

**January 20, 2022**  
**Meeting Minutes**

# Regular Meeting Minutes

January 20, 2022

1. **Call to Order @ 6:00**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas State flag: "Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible."
3. **Roll Call – All Present**
4. **Conflict of Interest Statement - None**
5. **Citizen Comments:**
  - Dale Darby – Attorney- Concerns on PIR that are not answered. CPA – Look into how the books are being done.
6. **Report**
  - a. **Utility Innovations – Charlie & Marty Adams**
    - Charlie explains who they are and their experience in the water and sewer utility. Mrs. Marty clarifying the correct on call number. States that Councilman Merendino put her home phone number on Facebook. She emphasizes that the home phone number is not always answered, so the on-call phone number is the best one to be answered. They work by work orders.
    - Councilman Smith – Who sets the fee on call-out fee.
    - Councilman Merendino – What happens when sewer backs up? What does the Utility company charge?
    - Nancy Larousse- How do they check the water quality? How often is it checked?
    - Charlie Adams explains how the sampling works.
    - Dale Darby – What does the monthly tests, test for?
    - Bud Merendino- How do you feel about the Chlorine injection system that we have?
    - Charlie- explains that he would use sodium chloride if he were to install a new system vs. what we have now.
    - Bud Merendino – Would you advise switching over to that system
    - Charlie – It would be something that would need to be further investigated. When Danny was here, they were looking into a 5-year plan
7. **Review/Approve Consent Items – Approved - M/M/2/C – Councilwoman Mitchell/Councilman Emmons**
  - a. Financial Report for City of Bevil Oaks
  - b. Financial Report for Public Works
  - c. Report by Utility Specialties
  - d. Previous Meeting Minutes
8. **Review/Discussion/Approve Action Items – Approved - M/M/2/C – Councilman Emmons/Councilwoman Vautrot**
  - Mayor Emmons – Public Management is the only company that turned in a bid.
  - Bud Merendino – Do we have time to go out for bid again to see if more people turn in bids

- **Dru Montgomery** - Explains why we need a Grant Administrator and why there was probably not more people to turn in a bid.
- **Bud Merendino** – thought that we had until 2026 to spend it
- **Dru Montgomery** -- Explains that what he means by we need to hurry and get a Grant Administrator and get the funds designated to projects because the projects that are occurring right now are the type of projects that the ARPA funds are designated to.

**9. Adjourn Regular Meeting @ 6:40**

**10. Executive Session**

- a. The City Council may convene in Executive Session to discuss confidential information about City personnel. The City Attorney may be consulted on issues pertaining to potential legal matters and specific to confidential personnel decisions/evaluations/suggestions.

**11. Call regular meeting back to order @ 7:06**

**12. Discussion**

- a. **Councilman Merendino**- will come back to it if it is not discussed or he has questions about what his report was over
- b. **Councilman Mullins** – explains that there have been issues at the sewer plant with the new pumps that we just installed. Explains the process that himself and Sabrenna went through to get the issue resolved. The pump that was causing the issue was pulled. Hahn equipment was able to repair the two of the pumps that they had already. Now there are 3 pumps installed and we will have 2 spare pumps once the other ones are repaired.
  - Explains the expenses that the City has had to spend to repair everything at the sewer plant with the pumps.
  - **Councilman Mullins**- He would like the City to form committee's. States that our biggest issues are drainage and water rates. Thinks that it would be beneficial to fresh eyes on the issues.
  - **Mayor Emmons** – Tells Councilman Merendino that she thinks that it would be beneficial for him to investigate the drainage. States that she would like him to go to meetings with her with the County, DD6 and the County Commissioner.
  - To Cheryllyn Mitchell would like her to be over the water rates.
  - **Mayor Emmons** – tells the Council that she would like all of them to make a report over something.
  - **Councilman Merendino**- states that when he and the Mayor went to the Sewer Plant, there wasn't much consumption in there. States that the City received a grant years ago to smoke test the sewer lines and that the City was supposed to smoke test yearly, but there was only one smoke test done. Explains that the problem with the sewer system is that citizens need to cover their clean outs.
  - **Councilman Mullins** – Explains that some of our problem is the items that are being flushed.
  - **Councilman Emmons** – FEMA was going to give us funding to cut out specific sections of each road. Michael Miguad with Public Management said that we should apply for capped improvement through FEMA so that we can spend the funding however we need to spread it out. States that it will take 60-90 days to get an answer from FEMA on the capped improvement project. It will be around April when the project is ready to go

out for bid. Goes over the construction drawing that was sent to him by the Engineer.  
Goes over what the material is going to be.

- Mayor Emmons- states that the City has told them that we will not use more than \$20,000 out of our road fund.

#### **11. Report**

- Mayor Emmons:
- City Hall and Civic Center- Got Blueline to comply with everything that City was asking. Explains that Brad Scurria from TDEM was under the impression that the new buildings were already built. We also spoke with the insurance agent about the insurance claim that was made. The total amount that the City received for the buildings is \$118,741. The claim for the contents of the old City Hall and Civic Center was never filed. We do have some insurance funds other than the check that we have received from the insurance company.
- Explains that there is some things that we could put up for alternates bids. Blueline suggested some items that could be used for alternates.
- We don't have a Grant Administrator for the City Hall and Civic Center. The Attorney was over this grant.
- Councilwoman Mitchell – when she met with the attorney that he told her that he was the only one that had access to the FEMA portal.
- Mayor Emmons – states that Brad Scurria would be getting her access to the FEMA portal
- Mayor Emmons- Lift Station grant - they are working on the lift station on Riverbend right now. The lift station on River Oaks, is not as far because there was a manhole that had to be relocated because it was in the way of where they were building the elevated tower.
- Mayor Emmons – Elevation Grant – The first round of houses is almost complete. There are 5 people that have not responded back to whether they want their house to be elevated or not.
- Golf Cart – Suggests that the golf cart goes out for bid. Suggest that a gas allowance for Sabrenna would be preferred. Council can get together later to discuss that.
- Meeting with the County Commissioner- Met with the County Commissioner several times about getting the meeting set up with the County and DD6 about our drainage. There will be a town hall meeting in February with all of them.
- Town Hall Meeting for the Sherriff's office to come out and do a report on animal control.
- Charollette -City's CPA- said that she can come to the next Council meeting
- Councilman Smith – There is a major issue with people running stop signs. There needs to be something done. We need to install speed bumps or something because Jefferson County can't be out here all the time.

- Councilman Emmons – Speed bump- the speed bump that is installed now is what I was allowed to do and I was only allowed to install the one.
- Councilman Smith – The speedbump that is there now is not tall enough.
- Councilman Merendino – Has spoken with someone before about hiring an off-duty cop.
- Councilman Smith – Tickets would be a great thing but having something else that would make them stop.

**12. Adjourn Meeting @ 8:33 pm M/M/2/C – Councilwoman Vautrot/Councilwoman Mitchell**



**Mayor Emmons**

Attest: 

**Doug Mullins, City Secretary**



**February 17, 2022**  
**Meeting Minutes**

**Notice of a Regular Meeting**  
**CITY OF BEVIL OAKS, TEXAS**  
February 17, 2022

1. **Call to Order @ 6:00**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call – Councilman Smith and Councilwoman Vautrot absent – everyone else present**
4. **Conflict of Interest Statement - None**
5. **Citizen Comments – None**
6. **Report**
  - a. **Justin Hidalgo – presentation on re-implementing the City Marshal's Office**
    - Introduces himself
    - Discusses that there are only 2 officers that patrol Bevil Oaks. States that the patrol officers that are in our area patrol a wide variety of the City's around Bevil Oaks.
    - Discusses the role that the Marshall would play in the City
    - States that the Marshall's office would not take place of the Jefferson County Sheriff's Office.
    - The Marshall could serve as a code enforcement officer
    - Discusses what calls are priority
    - Discusses the cost breakdown
    - Grant opportunities
    - Discusses the steps that would take place to hire a City Marshall
    - **Councilman Merendino-** Could we obtain a Grant to hire a Marshall
    - **Mayor Emmons-** making a traffic stop, if someone shoots you, who would be liable for that
    - **Mr. Hidalgo-** suggests asking a lawyer
    - **Mayor Emmons –** Would the cost that were in the presentation cover code enforcement and code enforcement training?
    - **Mr. Hidalgo – Yes**
    - **Mr. Hidalgo –** per other Marshall's offices that he spoke with about the extra cost to cover the Marshall through TML insurance rates was covered in the cost in the presentation
    - **Councilman Merendino –** Suggests that the Council look into the details of hiring a Marshall.
    - **Councilman Merendino -** Who would keep track of the tickets that were issued?

