faxed the file copy to her. He said the City was covered and there were no problems.

**M/M/2/C: To Adopt The Previous Year's Budget And Confirm TML Has A Copy.
Cearley/Leger**

Council discussed transferring funds from Merrill Lynch to the general checking account.

Ms. Leger stated the city operated on franchise fess. The City was run on a shoestring budget for years. Franchise fees were drying up. She mentioned the different options the Council was considering. If the City did dissolve, Bevil Oaks would become part of the city of Beaumont. Taxes and fees would be assessed much greater than the figures Council was considering.

Ms. Roberts stated the pool would not be operated by City money. The pool would only open if there were enough funds from passes and fundraisers to provide for all expenses. Mr. Friloux said he was on this f***** committee and did not know what was going on. He did not know of the hiring of lifeguards, an ad on the cable channel or the opening of the pool. Ms. Roberts said he had been at the meeting with Mr. Lipscomb and her when this was discussed. Mr. Friloux said he was not present during any discussion.

Mr. Smith suggested a revenue bond against some of the money in the road use account until the City's finances are stabilized. Contacting the City attorney regarding the legality of such action would be needed. He asked if there was enough money to pay bills and also recommended Council consider this before transferring money from Merrill Lynch.

**M/M/2/C: To Transfer \$10,000.00 from Merrill Lynch.
Leger/Adams**

Mr. Cooley shared his concern with the attending citizens. He said several Council Members were prepared to resign. Citizens need to ask Council how they can help rather than tell them what was wrong. Rumors kill a City. The Mayor asked residents not to spread rumors. He told Mr. Smith he would like to see a newsletter published every three (3) months to inform citizens of City issues and events.

The Unopposed Status Certification was read and signed declaring Don Smith, Mayor, Council Members; Mr. Friloux, Ward I, Mr. La Rouse, Ward II and Ms. Adams, Ward III.

**To Accept The Certification Of The Unopposed Status.
M/M/2/C:
Leger/Cearley**

Mr. Smith said rumors had begun concerning his term as Mayor. He asked residents to contact him regarding any City issues.

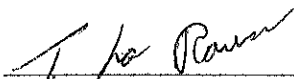
Mr. La Rouse shared his concerns for Bevil Oaks. During the last meeting a man complained of the management of the City. This man had previously been asked to serve on the Council but had refused. Mr. La Rouse said citizens at the March meeting had told him personally they felt insulted and he did as well. He had told his wife he was resigning and had asked a neighbor to type his letter of resignation. He decided he would not let one man run him off. He stated he had served too many years to allow this to happen. He asserted that the man continued to voice negative remarks during the present meeting. Mr. La Rouse told Mr. Smith to watch his back. He gave an account of Mr. Cooley receiving nasty phone calls with criticism and complaints. He said there was important work to be done. Nothing could be done when people complain, find fault and do not allow Council to conduct the meetings.

Mayor Cooley thanked Mr. La Rouse for his remarks and noted Mr. La Rouse was the only person with a park named in his honor. He also stated he appreciated his many years work.

Ms. Leger read her letter of resignation to be in effect immediately. Mayor Cooley acknowledged Ms. Leger's service. He again stated rumors were killing this City and Council Members were ready to resign. He maintained citizens must allow Council to do their job. Mr. Cooley said Council was doing their best. He further stated each Member was asking there selves "Am I making the right decision being on this Council?" Ms. Adams added, "And do we want to do it?" Mayor Cooley asked citizens to choose their actions and words carefully and consider the how much is too much.

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

for



Tom Cooley, Mayor

ATTEST:

Pete Friloux, Mayor Pro-Tem

THE STATE OF TEXAS

COUNTY OF JEFFERSON

BE IT RESOLVED by The City Council of Bevil Oaks,

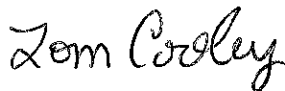
That an election for the purpose of electing four Council Members for the following positions:

Mayor Ward I Ward II Ward III

That the election shall be held on May 15, 2004 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 be held from 8 to 5 commencing April 28, 2004 and continuing through May 11, 2004 on each day which is not a Saturday, Sunday, or official State holiday.

PASSED AND APPROVED, this the third day of February, 2004.



Tom Cooley, Mayor

ATTEST:



Pete Friloux, Mayor Pro-Tem

**REGULAR MEETING CITY OF BEVIL OAKS
MAY 18, 2004**

Mayor Tom Cooley called the meeting to order.

Members Present: Sherry Adams, Jim Cearley, Tom Cooley, Pete Friloux,
Tommy La Rousse, Kim Roberts

Mr. Cearley questioned the use of offensive language in the minutes. Mr. Friloux stated he did not recall making such remarks, if he did he apologized. The tape will be reviewed by Council. A citizen stated she did hear the remarks. Ms. Adams said she wanted to hear the tape before approval.