- **Mr. Hidalgo** – Explains that the tickets that would be issued all have a carbon copy, it would be kept at the City office.
- **Mayor Emmons** – Asks Mr. Hidalgo if he has ever written an interlocal agreement
- **Mr. Hidalgo** – Yes, several
- **Councilman Merendino** – Discusses how previous situations were with the previous Marshall
- **Mr. Hidalgo** – states that the protocol in certain situations would be to wait for back up from the Jefferson County Sheriff's Office
- **Resident Nancy Larousse** – If resident's have an issue, who would they call?
- **Mr. Hidalgo** – Resident's would still call 911 or the Sheriff's office.
- **Resident Nancy Larousse** – How many hours would be spent on traffic stops?
- **Resident Nancy Larousse** – How would the code enforcement issues be handled?
- **Mr. Hidalgo** – It depends on what the ordinance says
- **Resident Rita Williams** – Could we distribute the administrative fees on the perpetrator/violator's ticket?
- **Councilman Merendino** – If someone that was issued a ticket, what would they need to do to take defensive driving?
- **Mr. Hidalgo** – That decision would be made by the County Judge

**7. Review/Approve Consent Items- *Approved* - M/M/2/C – Councilman Mullins/Councilman Merendino**

- a. Financial Reports for City of Bevil Oaks
- b. Financial Reports for Water
- c. Report by Utility Specialties
- d. Previous Meeting Minutes

**8. Review/Approve Action Items - *Approved* - M/M/2/C- Councilman Emmons/Councilman Mullins**

- a. **Consideration/Discussion/Approval-** Ordinance for Entergy declining to approve the change in rates request

**9. Discussion**

- a. Discussion over projects that the City could do to improve infrastructure throughout the City.
  - **Mayor Emmons** – Explains that we have a CDBG grant that is approaching fast. We must have a list of infrastructure ideas. We have discussed adding another lift station, adding in a larger water main to be able to house a fire hydrant, adding to the roads fund that we already have. Asks Council for ideas.

**10. Reports**

- a. **Councilwoman Vautrot** – Grounds and Maintenance – not present



- b. **Councilman Merendino – Flood Prevention Project**
- **Councilman Merendino** -Currently the County and DD6 are working on cleaning ditches.
  - **Mayor Emmons**- States that Dr. Joe from DD6 will be at our Town Hall Meeting next week
- c. **Councilman Emmons – Roads & Drainage**
- **Councilman Emmons** -The Road Grant is still on track. Currently, we are waiting on FEMA to make their decision on the Capped Improvement project. We should be hearing back from FEMA at the end of next month. After that, it should be going out for bid by June. It will take about a year to complete the project
- d. **Councilman Smith – Emergency Management – not present**
- e. **Councilman Mullins – Water & Sewer**
- All the pumps at the sewer plant are working properly
  - Currently, we have 2 old pumps and 1 new pump in place. We have 1 old pump and the new pump that are still in Houston being worked on.
- f. **Councilwoman Mitchell – Water Rates Project**
- Currently we have been attending meetings for Grants, so she is working on research, but Grants take priority
- g. **Mayor Emmons – Various Items**
- **City Hall/Civic Center** – the pre-bid meeting was today. The bids must be submitted by March 3. Once the bids are submitted, Blueline will go through the bids, tally them accordingly to FEMA. Once the bids have been submitted, Blueline will send the top 3 bids to the City. The Council will then decide which one they want to use for the project.
  - Councilwoman Mitchell has stepped up and attended a lot of the meetings pertaining to the Grants

Adjourn meeting at 7:35 pm



Mayor Emmons

Attest: 

City Secretary, Doug Mullins

**March 17, 2022**  
**Meeting Minutes**

# Regular Meeting Minutes

## City of Bevil Oaks

March 17, 2022

1. **Call to Order @ 6:00 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call**- All present except Councilman Mullins and Councilman Smith
4. **Conflict of Interest Statement**- None
5. **Citizen Comments** (3 minutes each) – An opportunity for the citizens to address Council on agenda items or concerns not on the agenda – those wishing to speak must complete the comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a 3-minute time limit
6. **Review/Approve Consent Items**- *Approved- M/M/2/C*- Councilwoman Mitchell/Councilman Emmons
  - a. Financial Reports for City of Bevil Oaks
  - b. Financial Reports for Water
  - c. Report by Utility Specialties
  - d. Previous Meeting Minutes
7. **Review/Approve Action Items**
  - a. **Consideration/Discussion/Approval** of ordinance variance request by resident for the late and disconnect fee. *Denied-*
  - b. **Consideration/Discussion/Approval** of resident being reimbursed for tire that was damaged due to the bricks that were placed in the pothole on Sweetgum. *Denied-*
  - c. **Consideration/Discussion/Approval** of Appointment of Council Officers- *Approved- M/M/2/C- Councilman Merendino/Councilman Emmons*
    - Councilwoman Vautrot no longer Mayor Pro-Tem
    - Councilwoman Mitchell New Mayor Pro-Tem- **2 - yes 1 - no**
    - Councilman Mullins stays City Secretary- **Unanimous Yes**
  - d. **Consideration/Discussion/Approval** of Resolution to place City Golf cart up for sale and/or auction it off. *Approved- M/M/2/C- Councilman Merendino/Councilwoman Mitchell*
  - e. **Consideration/Discussion/Approval** of Resolution for the change in office hours- *Approved- M/M/2/C- Councilman Merendino/Councilman Emmons*
  - f. **Consideration/Discussion/Approval** of Drought Contingency Plan that is currently in place. *Approved- M/M/2/C- Councilman Emmons/Councilman Merendino*
8. **Discussion**
  - a. CenterPoint Energy – Notice of CenterPoint Energy's 2022 GRIP Filing for the Beaumont/East Texas Division
  - b. Discussion on how Council receives their packets at the Council meetings, via email only vs. paper & email
    - **Paper Copy**- Councilman Merendino
    - **Electronic Copy**- Everyone else
9. **Reports**
  - a. Councilwoman Vautrot – Grounds and Maintenance
    - **Councilwoman Vautrot**- Minor curfew is 10 pm. Minors don't need to be out after this time.
    - **Councilwoman Vautrot**- speaks at about keeping things clean.



- b. Councilman Merendino – Flood Prevention Project
- **Mayor Emmons-** Speaks about the work that DD6 is doing on Davida
  - **Councilman Merendino-** asks when the County will be out to clean out the ditches on Davida.
  - **Mayor Emmons-** states that the County will be out to clean the ditches once DD6 gets through with their part.
- c. Councilman Emmons – Roads and Drainage
- **Councilman Emmons-** we have not heard back from FEMA on the capped improvement project. Asked the engineers if there was any way that we could put the work off for the roads due to the rise in costs of materials. States that we would not be able to do that due to having a deadline to spend the money that the City obtained from the Grant.
- d. Councilman Smith – Emergency Management- **Not Present**
- e. Councilman Mullins – Water & Sewer- **Not Present**
- f. Councilwoman Mitchell – Water Rates Project
- **Councilwoman Mitchell-** looking at several different things. Waiting on replies back from the CPA to help get the answers that she needs to work on the study.
- g. Mayor Emmons – Permit Payments & other various Items
- **Mayor Emmons-** Permit payments are only accepted in the form of check or money order right now, but we are in the process of getting the system set up to take credit card payments. It will take a little bit to get the software set up to take those payment, but it will soon be an option
  - **Mayor Emmons-** Council needs to start thinking about going out for new professionals, such as CPA, to see if they want to look into getting someone else to cover those particular services.
  - **Mayor Emmons-** She has been working with DD6 and the County on things that will benefit Bevil Oaks.
  - **Mayor Emmons-** Will be designating the Civic Center as an Emergency Shelter for Jefferson County.