**M/M/2/C: To Table The Approval Of Minutes.
Cearley/Adams**

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

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

ACCOUNTS PAYABLE:

**GENERAL ACCOUNT: Jerry King (Marshal's Gasoline), Office Max (Office Supplies).
M/M/2/C: To Approve Payment.
Roberts/Adams**

BUILDING PERMITS: Mayor Cooley said Donny King gave proof of a bond. He explained this was one of the requirements to receive a permit. Recently, a resident did not get a permit and the contractor did damage to her home. She will spend more money with repairs. The requirements are for citizens' protection. A contractor's must present proof of a bond to work within the City.

Mr. Cooley stated he had enjoyed his years on Council. Bevil Oaks needs to be a healthy, viable City. Council needs to focus on financial needs and positive ideas for an optimistic future. He wished Mr. Smith the best during his term. He thanked his supporters – residents, Council Members, the Marshal and City Secretary. Ms. Roberts read a letter from SETRPC, Chester Jourdan, and thanking Mr. Cooley for a job well done. Mr. La Rousse said he appreciated Mr. Cooley's work at the Civic Center and the parks. He also valued Mr. Cooley working with elected officials and surrounding community leaders for Bevil Oaks.

Mr. Cooley swore in Don Smith as Mayor. Mayor Smith stated Mr. Cooley would continue to work for Bevil Oaks and thanked him for his service. Mayor Smith said during his term there would be accomplishments and positive results made for Bevil Oaks. He assured Council and residents he would always be above board on all matters. He paused the meeting for copies of the correct agenda to be made.

Mr. Smith swore in Pete Friloux as council Member, Ward I. Cathy Crane was sworn in as Council Member, Ward I.

**M/M/2/C: To Appoint Ms. Crane As Treasurer.
Friloux/Adams**

Mayor Smith stated Mr. La Rouse would be Secretary and in charge of minutes. Mr. Friloux would be the Building Inspector.

BUILDING PERMITS:

Mr. Ho explained the sale of raw shrimp on 13560 Highway 105. He presented a sales tax permit, Texas Parks and Wildlife Permit and a Jefferson County Permit. Mr. Friloux asked about the carport to be on the property. He asked if the raw seafood would be an issue. The Marshal spoke the Health Department. They would inspect food services and grocery stores. An agreement would need to be signed. Mr. Smith expressed concern for the deposing of the raw seafood water. Mr. Ho said the water would be put in a sink that will go into the sewer system.

M/M/2/C: To Accept Mr. Ho's Permit.
Friloux/Roberts

CITY WIDE GARAGE SALE: Ms. Hebert made a presentation. The Mayor said any money the City was to spend, would need to be discussed. Ms. Hebert said the City paid for the aid and the balloons last year. She said the Community Group could pay the expenses. The Mayor said this was not an action/discussion item, as the City was not financially involved in it. He wished the Community Group much success.

RESOLUTION TO END CHRONIC HOMESLESSNESS: This was sent to Bevil Oaks by SETRPC.

M/M/2/C: To Table This Resolution.
Friloux/Adams

Mr. James Crane addressed his concern for livestock and health issues in Bevil Oaks. He has dealt with this matter for some time and felt the livestock were too close to his home.

ROADS AND DRAINAGE:

Mayor Smith discussed the work that had been completed and new projects to continue drainage in Bevil Oaks. He will meet with Jefferson County Pct. 1 and Drainage District 6 to locate sites and develop a plan of action. He discussed presenting a positive image for Bevil Oaks. The media painted a negative impression with flooding. He said Bevil Oaks does not flood. Many factors contributed to the 1994 event. Drainage has and will continue to be improved. Mayor Smith asked each person to remember this and to think and speak in a positive manner.

M/M/2/C: To adjourn.
La Rouse/Friloux

Don Smith, Mayor

ATTEST:

Pete Friloux, Mayor Pro-Tem

**REGULAR MEETING CITY OF BEVIL OAKS
JUNE 15, 2004**

Mayor Don Smith called the meeting to order.

Members Present: Sherry Adams, Jim Cearley, Cathy Crane, Pete Friloux,
Tommy La Rousse, Don Smith

Member Absent: Kim Roberts

Mr. Smith swore in Becky Ford as Council Woman, Ward III. She will also serve as Mayor Pro-Tem.

Presentation By: Chester Joudan, Director of South East Texas Regional Planning Commission presented the goals, functions and focal points of the commission. He stated SETRPC had the resources and proven methods to assist in development of small cities. Mr. Jourdan also stated the commission could aid Bevil Oaks in receiving grants and other funding.

Presentation By: Ralph Massey, IESI reported that economic conditions make it necessary for IESI to impose a 3% or \$0.46 increase in garbage collection fees for the residents of Bevil Oaks to become more effective on their next billing statement. Mr. Massey reminded council of the agreement of an annual citywide cleanup upon notification from the City. The rate increase was not an action item for the City but a courtesy report from IESI.

M/M/2/C: To Approve Minutes of May 18, 2004 meeting.
La Rousse/Cearley

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

Ms. Crane called for a financial workshop to be held Tuesday, June 22, 2004.

ACCOUNTS PAYABLE:

GENERAL ACCOUNT:

John's Automotive/Modica Bothers (tires for Marshal's vehicle)
Entergy

ROAD USE ACCOUNT: Entergy – street lights

M/M/2/C: To Approve Payment For All Accounts Payable.
Ford/La Rousse

ROADS AND DRAINAGE:

Mayor Smith met with Jefferson County Pct. 1 and Drainage District 6 and identified work sites for ditch and road repair. He stated Village Lane was in the worst condition and would be the first street to be rebuilt. Significant drainage work will be scheduled including the large ditch located west of North River Bend, which was found clogged with debris.

BUILDING PERMITS:

Council reviewed the bond application from the City of Lumberton. Bond amounts for building, electrical, mechanical and roofing contractors were also discussed.

M/M/2/C: To Accept The Bond Application And Bond Amounts Used By the City Of Lumberton. Friloux/Ford

Mr. Lowrey voiced his concern of obtaining a building permit. He stated construction of Mr. Frazier's home were pending the receipt of a permit. The plans were returned by Mr. Cooley and a permit was issued.

Mr. Lowrey asked Council to establish written procedures to acquire building permits that included elevation requirements of secondary buildings and assignment of addresses. The current elevation requirement of 31 feet above mean sea level for all new construction was an agreement made with FEMA. Mr. Lowrey thought this was impracticable and asked this agreement be amended. He suggested the amendment to require elevation to be two (2) feet above basic flood elevation. Council stated this issue would be considered and after discussion written procedures would be prepared.

REINSTATEMENT OF ORDINANCE 58:

No was taken due to the incorrect ordinance number listed on the agenda. Council stated this item would be on the July 20, 2004 agenda.

FIVE YEAR PLAN FOR BEVIL OAKS:

Mr. Smith stated the five-year plan for Bevil Oaks:

- Improve Revenues
- Obtain An Annual Audit
- Become A City That Will Be Trusted
- Council's Actions Will Be Ethical And Honest

Mr. Cearley acknowledged the residents who had formed the Bevil Oaks Community Group. He stated their planning and resolve resulted in the construction of the new Bevil Oak's sign. As their spokesperson he formally dedicated the sign to the City

Mr. Cearley presented the Bevil Oaks sign dedication. He recognized the residents who had formed the Community Group. Their work resulted in obtaining a new sign for the City of Bevil Oaks. Bevil Oaks' first Mayor, O.C. Hall was recognized for his years of civic service and generous donation of land for the sign. Mayor Smith thanked the committee for their efforts and congratulated them on their success. He accepted the sign on behalf of the City.

POOL:

Mayor Smith led a lengthy discussion with council and citizens regarding the pool and the property that was donated to the City; the fact that there are no minutes appointing a pool communittee; the fact approximately \$440.00 is missing from the pool is from the membership fund; the fact that the cost per year to run the pool is approximately \$15,000; the fact that it appears that the City has overpaid the taxes on the property; and the fact that the lifeguards have not been paid. Further discussion ensued regarding whether or not the pool could/should remain open. Council approved the formation of a pool

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

Don Smith,
Mayor

ATTEST:

Rebecca M. Ford,
Mayor Pro-Tem

06-22-04 BUDGET WORKSHOP

COUNCIL:

ENCLOSED ARE THE COMPTROLLER'S CITY SALES AND USE TAX COMPARISION BY COUNTY.

JEFFERSON COUNTY PRESENTS EACH CITY AT 1.500% WITH THE EXCEPTION OF BEVIL OAKS AND NOME WHICH ARE 1.000%.

THIS MAY BE A USEFUL TOOL FOR BUDGET PURPOSES.

ALSO INCLUDED:

*COMPANIES CONDUCTING BUSINESS WITHIN BEVIL OAKS.

*DELIQUENT ACCOUNTS.

*MERRILL LYNCH FAXED THE CHECK AND CARD CHANGE FORM. THE ORIGINAL SIGNATURES MUST BE MAILED BEFORE CHANGES MAY BE MADE.

CATHY HAS THE PACKET.

*JERRY KING DID NOT ACCEPT THE CHECK ISSUED MAY 18 FOR THE MARSHAL'S GASOLINE. ALL CHECKS MUST BE MADE TO THE ORDER OF "JERRY KING" NOT "JERRY KING'S SUPERETTE". A COPY OF THE JUNE INVOICE IN THE AMOUNT OF \$189.33 IS INCLUDED.

DEBORAH

REGULAR MEETING CITY OF BEVIL OAKS
July 20, 2004

Mayor Don Smith called the meeting to order.