Adjourn Meeting @ 7:10 pm

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins

**April 21, 2022**  
**Meeting Minutes**

## Regular Meeting Minutes CITY OF BEVIL OAKS, TEXAS

April 21, 2022

1. **Call to Order @ 6:08 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call-** All Present- Councilwoman Vautrot arrived at 6:20pm
4. **Conflict of Interest Statement-** None
5. **Discussion**
  - a. Jefferson County Sheriff's Office- discussion of various topics
    - **Officer Miller-** Explains that the Sheriff's office is responsible for filing reports, call taking, special control
    - When making a call into the Sheriff's office, don't be afraid to tell the officer what color the perpetrator is. For example, black, white, etc.
    - Text to 911 is now available. If you are not able to call, you can text. Be sure to include your address.
    - **Councilman Smith-** We have an huge issue with people running the stop signs, especially further back into the neighborhood past the Blvd.
    - **Councilman Mullins-** It's not a rolling stop, people are blowing through the stop signs.
    - **Officer Miller-** the Sheriff's office isn't allowed to write a citation unless they witness the crime, but if you know the description of the vehicle and where the vehicle resides, we can go talk to them.
    - Next month there will start to be more foot traffic. If you see that there is a specific time that issues are occurring, let the Sheriff's office know and they can set it up to be patrolling at that time.
    - Discussion between the Council about the stop signs throughout the City.
    - **Mayor Emmons-** we don't have an issue with people riding four wheelers, but if they start acting crazy, the Sheriffs office needs to be notified.
  - b. Presentation from Piney Woods Sanitation
    - **Introduction of who they are. Passed out proposals to the Council for the services that they provide**
    - Mentions the type of truck that they have vs. what the other trash companies use.
    - Mentions that they still have an employee that rides on the back of the truck. If anything was to fall out of the truck/can, they can pick it up vs. leaving it behind.
    - Mentions that they pick up things that are left beside the can. They allow 2 bulk items per week.



- Mentions different way that the bill can be paid. Through the City or through them and they pay the City a franchise fee.
- **Mayor-** we normally have a city wide garage sale and then we have a roll-off dumpster delivered on a Saturday and it is picked up the same Saturday, is that something that y'all would be able to do?
- **Piney Woods-** Yes, they can do three roll-offs a year per the contract.
- **Councilman Smith-** There has been issues with other garbage trucks leaking liquids that are from the trash bags in the back of the truck. Will that be an issue with the trucks that you have
- **Piney Woods-** If we have a lot of rain, the trucks do typically leak out some liquid, but this isn't something that will happen on a daily basis. The drivers of the trucks turn in a report after every shift with anything that may be wrong with the trucks. If the truck is leaking liquid from the trash, and it hasn't rained, that is something that is notated on the report from the driver.
- **Councilwoman Mitchell-** On the fuel adjustment, when diesel hits \$4.95, what is that adjustment?
- **Piney Woods-** There's a formula in the contract that was handed out, and what it says is they take 6 % and divide it by the fractional increase in fuel. So it end up being like \$0.25.
- **Councilwoman Mitchell-** cost for residents, the cost per can is \$14.50. What is the cost of 2 cans?
- **Piney Woods-** Each can is \$5.00, making the cost for two cans \$19.50
- **Councilman Merendino-** The price that is listed, is that per month or per quarter?
- **Piney Woods-** Per month
- **Councilwoman Mitchell-** there is separate costs for commercial and residential?
- **Piney Woods-** Currently, the City does not receive franchise fees for the commercial accounts
- **Piney Woods-** If a decision was made to have a commercial franchise fee, the Council would need to speak with the Attorney and see if that was able to happen. If the commercial franchise fee is something that is allowed and it is something that the City would be interested in doing, it would have to be done by ordinance.
- **Piney Woods-** Things that the City needs to consider is if you would want to franchise the commercial and if you want to franchise the roll- offs.
- **Councilman Merendino-** What is the charge for a 20-yard roll-off in Lumberton?
- **Piney Woods-** \$93.00- delivery, \$293.00- per home
- **Piney Woods-** the roll-off rates are included in the contract

6. **Citizen Comments (3 minutes each)** – An opportunity for the citizens to address Council on agenda items or concerns not on the agenda – those wishing to speak must complete the comment card, present

the comment card to the City Secretary prior to the beginning of the meeting, and observe a 3-minute time limit-

- **Allen Pride-** Thanks the Council for their time. Would like to speak about the item that is on the agenda. The rescinding of the resolution that prevents elected officials to perform work for the City. This resolution was instituted to increase integrity. If this resolution is rescinded, it opens the door for the people writing the checks, to cash the checks too.
- **Councilman Smith-** My only concern is when you say former people, I was the former Mayor, I now have my own business, this resolution excludes me from doing any kind of business with the City when I am no longer on Council.
- **Councilman Mullins-** If you exclude former Council, you exclude it for a certain number of terms.
- **Allen Pride-** The purpose of the resolution was to maintain public trust. For example, if there is an item that is out for bid and a former Council member wins the bid, it erodes the public trust.
- **Terry Watson-** The side of Leaning Oaks between Shipley and the ditch is terrible.
- **Councilman Mullins-** When we redo roads, that section of Leaning Oaks is priority.
- **Terry Watson-** When is this supposed to happen?
- **Councilman Mullins-** We don't know a date as of right now
- **Mayor Emmons-** Councilman Emmons will be talking about it in his report.

**7. Review/Approve Consent Items – M/M/2/C- Councilwoman Mitchell/Councilwoman Vautrot- *Approved***

- a. Financial Reports for City of Bevil Oaks
- b. Financial Reports for Water
- c. Report by Utility Specialties
  - **Councilman Merendino-** I did have a question about some things that were on the Utility Innovations invoice because there were several locates for the same address. However, I spoke with Sabrenna (office staff) about it and she showed me that they have different work order number and different coordinates on the locate request and she had to give them an address to start from.
- d. Previous Meeting Minutes

**8. Review/Approve Action Items**

- a. **Consideration/Discussion/Approval** of opening bids to auction off the City golf cart, declaration of the golf cart as surplus and acceptance of a single bid or rejection of all bids. **M/M/2/C- Councilman Emmons/Councilwoman Vatrout- *Approved***
  - **Mayor Emmons-** There are 3 bids.
  - **Attorney Dru Montgomery-** 1<sup>st</sup> bid- Doug Mullins- \$800.00, 2<sup>nd</sup> bid- Tim Hamilton- \$510.00, 3<sup>rd</sup> bid- Jeff Thibodeaux- \$400.00, 4<sup>th</sup> bid- Cathy Smart- \$375.00. There are no other bids

- **Bid that was accepted-** Councilman Emmons- make the motion to accept the highest bid.
  - **Winner of the bid-** Doug Mullins with a bid of \$800.00
  - **Councilman Emmons-** Is Doug Mullins allowed to win the bid being that he is on Council
  - **Attorney Dru Montgomery-** Yes, because the golf cart was declared surplus and he was not allowed to vote on this action item because he placed a bid.
  - **Councilman Merendino-** abstained from voting
- b. Consideration/Discussion/Approval** of rescinding resolution # 2018-0830A preventing any current or former elected official, appointed official, city employees or immediate family thereof, to conduct business with the City. **tabled until next Council Meeting- M/M/2/C-** Councilwoman Mitchell/Councilman Merendino-
- **Councilman Smith-** If we get rid of this resolution, will this allow anyone to do work for the City?
  - **Mayor Emmons-** Yes
  - **Councilman Emmons-** it states in the resolution that we are getting rid of this resolution. Mentions tabling the decision to do away with the current resolution until we can modify it to say what we want it to say.
  - **Mayor Emmons-** What should the modified resolution say?
  - **Councilman Smith-** that there should be a time limit on it.
  - **Councilman Merendino-** It should state that Council can only bid on a sealed bid item.
  - **Attorney Dru Montgomery-** Rescind the current resolution, then make a modified resolution. Council will not be able to do business with the City until the modified resolution is done.
  - **Mayor Emmons-** Council needs to have a decision on what they want the resolution to say within two weeks, that way Dru has time to make the resolution and go over it before it gets put on the agenda for the next meeting.
  - **Councilwoman Mitchell-** the Council's decision needs to be put in writing in their City email to you, Mayor Emmons.
- c. Consideration/Discussion/Approval** reassigning duplicate numbered Ordinance Number 254 approved on January 21, 2021, to be re-numbered as Ordinance Number 258. **M/M/2/C- Councilman Merendino/Councilman Mullins- Approved**
- d. Consideration/Discussion/Approval** of Ordinance regulating dilapidated buildings, substandard buildings, and unsecured vacant buildings. **M/M/2/C- Councilman Merendino/Councilwoman Mitchell- Approved with revisions**
- **Attorney Dru Montgomery-** reads what the ordinance summary is.
  - **Councilwoman Mitchell-** Does this address commercial and residential properties?