Members Present: Jim Cearley, Pete Friloux,
Cathy Crane, Becky Ford, Don Smith

Member Absent: Kim Roberts

APPROVAL OF MINUTES:

M/M/2/C: To Approve May 18, 2004 Minutes.
Crane/Ford

MARSHAL'S REPORT

The Marshal discussed opposition to the clean-up project and the need to research an S-10 Blazer and an antique car belonging to Kenny Matthews.

M/M/2/C: To Approve Marshal's Report.
Frilou/Ford

FINANCIAL REPORT:

Ms. Crane reported that the General Fund balance is \$8,811.05; Road User Fee Account \$104,865.00; Pool Account \$4,029.84; and, Merrill Lynch \$33,542.34.

M/M/2/C: To Approve Financial Report
Ford/Frilou

ACCOUNTS PAYABLE/GENERAL ACCOUNT:

M/M/2/C: To Approve Payment For All Accounts Payable.
Cearly/Frilou

POOL: The pool committee reported that the car wash and barbecue fundraiser netted \$901.00. They have another fundraiser underway to giveaway a go cart. Donations of \$2.00 each are required. The pool hours have changed. The pool is open on Sunday from 1-5 p.m.; Wednesday from 12 noon to 6 p.m.; remainder of the week from 12 noon to 8 p.m. and, closed on Monday. The committee reported that volunteers have done a lot of grounds keeping and that a soft drink cooler has been installed in the building.

M/M/2/C: To accept pool committee report
Cearley/Crane

ROADS AND DRAINAGE: Mayor Smith reported that he is to meet with DD6 and Precinct 1 on Thursday regarding the drainage on Davida. He intends to have them assess the Riverbend bunker and the possibility of raising the road in front of the Bounds property to keep the road accessible when the bayou rises. Mayor Smith also reported that he has started putting up new stop signs and street signs. Applications have been processed for culverts on Wayside and Sweetgum. Other emphasis is to get them to unload asphalt on the city hall property to be used to patch holes and to get Village Lane completely resurfaced. Any other citizen issues need to get to the Mayor or the City Secretary ASAP.

RICHARD SOUTHERLAND, POSSIBLE CAR WASH AND STORAGE:

Richard Southerland and Wes Timmons presented plans for a car wash and storage facility to be built on Hwy 105 between Vautrot's and Lowrey Place.

BUILDING PERMITS: No new applications were presented. Council discussed the need to revise the current permit application

ATTORNEY FEES: Mrs. Crane reported that Mr. Flatten was billing the City for a Deed to the pool property that he said he prepared and sent to Mayor Galloway to have signed and recorded. Mrs. Galloway states that she signed off on the deed and returned to Mr. Flatten. Mr. Flatten states that he never received the signed deed. Council agreed to research the matter further.

OPENING CIVIC CENTER FOR RENTAL AFTER HOURS:

It was proposed to set new rental fee at \$25.00 per hour or \$100.00 per day and the deposit to remain at \$50.00.

M/M/2/C:
Cearley/Ford

Mr. Frilou was instructed to have the office doors re-keyed and extras made for council.

REINSTATEMENT OF ORDINANCE 58:

Ordinance 58 was presented for reinstatement with amendments.

M/M/2/C:
Cearley/Ford

COMMENTS BY CITIZENS:

Mrs. Clampett expressed concerns for road maintenance and street signs on Yellowstone.

Sam Bethea, Entergy, stated that the franchise fee would be received by September 1 and would be similar to last year--\$28,771.71.

M/M/2/C: To adjourn. 9:02 p.m.
Ford/Frilou

Don Smith,
Mayor

ATTEST:

Tommy LaRousse,
Secretary

CITY OF BEVIL OAKS
MINUTES OF REGULAR MEETING
AUGUST 17, 2004

Mayor Don Smith called meeting to order at 7:05 p.m.

All in attendance said the Pledge of Allegiance.

Invocation given by Jim Cearley.

Member Present: Don Smith, Jim Cearley, Cathy Crane, Pete Friloux, Becky Ford, Tommy LaRousse, Kim Roberts

Staff Member Present: Norma J. Lucus

Absent: Marshal Crow

Marshal's Report: Not given due to illness

Treasurer's Monthly Report: Cathy Crane provided the following information; two Accounts Payable for change of locks, and vehicle fuel bill in the amount of \$325.00 (3 month period) from General Fund. Balance \$6,918.81, deposit of \$1,929.81. Bills paid during this reporting period were \$3,491.50 including salaries. Municipal Court Fund from \$337.79 to \$1,087.00. Pool Fund \$2,820.64. Ball Park Fund is \$20.00+ (Beaumont Independent School District has given approval to use their land for a Ballpark) Road User Fund is \$108,186.00. Money Market \$33,562.23. All Federal deposits have been made. **MM/2/C: LaRousse/Friloux**

Roads & Drainage: Drainage District 6 (DD6) said they would come out as soon as possible, but Mayor Smith wants the citizens to call DD6 about work orders. To expedite we may have to call Commissioner. The Mayor also stated that DD6 is moving right along with drainage, however, they have a loss manpower and services to the City is somewhat behind. Pete Friloux talked about street and speed limit signs.