- **Attorney Dru Montgomery/Mayor Emmons-** Yes
  - **Attorney Dru Montgomery-** There are some minor tweaks that need to be made to the Ordinance. It states that the Fire Marshall, building inspector AND the City Council, needs to be changed to OR. The way that it states right now, all three would have to make the decision.
  - **Councilman Smith-** How are we going to get the money to pay for the City to this job, the ones that have to be demolished.
  - **Councilwoman Mitchell-** Typically, the City would pay for it and put a lien on the property for the costs.
  - **Attorney Dru Montgomery-** normally what will occur is- that the City could spend \$5-10,00.00 on it and put interest on it and hope for the best. There is a lot more actions that are being offered.
  - **Mayor Emmons-** We could get volunteers to demo the houses. There have already been a few that have volunteers.
  - **Councilwoman Mitchell-** If we do not do something for the dilapidated houses and someone gets hurt, does the City become liable if we don't address these issues.
  - **Attorney Dru Montgomery-** 99% no, because it is private property. The City would have to be sued for not fulfilling its governmental duties to be held liable.
- e. **Consideration/Discussion/Approval** authorizing the Mayor and/or creating a committee to (a) terminate existing garbage collection contract; (b) request proposals from qualified garbage collection services in a commercially reasonable manner; (c) obtain and review proposals; (d) approve a single proposal or reject all proposals at a properly noticed meeting or regular City Council meeting. **Tabled until after executive session.**

**9. Adjourn Regular meeting to go into Executive Session @ 7:39**

**10. Executive Session- next video**

- a. The City Council may convene in Executive Session to discuss possible litigation.

**11. Resume Regular meeting @ 8:02**

**12. Discussion**

- a. Discussion of irrigation meter installation and costs- Councilwoman Mitchell
- b. Discussion on possibility of company removing sign on Sweetgum.  
Enforcement of Ordinance # 240- Solicitation. - Councilman Merendino
- c. Discussion of hazardous trees. - Councilman Emmons

**13. Reports**

- a. Councilwoman Vautrot – Grounds and Maintenance
- b. Councilman Merendino – Flood Prevention Project
- c. Councilman Emmons – Roads and Drainage
- d. Councilman Smith – Emergency Management
- e. Councilman Mullins – Water & Sewer
- f. Councilwoman Mitchell – Water Rates Project
- g. Mayor Emmons – Various Topics

14. Adjourn Meeting @ 9:08 pm

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins

**May 05, 2022**  
**Special Meeting Minutes**



Special Meeting Minutes  
CITY OF BEVIL OAKS, TEXAS

May 05, 2022

1. **Call to Order @ 6:30 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call** – All present except Councilwoman Vautrot
4. **Conflict of Interest Statement**- None
5. **Review/Approve Action items**
  - a. **Discussion/Consideration/Approval**- AN ORDINANCE OF THE CITY OF BEVIL OAKS, "REGULATION OF SEX OFFENDER RESIDENCY," THEREBY ESTABLISHING CHILD SAFETY ZONES WITHIN THE CITY'S CORPORATE LIMITS. **M/M/2/C**- Councilwoman Mitchell/Councilman Emmons
    - **Councilman Merendino**- to Dru Montgomery- What is to stop this from making someone move that lives within that area?
    - **Dru Montgomery**- It won't. It does not apply to people that have already established their residence.
    - **Councilman Merendino**- "the person established a temporary/permanent residence and has complied with all the sex registration laws of the state prior to the date of the adoption of this section." **Why does it say this section?**
    - **Dru Montgomery**- The enforcement section.
    - **Councilman Mullins**- What does it say about them coming outside/to events?
    - **Councilwoman Mitchell**- They can do daily things like driving their vehicle, but they can't come to events.
    - **Mayor Emmons**- This is to make our City safe and more welcoming to families. We are trying to establish everything we can to ensure that our City is safe.
6. **Adjourn Meeting @ 6:39 pm**

  
Mayor, Barbara Emmons

Attest:   
City Secretary, Doug Mullins

**May 19, 2022**  
**Meeting Minutes**

**Regular Meeting Minutes**  
**CITY OF BEVIL OAKS, TEXAS**  
May 19, 2022

1. **Call to Order @ 6:01 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call-** All present except Councilman Mullins. He arrived at 6:18 pm
4. **Conflict of Interest Statement-** None
5. **Citizen Comments-** None
6. **Review/Approve Consent Items M/M/2/C-** Councilwoman Mitchell/Councilwoman Vautrot- **Approved**
  - a. Financial Reports for City of Bevil Oaks
  - b. Financial Reports for Water
  - c. Report by Utility Specialties
  - d. Previous Meeting Minutes
7. **Presentations**
  - a. **Milton Bertolio with Charles E. Reed and Associates to present the 2020 Audit for the City of Bevil Oaks and the Public Works Department**
    - Charles Reed – Introduces himself and Sharon Reed. Discusses the audit and how it is laid out.
    - Charolette Yeates (Edgar, Kiker & Cross- City representatives)- Explains that a single audit is something that must be performed if an entity spends more than \$750,000. In 2020, the City spent over that due to the grants. A single audit is due 9 months after the year-end making it due in June the following year. The audit for 2021 will be late but not as late as the 2020.
    - Mayor Emmons- Did the single line audit have to do with TDEM (Texas Department of Emergency Management)? For the 2020 year, the City received the TWDB (Texas Water and Development Board) grant.
    - Charolette Yeates- We probably will have to have a single line audit for 2021. If there is going to be a phase 2 for the Elevation grant, there will be a single audit performed.
    - Mayor Emmons- The elevation grant is not a reimbursement grant. They send us the money first.
    - Charolette Yeates- Even if you receive the funds for the elevation grant, that doesn't mean that there will have to be a single audit done. The single audit is done off expenditures, not what you receive.
    - **Mayor Emmons-** With the elevation grant being through the TWDB, will that be the same process?

- **Charolette Yeates-** There are requirements for all grants. There are guidelines for each grant. On the single audit, for the grants, they are auditing the program that the grant is under. They are auditing the compliance of that grant.
- **Mayor Emmons-** If you begin next week on the 2021 audit, will you move forward as a regular audit or as a single line audit?
- **Charolette Yeates-** The regular and the single audit are usually done together.
- **Charles Reed-** I think what the Mayor is looking for is what is the next step. We (Charles Reed & Associates) will have to sign off on the audit and then the Mayor will have to sign off on it.
- **Charolette Yeates-** It's the e-filing of the audit. Their firm will initiate for permission and as the Mayor you will get an email that you will have to respond to. That completes the single audit.

#### **8. Review/Approve Action Items**

- Consideration/Discussion/Approval** of audit previously presented by Milton Bertolio. **M/M/2/C-** Councilwoman Mitchell/Councilman Emmons- **Approved-** Councilman Merendino abstained from voting
  - **Councilwoman Mitchell-** No because there are mistakes in here that need to be corrected. If it is going to be e-filed, **Mayor Emmons** intervenes explaining that you have to have a motion before it can be discussed.
  - **Mayor Emmons-** Is there any more discussion?
  - **M/M/2/C- Councilman Emmons/Councilwoman Vautrot** – voted to open for discussion
  - **Councilman Merendino-** The City of Bevil Oaks did not file the required collection form within the timeline. Does that mean Barbara?
  - **Mayor Emmons-** No, that means the City. This was supposed to be taken care of before she was elected.
  - **Councilman Merendino-** Who is responsible for that?
  - **Charolette Yeates-** The City.
  - **Councilman Smith-** The City employee, like Kim.
  - **Mayor Emmons-** We (the City Council) are the City
  - **Councilman Merendino-** The City Council isn't responsible for getting that data out. Who is responsible for doing that?
  - **Charolette Yeates-** It's a combination. It's not one person. It's everyone. We just have to accept that it's late.
  - **Mayor Emmons-** If we do not get this done, get this approved and get this sent in, we are in jeopardy of losing our grants.
  - **Charolette Yeates-** We hope by the end of this fiscal year that we have the 2021 audit done and we will be back on track.
  - **Councilman Mullins-** How soon after the year-end should we receive the audit?



- **Councilwoman Mitchell**- 6 months.
- **Councilwoman Mitchell**- The things that need to be corrected on the audit aren't big things, i.e., on page 9 where it requests for information, the address is wrong.
- **Charolette Yeates**- If you will email me the changes that need to be made, I will get it corrected for the 2021 audit. When the 2021 audit is over, I will set up a meeting with Council to teach you about the process.