Pool: Denise briefed on current issues. The pool will stay open until the first cold spell, and is currently open weekdays from 4-7 P.M. The Pool Fund balance is \$1780.31, and doesn't reflect fund raising amount of \$352.00 profit. Mr. Walker won fundraiser Go-Cart.

Block Party: The City will sponsor the First Annual Block Party on Labor Day weekend (Sep 4th). The Mayor appointed Jim Cearley as Committee Chairman. Mayor Smith recommended the City provide Brisket and the basics. Each Citizen will be asked to bring a covered dish. Live music will be provided free of charge. The amount to be paid by the City would not exceed \$500.00. **MM/2/C: Cearley/Roberts**

Budget: 2005 Fiscal Year. Must be approved no later than 30 September 04. A Budget Workshop is to be scheduled for 31 August 04. A City Tax has been discussed with Jefferson County Tax Assessor/Collector. The amount of tax to each homeowner would be based on the Jefferson County appraised value of the home. If a City Tax is approved the Road User Fee would be discontinued after tax is in place. In approving a tax, every property owner would pay, not only those with a water meter.

Comments from Citizens & Council:

Sherry Adams talked about proposed City Tax. Mayor said that would be discussed in a future meeting.

John Gundolph asked if there is someone doing community service, they could pull weeds.

Pat Henderson reminded everyone to be aware of theft during the day. He is also running for County Commissioner, and is sponsoring a fundraiser at the Harvest Club. He promised to help our community.

Jane Hebert thanked Mr. Gundolph for helping with water of the sign.

Jim Cearley stated the Lloyd Bower won Yard of the Month.

Kim Roberts talked about a Rabies Clinic.

Pete Friloux is working with his neighbor to clean up their yard.

Cathy Crane stated she enjoyed working on the pool and wants to help with Labor Day.

Tommy LaRousse talked about stolen items.

Don Smith asked everyone to keep "doing what you're doing." Also stated that people are looking at homes in Bevil Oaks, but are not buying. We must continue to improve.

Sherry Adams asked about the house that burned. This was not a topic to be discussed by the Council.

M/M/2/C: To adjourn meeting. LaRousse/Friloux

CANCELLATION OF BUDGET WORKSHOP
CITY OF BEVIL OAKS
August 31, 2004

MEMORANDUM FOR RECORD

As there was no quorum to conduct agenda items, Mayor Don Smith cancelled meeting.

A handwritten signature in black ink, appearing to read 'Don Smith', is written over a horizontal line. The signature is stylized and somewhat cursive.

Don Smith, Mayor

MINUTES OF BUDGET WORKSHOP
CITY OF BEVIL OAKS
September 7, 2004

Mayor Don Smith called meeting to order at 7:00 P.M.

Present: Don Smith, Council Members Jim Cearley, Cathy Crane, Pete Friloux Becky Ford, Tommy LaRousse, Kim Roberts

Absent: Jim Cearly, Kim Roberts

Others Present: Norma J. Lucus, City Clerk

Action Item: Seismic Permit for PGS Onshore, Inc. PGS Onshore, Inc requested approval from the City to lay sensor lines across some roads within the City limits, for seismic testing adjacent to Bevil Oaks. City's requirements of schematic drawing, monetary bond, and permit fee of \$100.00 were met. Mr. Ray Parker, Project Officer/point of contact and Mr. Pete Stevens, Program Manager briefed the Mayor and Council that all Utilities were notified, there would no blasting or cables within City limits, all residents within 2000 feet of testing would be notified in writing prior to the beginning of testing. In May 2004 Mr. Parker met with City Clerk Deborah, and discussed the PGS Onshore project. He was not informed of the City's requirements. The Mayor, nor Mayor Pro-Tem knew anything of the project until it began and was stopped by Marshal Crow. After thorough review, the Council approved the project. MM/2/C: Ford/LaRousse

Action Item: Fiscal Year 2005 Budget Review: Proposed budget reviewed, changes to increase Marshal's budget to \$23,000. Final approval to 2005 Budget will be at the 21 September 04 Council meeting.

Other Budget Related items:

- Mr. Crenshaw owns the land and the pool, however the City has been paying taxes. City should not continue to improve the pool and the tennis court until ownership issues are resolved. Attorney Heartfield will contact Mr. Crenshaw's attorney about the issue.
- Fire Department wants to take over this building
- Council discussed increase in City Sales Tax from 1% to 1.5%. This action would require an election in May 05. This will be discussed at January 05 Council meeting.
- Establish an Ordinance establishing a Property Tax, effective January 1, 2005. No voting is required for approval. This will be discussed at October Council meeting.
- Letter of termination as Judge for Bevil Oaks be sent Attorney Brent Turk.
- Letter of Termination as Attorney for City of Bevil Oaks be sent to Attorney Gerald Flatten, and to also notify him that a letter sent in our behalf was not authorized, therefore no payment is due him.