- b. **Consideration/Discussion/Approval** of resolution allowing any current or former elected official, appointed official, city employees or immediate family thereof, to conduct business with the City. **M/M/2/C**- Councilman Emmons/Councilwoman Vautrot- **Approved**

**9. Discussion Items**

- a. **Discussion:** Proposal for application to apply for the installation of an irrigation meter for residents. **Tabled**- **M/M/2/C**- Councilwoman Mitchell/Councilman Smith- **Approved**

**10. Executive Session**

- a. The City Council may convene in executive session to discuss potential litigation matters with its City Attorney (Texas Gov't Code Section 551.071. Consultations with Attorney) **Tabled**.
- **Councilman Smith**- discusses his time on City Council. Discusses that there has been a change in Emergency Management, so he is resigning from that position. He is also **resigning from City Council**. He doesn't have time for Council with football season coming up. **M/M/2/C**- **Councilman Merendino/Councilwoman Mitchell**

**11. Adjourn Meeting @ 6:51 pm**- **M/M/2/C**- **Councilman Smith/Councilwoman Mitchell**

  
Mayor, Barbara Emmons

Attest:   
City Secretary, Doug Mullins

**June 16, 2022**  
**Meeting Minutes**



# Regular Meeting Minutes CITY OF BEVIL OAKS, TEXAS

June 16, 2022

1. **Call to Order @ 6:00 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call** All present except Martha Vautrot
4. **Conflict of Interest Statement** - None
5. **Citizen Comments (3 minutes each)** – An opportunity for the citizens to address Council on agenda items or concerns not on the agenda – those wishing to speak must complete the comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a 3-minute time limit
  - **Lee Lindsey (Sour Lake resident)**- mentions that the school safety is lacking. Wanted to come to the meeting since Bevil Oaks is part of the same school district. He wanted to come before Council to see if they would attend a town hall meeting with the school board.
  - **Councilman Mullins**- When is the meeting
  - **Lee Lindsey**- Tuesday
  - **Councilman Merendino**- What are the aspects of the security that is currently in place?
  - **Lee Lindsey** – One officer
  - **Mayor Emmons**- states that Officer Miller will be at our meeting next month to discuss the same issue.
  - **Connie (Sour Lake Councilwoman)** – If we could get Sour Lake Council and Bevil Oaks Council together to go to the school board meeting, that would be a great way to service our citizens/parents
  - **Councilman Merendino**- mentions that he knows someone that used to be on the Beaumont school board that he could get them the contact information for.
  - **Lee Lindsey** – right now there is no security at the high school. Anyone can walk into the building, to the receptionist desk and get to the cafeteria without any security.
  - **Dale Darby**- would like to postpone his comment until the announcement is supposed to be made
  - **Beth Howard**- What is going to be done with the abandoned houses that have not been touched since Harvey?
  - **Mayor Emmons** – The City attorney is working on skip tracing to get in touch with the owners

**6. Review/Approve Consent Items – M/M/2/C – Councilwoman Mitchell/Councilman Emmons - Approved**

- a. Financial Reports for City of Bevil Oaks
- b. Financial Reports for Water
- c. Report by Utility Specialties
- d. Previous Meeting Minutes

**7. Presentation**

- a. Presentation from Edgar, Kiker & Cross of the 2021-year end financials
  - **Charolette Yeates-** explains that the financial statements that are in the packets are the ones that will be sent to Charles Reed for the 2021 Audit. **Proceeds to go over the line items and accounts for the City General Accounts with the Council.**
  - **Charolette Yeates-** Goes over the Public Works accounts.
  - **Councilwoman Mitchell –** What is the long-term debt for the \$106,000?
  - **Charolette Yeates –** that is for the bond payment and the water meters
  - **Councilwoman Mitchell –** what is the bond premium?
  - **Charolette Yeates –** a little over \$80,000.00
  - **Councilwoman Mitchell –** Is this a monthly payment?
  - **Charolette Yeates –** No.
  - **Councilwoman Mitchell –** What/When do we pay the bond payments? Is it a monthly payment?
  - **Charolette Yeates –** There are two payments. One of them is the interest payment and the other is for the actual bond payment. **Proceeds to go over the line items.**
  - **Charolette Yeates-** mentions that she has sent everything for the 2021 audit to Charles Reed this morning.
  - **Councilman Merendino –** How can the auditor accurately do the audit without going to City Hall and looking through the actual paperwork for the year?
  - **Charolette Yeates –** We send them all the files that they need and that they request.
  - **Mayor Emmons-** Mentions that we were on a call with FEMA this morning discussing the CDL (Community Disaster Loan)
  - **Charolette Yeates –** Explains what the CDL is. Explains that the previous Mayor and Council at the time of the application for the CDL, did not want to obtain the funds at the time because they didn't want the funds to not be forgiven. If the funds were not forgiven, then the funds would have to be paid back. The City has the potential to obtain the funds and there is a very high probability that the funds will transfer from a loan to a grant.
  - **Mayor Emmons-** We will know all the information by the next Council meeting on July 21<sup>st</sup>.

## 8. Discussion/Action Items

- a. **Consideration/Discussion/Approval** of the 2021-year end financials previously presented by Edgar, Kiker & Cross. **M/M/2/C – Councilman Mullins/Councilman Emmons- Approved**
- b. **Consideration/Discussion/Approval** of a resolution authorizing approval of the City's Recovery Plan associated with the implementation of the City's American Rescue Plan Act (ARPA). **M/M/2/C - Councilman Emmons/Councilman Mullins- Approved**
  - **Mayor Emmons-** Reads the resolution. **Explains how much the funds are and what they are allocated for.**
- c. **Consideration/Discussion/Approval** of a resolution authorizing the Mayor to act as the City's executive officer and authorized representative in all matters pertaining the City's implementation of the ARPA funds. **M/M/2/C – Councilman Mullins/Councilman Emmons- Approved**
- d. **Consideration/Discussion/Approval** of a resolution of the City Council authorizing the classification of the Bevil Oaks ARPA funds allocation as revenue loss under the U.S. Department of Treasury's final rule's standard allowance for the provision of government services. **M/M/2/C – Councilman Merendino/Councilwoman Mitchell- Approved**
- e. **Consideration/Discussion/Approval** of a resolution to adopt policies in connection with the City of Bevil Oaks participation in federally funded projects associated with the ARPA fund and adherence to the regulation described therein. **M/M/2/C - Councilman Merendino/Councilwoman Mitchell- Approved**
- f. **Consideration/Discussion/Approval** of a resolution to change the time of the Council meetings from 6:00 pm to 6:30 pm. **M/M/2/C – Councilwoman Mitchell/Councilman Mullins- Approved**

## 9. Discussion

- a. **Water/Sewer rates-** Councilwoman Mitchell
  - **Councilwoman Mitchell-** states that she has pulled research from other City's water rates that have a similar population to Bevil Oaks

## 10. Reports

- a. **Councilman Merendino-** Flood Prevention Project
  - **Councilman Merendino-** Will be going to the County next week to see why they haven't been out here.

## 11. Adjourn Meeting @ 7:29 pm- due to bad weather and loss of electricity.

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins

**July 21, 2022**  
**Meeting Minutes**

## Notice of a Regular Meeting Minutes

### CITY OF BEVIL OAKS, TEXAS

July 21, 2022

1. **Call to Order @ 6:32 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call- All present except for Doug Mullins**
4. **Conflict of Interest Statement- None**
5. **Citizen Comments- None**
6. **Review/Approve Consent Items – M/M/2/C- Councilman Emmons/Councilwoman Vautrot**
  - a. Financial Reports for City of Bevil Oaks
  - b. Financial Reports for Water
  - c. Report by Utility Specialties
  - d. Previous Meeting Minutes
7. **Discussion/Action Items**
  - a. **Consideration/Discussion/Approval** of resolution to continue an ongoing arrangement with Jefferson County wherein the County provides useful road repair services in exchange for the purchase of materials by the City to repair the 13300 block of Leaning Oaks. - Tabled **M/M/2/C- Councilman Merendino/Councilwoman Mitchell- Councilman Emmons and Councilwoman Vautrot opposed**
    - **Mayor Emmons** – Reads the resolution
    - **Councilwoman Mitchell-** What account are the funds coming out of
    - **Mayor Emmons-** The roads account. It is not coming out of the grant funds.
    - **Councilman Mullins-** Where is the \$75,000 that we received from the road grant? What account was it put in?
    - **Councilwoman Mitchell-** Is this price locked in?
    - **Mayor Emmons-** Yes, it is locked in as it is approved and submitted to the County
    - **Councilman Mullins-** Suggests that we go ahead and approve this because it is not going to be covered in the road grant.
    - **Councilman Merendino-** If we do this road, we don't have to pay labor?
    - **Mayor Emmons-** We don't have to pay labor on half a mile worth of work.
    - **Councilman Merendino-** Would it be more beneficial for the County if we went ahead and did the half a mile instead of only doing a quarter mile? Suggests tabling this decision until we figure out another road that needs to be done

- **Councilman Mullins-** The only way that he agrees to table the decision is if we can have another meeting before the next scheduled meeting to get this done. If we table this decision, we need to add another quarter mile road for them to do.
- **Councilwoman Mitchell-** How fast did Vernon get the quote to do this road?
- **Mayor Emmons-** 24-hours

## 8. Reports

### a. Councilman Merendino- Flood Prevention Project

- **Councilman Merendino - DD6-** came out and added another culvert on Davida.