M/M/2/C: To adjourn meeting. LaRousse/Ford

CITY OF BEVIL OAKS
MINUTES OF REGULAR MEETING
September 21, 2004

Mayor Don Smith called meeting to order at 7:14 p.m.

All in attendance said the Pledge of Allegiance.

Invocation given by Jim Cearley.

Member Present: Don Smith, Jim Cearley, Cathy Crane, Pete Friloux, Becky Ford, Tommy LaRousse **ABSENT:** Kim Roberts

Staff Member Present: James Carrico, Marshal & Norma J. Lucas, City Clerk

Marshal's Report: Marshal Carrico gave a detailed report to the Mayor and Council. The Council discussed the Marshal's cell phone minutes used per month. Requested the Marshal review the current cell phone contract, and research a better plan, for more coverage and less cost. The Mayor stated he would like to see the Marshal out more in the daytime.

Treasurer's Monthly Report. Cathy Crane provided the following information; Current Balance of accounts General Fund \$33,932.55, Merle Lynch \$33,537.85, Road User \$112,223.53 Court \$1,282.79, Pool \$1,834.56, Ballpark \$20.45. Councilwoman Crane suggested that all monies be put in the General Fund Account. This is open for future discussion after research. **MM/2/C: Ford/Crane**

Approved Minutes of August 17, & September 7, 2004 as recorded (with correction of August date) **MM/2/C: Friloux/Ford**

Budget: 2005 Fiscal Year (FY). Becky Ford gave an overview of the proposed budget, in the amount of \$106,318.00. After thorough review of the Proposed Budget for FY 2005, Mayor Smith read Ordinance 183 for adopting and approving a budget for FY 05, beginning October 1 and terminating September 30 2005. Ordinance 183 was signed, and FY 05 Budget was passed and approved. **MM/2/C Cearley/LaRousse**

Roads & Drainage: Mayor Smith recommended citizens call Drainage District 6 about ditches and Precinct 1 with concerns about roads. He also stated that if anyone has any problems with either, to let him know.

Select New City Attorney: As the City has no City Manager; the Mayor takes on the roll of appointing a City Attorney. The Mayor appointed Thad Heartfield, Esq. Mayor Don Smith and Mayor Pro-Tem are the authorized point of contact for City's legal issues.

Appoint New City Judge: There has been no response from Attorney Turk. The Mayor appointed Attorney Jess William as new City Court Judge, effective immediately.

Comments from Citizens & Council:

- Jim Cearley thanked Citizens for help with Block Party. We did not do "Yard of the Month" for September.
- Mr. Curwood won the chainsaw.
- Becky Ford thanked citizens for their continued support. Special thanks to Pete Friloux, Tammy, and Jim Cearley.
- Mayor Smith thanked Becky Ford & Cathy Crane for their hard work, and owes them a debt of gratitude.
- George Bryant appreciates the Council's hard work, and thanked them.
- Jane Hebert stated her neighbor was concerned about Darlene McDaniels, JeffCo Appraisal District in area.
- Mr. Pat Anderson candidate for Commissioner, Pct 1, was in audience and stated, he would work to help the City.
- Pete Friloux was asked to setup a City sponsored cleanup.
- City Newsletter is needed.
- Next meeting the council will talk about a City Tax. When in place, the Road User Fee will go away.

M/M/2/C: Adjourn meeting. Friloux/Crane

CITY OF BEVIL OAKS
MINUTES OF SPECIAL WORKSHOP
October 5, 2004

Mayor Don Smith called meeting to order at 7:00 p.m.

Member Present: Don Smith, Jim Cearley, Cathy Crane, Pete Friloux, Becky Ford, Tommy LaRousse **ABSENT:** Kim Roberts

Staff Member Present: Norma J. Lucas, City Clerk

Action item: To Review and Approve " A Resolution supporting and establishing the National Incident Management System (NIMS). After review of resolution, Becky Ford moved to adopt the resolution in support NIMS.

M/M/2/C: Ford/Cearley

DISCUSSION ITEM: City Tax in lieu of Road User Fee. Attorney Heartfield has been asked to prepare an Ordinance establishing an Advalorem Tax for the City. This ordinance will be provided at the next regular scheduled Council Meeting.

Items discussed:

- Homestead Exemption. The city will establish the tax rate and any exemptions no later than October 1 of each taxable year.
- The City Tax will become effective January 1, 2005 establish and levied taxes on each \$100.00 valuation, to be used for the general fund and debt service.
- City will base income generated from road user fee + \$15,000 a year.
- The Council will meet in 6 months for a special budget workshop to evaluate actual needs
- Becky Ford presented a sample spreadsheet to show possible income to generate.
- Homes in the \$100,000 valuation will see no noticeable difference over road user fee, but can write off taxes.
- Fees paid to Jefferson County to collect Tax for City would be less than \$300.00 a year. A savings to the city.

M/M/2/C: Adjourn meeting at 8:29 P.M. LaRousse/Friloux

CITY OF BEVIL OAKS
MINUTES OF REGULAR MEETING
October 19, 2004

Mayor Don Smith called meeting to order at 7:13 p.m.

All in attendance said the Pledge of Allegiance.

Jim Cearley gave invocation.

Member Present: Don Smith, Jim Cearley, Cathy Crane, Pete Friloux, Becky Ford, Tommy LaRousse, Kim Roberts

Staff Members Present: James Carrico, Marshal
Norma J. Lucus, City Clerk

Marshal's Report:

Radar is inoperable.

The Marshal stated that he couldn't provide 24-hour coverage for the City.

City has a problem with speeders and running of stop signs. He has requested help from Jefferson County Sheriff's Department during their routine patrol in our City.

Law Enforcement Radio System is changing, and City will have to upgrade Marshal's system if he is to communicate with Jefferson County Sheriff's office, and other area Law Enforcement Agencies. Radio upgrade will cost approximately \$3,000 including the installation. Upgrade will have to be complete by the end of November 2004. The City does not have the funds for the upgrade in the budget, but will have to take action to keep the City in touch with local law enforcement agencies. Mr. Gundolph with the Fire Department stated that an option would be ask the Emergency Fire District for a loan of \$5,000. Marshal Crow was asked to provide specification for upgrade to the Emergency Fire District at their meeting on 20 October, to see if they could provide the funds to City of Bevil Oaks as a loan. If this plan fails the City will have to revise the Fiscal 05 Budget to get the funds. Marshal will provide feedback at November council meeting.

Marshal cannot continue to pay for pager. He will need help to pay, or pager will be turned off.

Councilwoman Ford asked the **Marshal** why he did not report to the fatal bicycle accident on Texas Highway 105. **Marshal** stated when arrived numerous law enforcement officers were already at the scene. He assisted with traffic control.

M/M/2/C: To approve **Marshal's Report**. **LaRousse/Crane**

Treasurer's Report: Given by Councilwoman Crane. Report included balances of all Account, and Accounts Receivable/Payable. Copies of accounts are posted in account book if review is required.

M/M/2/C: **Ford/Cearley**

Approve Minutes of 21 September and 5 October 2004.

M/M/2/C: **Roberts/Crane**

Action item: **Work Request** was reviewed and approved by Mayor.

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

ACTION ITEM: **Ordinance 184** establishing an Advalorem Tax for the City of Bevil Oaks, Texas. After review, Mayor Smith read Ordinance 184, an ordinance establishing Advalorem Tax. Mayor Smith signed Ordinance 184, also signed by Council Secretary LaRousse.

M/M/2/C: **Ford/FRILOUX**

Ms. Becky Ford moved to bring the aforementioned Ordinance 184 to a vote to establishing an Advalorem Tax for the City of Bevil Oaks, with an effective date of 1 January 2005.

M/M/2/C: **Cearley/Crane**

DISCUSSION ITEMS:

- a. **Roads & Drainage:** All requests for culverts must be checked for correct size before approving work. Councilman Friloux will verify size with Mr. Paul Truax of Pct. 1, JeffCo. Trying to get roads and drainage done as soon as possible. Mayor states it may be necessary to install speed bumps to control the speeders, as they are a danger to children.
- b. **Entergy Gulf /states, Inc.** Rate increase was not approved. Representative gave a brief overview.

CITIZENS/COUNCIL COMMENTS:

There were some questions about Ordinance 184. Councilwoman Ford gave an overview on the basics. When the city tax begins the Road User Fee will be discontinued. All property owners will pay, not just those who pay a monthly water bill. Mayor Smith asked Mr. Ed Milam for his opinion of the taxation. Mr. Milam stated that he feels that most citizens will go along with a tax, and it seem fair. Mr. Gundolph also agreed that it is the best way for the City to grow.

Mr. Tiller questioned the Road User Fee being used for things other than roads. Mayor Smith was offended that the Citizen accused him or the City of Bevil Oaks of inappropriately using the Road User Fee. He made it clear that this has not happened since he became Mayor. Mayor Smith stated that light for the roads is part of road requirements. Mayor stated Mr. Tiller was out of line because of the things said, and everyone is working for the good of the city.

Two Political candidates were visiting Mr. Eddie Arnold and Mr. Pat Anderson. They asked everyone to get out and vote. Mayor thanked them for coming.

Ms. Jane Hebert reminded everyone of the citywide cleanup on Nov 13th at the pool area.

Mr. Crenshaw owns the Pool. Recommend that BOMUD have their attorney review the issue.

Councilwoman Crane thanked everyone for coming out.