### b. Councilman Emmons- Roads & Drainage

- **Councilman Emmons-** the type of material that they are going to be using on the roads is good material, however, the companies that carry the material, have not been able to get the material. The road grant only covers Sweetgum, Riverbend & Shipley. Mentions that he did a survey of the roads and picked out sections of each road that needs to be done rather than doing the entire road. If the cost of the material comes down, we may be able to do some of the side streets.
- **Councilman Merendino-** Why hasn't it gone out to bid?
- **Councilman Mullins-** He spoke with Jared from LJA and said that we are in the summer months right now, so if we wait until winter months to do it, the material won't stay.
- **Mayor Emmons-** This is a state-wide shortage on material
- **Councilman Merendino-** Why haven't we went out for bids? What are we waiting on?
- **Councilman Mullins-** We spoke with the engineers and they suggested that we wait a little bit to see if the price of material goes down.

### c. Councilman Mullins- Water & Sewer

- **Lift Station Grant-** We are waiting on material for the electrical components.
- **Endpoints-** The endpoints that are currently in place for some of the meters, are going out of date. They will be changed as soon as there is time to do it.

### d. Councilwoman Mitchell – Water Rates

- **Councilwoman Mitchell-** I have done some work on the water rates and at this point the rates can not be lowered.

### e. Councilwoman Vautrot- Grounds & Maintenance

### f. Mayor Emmons- Various Topics

- **Security Lights-** Councilman Mullins suggested that there be security lights put up at the basketball courts. Our Entergy rep said that it would be at least another month before the work can be done
- **Elevation Grant-** They have started on the second round of houses.



9. Adjourn Meeting @ 7:08 pm Councilwoman Mitchell/Councilman Merendino

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins

**August 23, 2022**

**Budget Workshop Meeting Minutes**

# Budget Workshop Meeting Minutes

August 23, 2022

1. **Call to Order @ 6:31 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call- All Present**
4. **Conflict of Interest Statement - None**
5. **Discussion**
  - a. Discussion shall be limited to evaluation of current budgets and of items pertinent to establishing budgets for the City of Bevil Oaks for fiscal year 2022-2023. The City will receive input from private persons and entities including by not limited to its engineering firm, legal counsel, accountant, personnel with specific information related to the proposed budget.
    - **Charolette Yeats-** Goes over the tax revenue. Goes over the General fund.
    - **Councilwoman Mitchell** – What account are the franchise fee put into?
    - **Charolette Yeates** – They go into the operating account
    - **Councilwoman Mitchell-** The money that we get from waste disposal doesn't go into the road fund?
    - **Charolette Yeates-** No
    - **Councilwoman Mitchell-** Even though they are utilizing our roads.
    - **Charolette Yeates-** the funds are not restricted. The Council could decide that all franchise fees go into the road fund. That would need to be done informally with a discussion or you would need to pass a resolution to do so.
    - **Councilman Mullins-** On the franchise fees, aren't they used in our yearly budget as part of the revenue?
    - **Charolette Yeates** – Yes, it is part of the revenue. Based on the question on whether the the franchise fees can be reserved, the Council would need to look at if there was other revenue to cover the expenses. Suggests that all the franchise fees not be transferred so that they can also be used for operating.
    - **Councilwoman Mitchell-** Suggests renegotiating the franchise fees
    - **Mayor Emmons-** Suggests that they use a percentage of the franchise fees, rather than a dollar amount, to transfer to the road fund.
    - **Councilwoman Mitchell** – Republic uses the roads, so a percentage of the franchise fees that the City receives from it can go toward the roads.
    - **Charolette Yeates** – Suggests that at the end of the fiscal year, the Council looks into the franchise fees to see if there is a net profit and transfer funds then. **Continues to go over the rest of the budget.**
    - **Councilman Mullins-** Why are the permit revenue so high?

- **Charolette Yeates-** Mentions that Arkitektura pulled permits for all the houses that they elevated and that there are a few different types of permits that are pulled.
- **Councilman Merendino-** Mentions that the sales tax is going to go up.
- **Councilman Emmons-** Asks about the gas franchise fee
- **Charolette Yeates –** That's from Centerpoint. They pay quarterly.
- **Councilman Merendino-** mentions that Council has spoken to someone in the past about the gas pipeline because the City is the one who maintains the grass on the pipeline and the City isn't receiving any money from them. States that he isn't sure what they said.
- **Charolette Yeates-** Goes over the fee for Edgar, Kiker & Cross and explains why the increase for their services. Explains that someone in their office other than her will take care of the services that EKC provides because the fee for her (Charolette) is higher.
- **Councilman Merendino-** Asks if they take care of the water bill payments
- **Charolette Yeates-** explains that most payments are made online or by credit card. Sabrenna handles the payments that are made by check. She can remote deposit them. The only thing that is happening in the office is taking check payments and making remote deposit. Prior when there was another person in the office, payroll was done internally, bill payments were done internally, remote deposits were done internally.
- **Councilman Merendino-** Why did we stop doing it internally
- **Charolette Yeates-** Part of it was the theft. Ali was doing a lot of it before she quit. When she quit, Edgar, Kiker & Cross started doing it.
- **Councilwoman Mitchell-** The girls in the office don't touch anything.
- **Charolette Yeates-** They don't touch anything. There is a very minimal chance of theft this way. That is part of the reason why our service fee increased.
- **Resident (Mr. Childers) –** Asks who does the bill pay
- **Charolette Yeates-** One of her coworkers. Most of the time her staff comes to the office and works off the computer. On QuickBooks, it does have a log in for Council to be able to run reports but that is all they can do. They can't enter anything, they can't enter a deposit, they can't write a check and they can't see payroll. It is password protected.
- **Resident (Mrs. Childers) –** When you are talking about numbers are you talking about grants?
- **Charolette Yeates-** No because you can't budget for grants. Those funds are outside of the normal operating budget
- **Resident (Mrs. Childers) –** Asks if she would be one of the ones watching over the grant funds.
- **Charolette Yeates-** Yes.
- **Councilwoman Vautrot-** Nobody can take money out of the grant accounts

- **Mayor Emmons-** We don't approve it until the grant administrator does.
- **Charolette Yeates-** explains that the fee for the auditor went up because there was a single audit that had to be done because of the grants that the City had. If you spend more than \$750,00 a year, a single audit has to be done per the government. States that she is anticipating that with there being two phases of the elevation grant, that a single audit will have to be done again. States that until the elevation grant is done, there will probably have to be done.
- **Councilman Merendino-** asks why we don't contract the lawyer out. States that he doesn't understand why the City has to have a lawyer.
- **Mayor Emmons-** Suggests that we discuss that in a Council meeting
- **Councilman Merendino-** States that the year that the other Mayor was in office the City spent \$60,000 on the attorney.
- **Councilman Mullins-** The City has to have an attorney on staff.
- **Councilman Merendino-** States that other Cities don't have an attorney on staff. They pay an attorney on an as needed bases. States that he doesn't understand why the attorney has to be at every meeting.
- **Mayor Emmons-** suggest that it be discussed at the regular Council meeting
- **Charolette Yeates-** SAM registration is new to the budget. It is a registration requirement that the City must do to apply for grants. **Continues to go over budget.**
- **Councilwoman Mitchell-** For the grounds and maintenance, isn't the contract for a set dollar amount?
- **Charolette Yeates-** thinks that it's around \$19,000
- **Resident ( Mrs. Childers) –** When it comes to the lawn maintenance, what all are they responsible for?
- **Mayor Emmons-** there is a map at the office that shows what they take care of.
- **Councilwoman Mitchell-** The budget is something that gives us an idea of what we could spend, we could spend less.
- **Charolette Yeates-** Mentions that most of the stuff that is in the miscellaneous column on the budget is for publicizing for the grants. **Continues to go over the budget.**
- **Councilman Merendino-** asks if the price that the City is paying for the printer rental at the City office, is a good price?
- **Charolette Yeates-** Isn't sure if the agreement that the City has for the printer is a lease to buy or if it is just leased.
- **Mayor Emmons-** We don't pay it monthly, it is quarterly.
- **Councilman Merendino-** We don't know If we are buying or renting
- **Mayor Emmons-** Sabrenna can look into it.
- **Resident ( Mrs. Childers) –** Is it used often?



- **Mayor Emmons-** Yes, it is used daily. It does several things, it isn't just a printer.
- **Resident (Mrs. Childers)** – How much does the inspector make?
- **Charolette Yeates-** states that she thinks it is a per inspection price.
- **Resident (Mrs. Childers)** – Does he get paid regardless of if he does inspections?
- **Charolette Yeates-** No, it is per inspection
- **Resident** – Wants to know if the permit fee that he paid was for the inspection?
- **Councilman Merendino** – He only makes about \$40 per inspection
- **City Employee (Sabrenna Crain)** – It depends on how many inspections you per job as to how much he makes.
- **Councilman Merendino-** What does the tax assessor do?
- **Charolette Yeates-** they calculate the taxes rate.
- **Resident (Mrs. Childers)** – What type of taxes?
- **Charolette Yeates-** Property tax
- **Councilman Merendino-** The City gets a small cut off the taxes that are paid.
- **Councilman Merendino-** Asks what contingency funds are
- **Charolette Yeates-** It's emergency funds
- **Councilwoman Mitchell-** Does the City side have a saving account?
- **Charolette Yeates** – Yes
- **Councilman Merendino-** Is the savings tied to anything?
- **Charolette Yeates-** No. If you don't use the funds that are designated for certain things, Council can choose to reserve those funds and they will be moved to the savings account.
- **Mayor Emmons-** The funds that are designated for the streetlights may go up because we are putting the lights at the basketball court.
- **Charolette Yeates** – There are some road projects. States that Councilman Emmons suggested that y'all use \$60,000 of the restricted road funds for those projects.
- **Councilman Mullins-** states that the \$60,000 will be used to buy the material for the roads and the County will do the roads when they have time to come out.
- **Charolette Yeates-** continues to go over budget.
- **Charolette Yeates-** states that she has budgeted for depreciation. It is a way to build the balance up for future capital outlay.
- **Councilwoman Mitchell-** So it is an amount that doesn't exist?
- **Charolette Yeates** – It is an expense. Your roads are being used every day and they are being depreciated.
- **Councilwoman Mitchell-** states that she has a hard time understanding why the depreciation is put in the budget.

- **Charolette Yeates** – It is an expense. Prior to Harvey, the City wasn't budgeting for depreciation, it only covered the operating expenses, but the fund balance wasn't built up to be able to have the funds for things such as Harvey.
- **Councilman Merendino**- Who decided on the roads that will be done with the \$60,000 worth of material.
- **Mayor Emmons**- The County.
- **Resident**- do we budget for law enforcement
- **Mayor Emmons**- No. The County provides law enforcement
- **Resident**- Is that something that we can look into?
- **Mayor Emmons**- Suggests that the resident comes to the Council meeting on Thursday and talk to the office that will be there.
- **Charolette Yeates**- continues to go over the budget. States that the \$60,000 is not income, but it is an expense that the City will have. By covering the depreciation, you are covering the operating expense for the future.
- **Mayor Emmons**- Suggests at the end of the year, moving over money from Community Development to the road account to replenish the \$60,000 that will be spent
- **Charolette Yeates**- If the Council decides that they want to reserve the funds that aren't spent, the funds can be moved. Starts the budget for Public Works.
- **Councilman Merendino**- Mentions that the City of Beaumont is raising their rates by 8%, so it could be possible that our sewer rates will go up.
- **Councilwoman Mitchell**- It doesn't mean that our sewer rates will go up, it just means that the City will have to pay Beaumont more money.
- **Charolette Yeates**- starts public works budget. Sewer and water are correlated.
- **Councilman Merendino**- doesn't the sewer money go out directly to Beaumont?
- **Charolette Yeates**- a percentage of it, yes.
- **Councilwoman Mitchell**- What do with the difference left over out of the sewer?
- **Charolette Yeates**- It goes into operating *Continues to go over budget.*
- **Councilman Merendino**- Is the depreciation for the lift stations and pumps?
- **Charolette Yeates**- Yes, the whole system.
- **Councilman Merendino**- States that he wasn't aware that the City had to pay for line locates.
- **Sabrenna Crain**- States that when someone calls for a line locate, all utilities come out and locate. We have to pay for Utility Innovations to come out and locate our water and sewer lines.
- **Councilman Merendino**- 811 calls everyone else to locate the other lines. When they go out to repair a water line, do we have to pay for a line locate?

- **Sabrenna Crain-** Depending on the severity of the leak, they have to call in the locates. If it's a large leak, we don't get charged for the locate, but they have to sit there while they wait on the emergency locates to be done. They can't leave until the locates get done, so we have to pay them for the time that they sit there. For emergency locates, it's 2 hours.
- **Councilman Merendino-** If my water line busts, can I go turn my water off?
- **Sabrenna Crain-** According to the ordinance, no. That's a question for Council. If it's the weekend and someone calls the emergency number, the customer gets charged for the call out.
- **Councilman Merendino-** How much is that, \$100.00?
- **Sabrenna Crain-** It depends on how long it takes.
- **Councilman Emmons-** Mentions that citizens were given a chance to have a shut off valve installed on their side.
- **Charolette Yeates-** *continues to go over budget*
- **Councilman Merendino-** What is the daily expense?
- **Sabrenna Crain-** If they are out here and they change a meter or something like that.
- **Charolette Yeates-** *Continues to go over budget*
- **Councilman Merendino-** How many accounts do we have?
- **Sabrenna Crain-** 16
- **Councilman Merendino-** How many banks do we have?
- **Councilwoman Mitchell-** one
- **Resident-** What bank do y'all use?
- **Mayor Emmons-** Allegiance
- **Resident-** Is that a bank or a credit union?
- **Mayor Emmons-** A bank. They will be merging with Community bank at the end of the year.
- **Councilwoman Mitchell-** We have 3 restricted accounts.
- **Charolette Yeates-** The road account and the debt service are restricted. The only other restricted funds are the grants.
- **Councilwoman Mitchell-** The other one is insurance
- **Charolette Yeates-** the insurance funds are not restricted. The Council has informally assigned the funds to the City Hall and Community Center, but it is not restricted funds.
- **Resident-** The funds are used for the grant match?
- **Charolette Yeates-** yes. If it is not used for the City Hall and Community Center, the funds can be transferred to a different account and used for something else.
- **Councilman Merendino-** asks where the money that we have to rebuild the Civic Center?
- **Charolette Yeates-** It is in the insurance accounts.

- **Charolette Yeates-** *continues to go over the budget.* The user fee can be lowered a little when the reserve is built to one year. The user fee can only be lowered a little bit because it still has to cover enough for a year expense. If you have another flood or hurricane, you want to have the reserve, so you don't have to worry about pulling out of the savings to pay for operating expense. Once the badger meter loan is paid off, we could continue to budget that \$24,000 and use it toward the bond payment and lower the user fee.
- **Councilman Merendino-** he suggests that the vacant property should be paying the user fee to because they have access to water and sewer as well.
- **Councilman Merendino-** What is the balance on the user fee?
- **Charolette Yeates-** You have 3 years left.

6. Adjourn Meeting @ 8:24 pm M/M/2/C- Councilman Emmons/Councilwoman Vautrot

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins

**August 25, 2022**  
**Meeting Minutes**



# Notice of a Regular Meeting Minutes CITY OF BEVIL OAKS, TEXAS

August 25, 2022

1. **Call to Order @ 6:31 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call - All Present**
4. **Conflict of Interest Statement None**
5. **Citizen Comments (3 minutes each)** – An opportunity for the citizens to address Council on agenda items or concerns not on the agenda – those wishing to speak must complete the comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a 3-minute time limit
  - **Nathan Wright** – Wanted to know about the road repair grant that the City has.
  - **Matthew Godfrey**- Introduces himself. Asks questions about the grant.
  - **Doug Clark**- heard that the City wants to change the garbage company that is used in Bevil Oaks. Suggests that we get someone to investigate the City. States that per the water code that the water meters are supposed to manually be tested once a year.
  - **Rodney Robichau**- Suggests that the Council listens to the citizens and their concerns
6. **Discussion**
  - a. **Officer Donte Miller** – school security
    - **Officer Miller**- states that there are officers at the school now due to the recent shootings. States that the state has opened grants to have more officers on school campuses. States that the officers have taken training to deal with a live shooter if there was one present at the school. States that the Sherriff's office has increased patrol in Bevil Oaks to try to keep the speeding down. Suggest that the parents talk to their kids about situations such as shootings, so they are aware of what needs to be done in those scenarios. Suggests if someone sees something to tell an officer if they see one.
  - b. **Agenda Request** made by resident Dennis Klumpp
    - States that one of the trees that is on the City property by his house was struck by lightning and cause his house to burn down. He wants the trees that are on the City property removed. There are 5 dead trees with no tops on the property. States that Allen Pride (former Councilman), was going to have a ditch dug on the backside of his property to relieve some of the water caused by the dirt that was brought in by former Councilwoman Adams. States that the neighbors have all brought in dirt to build their property up causing his property to flood. States that the back of his property has standing water because it doesn't drain properly.