Councilwoman Ford thanked everyone for support and input.

M/M/2/C: Adjourn meeting at 9:00 P.M. LaRousse/Crane

MEMO FOR RECORD

Due to a lack of a quorum, Council Meeting scheduled for November 23, 2004 was not held. Those present left at 8:25 P.M.

Absent were the following Council Members:

**Ms. Cathy Crane
Mr. Jim Cearley
Mr. Tommy LaRousse
Ms. Kim Roberts**

Orig: fm B. Ford

Minutes of Regular Meeting
City of Bevil Oaks, Texas
December 21, 2004

Call to Order: Mayor Don Smith

All in attendance said the Pledge of Allegiance

Council Members Present: Pete Friloux, Cathy Crane, Becky Ford, Jim Cearly and Mayor Smith

Council Members Absent: Tommy LaRousse and Kim Roberts

For the Good of The Order: Jim Cearly gave the invocation

Marshal's Report:

The attached Marshal's report was presented. In addition to the action items in his report, the Marshal reported that there were eleven (11) solicitors dropped off in the neighborhood one night last week. A citizen reported them and they were rounded up and escorted out of the neighborhood and the county. All eleven had criminal backgrounds.

M/M/2/C: Ford/Crane

Approve Minutes of October 19, 2004 meeting:

M/M/2/C: Ford/Crane

Treasurer's Report:

Accounts Receivable:

The treasurer's report was presented reflecting funds in the amount of \$ 183,007.01 on deposit in the various City accounts. Accounts receivable for the month of November totaled \$ 4,533.63. It was noted that the \$1,000 owned by the Citizens On Patrol group is still in an account under the name of the City of Bevil Oaks. Mayor Smith requested that John or Elaine Hignett go to the bank and transfer the money into a Citizen's on Patrol account or withdraw the funds due to the fact that only funds belonging to the City of Bevil Oaks can remain on deposit under the City's tax ID#. Ms. Hignett agreed to take care of the matter.

Treasurer's report was approved as presented.

M/M/2/C: Cearly/Friloux

Accounts Payable:

Accounts payable were presented and approved with the exception of the Sam's Club dues. After discussion, it was agreed that the City does not have a need for this membership. It was further discussed that, if we continue to pay dues to Southeast Texas Regional Planning Commission, someone needs to attend the meetings. Mrs. Ford agreed to attend for the City.

M/M/2/C: Ford/Cearly

Action Items:

Crenshaw's SPECIAL WARRANTY DEED

Mayor Smith read a Special Warranty Deed that was presented to the City by Will Crenshaw for approval. The deed would sell and convey to the City of Bevil Oaks, the land where the swimming pool and tennis courts are located, for so long as it is used as a public park and swimming pool. The deed further stipulated that the City would be agreeing to pay the taxes on the property.

Councilwoman Ford made the motion to deny the acceptance of this deed due to the fact that the City cannot support the project financially. The matter was discussed .

M/M/2/C: Cearly/Crane

Work Requests

There were no work requests for review.

Discussion Items:

a. Roads & Drainage –citizens pointed out that the stretch of Wayside between Shipley and Sweetgum is already in poor condition. The Mayor is to contact the County for repairs.

b. Jefferson County Tax Refund – Mayor Smith read a letter from Miriam Johnson's office to Will Crenshaw regarding the 2003 taxes on the pool property that were inadvertently paid by the City. The letter advised Mr. Crenshaw that the funds were being credited back to the City of Bevil Oaks and that he should pay the tax immediately to avoid further penalty.

c. Civic Center Rental for those providing community service related meetings—the matter was discussed at length and decided that the fee schedule will be reviewed at next meeting with the possibility of clarifying groups excluded from having to pay the fee.¶

d. Marshal's Communications System Upgrade-- The Marshal presented copy of a letter to Jefferson County Emergency Services District #1 requesting assistance in the amount of \$4,475.00 for the purchase and installation of an 800mz mobile radio for the Marshal's patrol vehicle. A price quotation from Kay Electronics was attached. He expects the JCESD#1 to take action on this item in its January meeting.

Citizen's Comments: --Councilman Friloux read two letters from citizens complaining about the condition of the properties at 7570 Sweetgum Lane, 7710 Sweetgum Lane and 13490 Rolling Hills. Mayor Smith reported that these matters will be addressed and corrected just as soon as the new judge is sworn into office in early January 2005.

Mrs. Jane Hebert presented the council with newspaper clippings and information from a previous "flood Committee" regarding the grant that Pinewood received for drainage and stated that Bevil Oaks missed out on being a part of this grant money due to the lack of interest from previous council. Her concern is that the work being done in Pinewood would create more flood issues for Bevil Oaks. Mayor Smith assured Ms. Hebert that we would look into the issue with Representative Ritter and Ms. Ford would gather information on available funds from SETRPC.

M/M/2/C: Adjourn meeting at 8:45 p.m. Ford/Crane