- **Mayor Emmons-** asks when he spoke to Allen, was it during a Council meeting
- **Mr. Klumpp-** No, it wasn't in the Council meeting
- **Councilwoman Mitchell-** Are the trees that Mr. Klumpp is talking about in the Utility easement because Utility easements are usually 30 to 50 feet depending on what the deed restriction says?
- **Mr. Klumpp's daughter-** The builder stated after doing the survey, that there is only a 10-foot easement on each side.
- **Councilwoman Mitchell-** Are the trees on your property
- **Mr. Klumpp's daughter-** no
- **Councilman Merendino-** No, they are on the City's property.
- **Councilwoman Mitchell-** Is there a reason why the City can't remove those trees? Asks the Mayor if she can write an agreement between the City and Mr. Klumpp.
- **Mr. Klumpp-** What is so important about those three trees?
- **Councilwoman Mitchell-** You asked to have those trees removed, correct?
- **Mr. Klumpp-** yes.
- **Councilwoman Mitchell-** states that is why she asked the Mayor what we could do to appease the City and you (Mr. Klumpp) at the same time to have the trees removed for you. States that she will take personal responsibility to write something up to appease the City and possibly you (Mr. Klumpp) that way we can come up to some type of agreement to remove the trees for you.
- **Mr. Klumpp-** and dig a ditch?
- **Councilwoman Mitchell-** States that she has a backhoe on her tractor that she could dig the ditch with.
- **Councilman Merendino-** states that it seems that it would be beneficial to the City to have those trees removed because the plan is to rebuild the Civic Center and if the trees were removed, it would create more room for parking.
- **Councilman Mullins-** The trees are 10 feet on the other side of his fence?
- **Mr. Klumpp-** states that he has had several people living in his house. He is worried that those trees will end up falling on his house and hurting someone, so he won't build a new house until the trees are removed.
- **Mayor Emmons-** Asks Council if this is something that needs to be brought back to a meeting to vote on or if it can be taken care of without doing that. States that since there are other houses on the property, it will need to be somebody licensed and bonded.
- **Doug Mullins-** If we cut down the trees on Mr. Klumpp's property are we setting a precedent for the rest of the residents? Are we going to be responsible to cut down every tree on City property that a customer has a problem with?

- **Councilwoman Mitchell-** If another citizen has an issue similar to Mr. Klumpp's about trees, they will have to come to Council about it. If she takes responsibility for the company that cuts down the trees, can she choose a company that is not bonded and insured. Asks to take a vote.
- **Council took a vote.** Councilwoman Vautrot, Councilman Mullins, Councilman Merendino & Councilwoman Mitchell all approved. Councilman Emmons did not vote. No one opposed.

## 7. Presentation

- Dru Montgomery-** Clarification of issues relating to how grant funds are accessed, paid, transferred and overseen. **Skipped due to technical difficulty. Will come back after the audit is presented.**
- Milton Bertolio with Charles E. Reed and Associates - 2021 Audit for the City of Bevil Oaks and the Public Works Department**
  - **Mr. Chuck Reed-** Presents the preliminary audit.
  - **Councilman Merendino-** Asks if his company is the only company that has audited the City?
  - **Mr. Reed-** states that they have been the City's auditor
  - **Mayor Emmons-** asks if he can explain what the single audit is?
  - **Chuck Reed-** states that every grant has different rules that must be followed. What has triggered the City's single audit is the Elevation Grant. As soon as \$750,000 is spent, a single audit must be performed.
  - **Councilwoman Vautrot-** every penny has to be accounted for in a grant?
  - **Charolette Yeates-** No auditor will be able to account for every penny, but yes, the grants are looked more heavily than regular financials
  - **Mr. Reed-** states that there are a few typos that need to be fixed but nothing that has to be changed will affect the numbers.
  - **Dale Darby (got skipped during citizens comments) –** States that he is tired of all the secrets with Council. He is tired of Council doing stuff and then telling the citizens about it. States that the secrets are the reason why he wanted to get a forensic audit done.
- Charlotte Yeates (City CPA) - Review of grants received since 2017.**
  - **Just for clarification-** presents an overview of the grants that the City has received since 2017. Opens the grant portal for the citizens and Council to review.
  - **City Hall/Civic Center** are 90/10. The government gives 90% and the City has to pay 10%.
  - All the grants that the City has through this system are reimbursement grants, meaning that the City has to incur the expense first, then submit it to FEMA for reimbursement. All the grants are looked over by a grant administrator to help the City stay in compliance with FEMA and that everything is done correctly.
  - Realistically the City is supposed to pay the invoice first and then submit a reimbursement request.
  - **Cathy Crane-** Are the grants that are being presented approved through Council

- **Charolette Yeates-** the grants that are currently in place, have been applied for since 2017.
- **Councilman Merendino-** When grants are received, why can't they be done right then.
- **Charolette Yeates-** States that she doesn't have the access to do anything with the grant portal, she only has the option to view the projects. The payments were only approved after the invoices are received. **Buyout Grant-** the City bought out properties that were substantially damaged
- **Charolette Yeates-** The next set of grants are from the TWDB on the water side. The grants were all \$500,000 a piece. There were 3 of them. **The Water Plant, The Lift Stations & the Sanitary Sewer Plant.** The \$1.5 million for these three grants were placed into an escrow bank account (not the City's bank account). Once the outlay requests are submitted to the TWDB and everything is approved the funds are then wired to the City's bank account.  
**Elevation Grant-** explains that the contractor and the grant administrator get paid out of the grant funds. Everything is done in phases. **Road Grant-** this grant is through the GLO (general land office). This is also a reimbursement grant. The invoices have to be submitted before the money can be disbursed to the City. **Covid Grants-** There was a small grant that was received. It was probably to buy sanitizer and masks.  
**Coronavirus Local Fiscal Recovery Fund-** This grant can only be used for infrastructure.
- **Councilman Merendino-** Council and the citizens are wanting to know how much grant money we have in the bank and how much we have left to spend.
- **Charolette Yeates-** We can go ahead and do the financials if the Council wants to.
- **Charolette Yeates-** Goes over the financials. Explains what each line item is on the financials.
- **Councilwoman Mitchell-** being that it's restricted, can it be put toward another grant?
- **Charolette Yeates-** if there is money left over, you would have to ask to keep the funds.
- **Councilwoman Mitchell-** for the franchise fees, can we make sure that they go into the road account? Would we need to pass a resolution for that?
- **Charolette Yeates-** If you want it placed into a certain account, a resolution will need to be passed, then it can be placed into whatever account the Council decides on.
- **Councilwoman Mitchell-** Can we put the balance sheet on the website?
- **Charolette Yeates-** yes
- **Mayor Emmons-** once they are approved, yes.
- **Councilman Mullins-** how much insurance money do we have and can we make the funds unrestricted?
- **Charolette Yeates-** yes

d. **Dru Montgomery-** Clarification of issues relating to how grant funds are accessed, paid, transferred and overseen.

- Over the past few months, accusations have been made that the Mayor and the Council have stolen grant money. States that he has received several complaints from citizens about the accusations that have been made.

## 8. Discussion/Action Items

- a. **Consideration/Discussion/Approval** of 2021 audit previously presented by Milton Bertolio. *Approved-* M/M/2/C- **Councilwoman Mitchell/Councilwoman Vautrot**
- b. **Consideration/Discussion/Approval** of ordering of November 2022 General Election. *Approved-* M/M/2/C- **Councilwoman Mitchell/Councilman Mullins.**
  - Council approved to enter into a contract with Jefferson County to conduct the general election.
- c. **Consideration/Discussion/Approval** of Appointment of Council Officers- *The vote was not clear; it will put on the next agenda to be voted on again.*
  - Mayor Pro-Tem- **Martha Vautrot** – yes- Councilman Emmons  
Councilwoman Mitchell- abstained  
Councilman Merendino- said no
- d. **Consideration/Discussion/Approval** of 2022 Tax Rate **Discussed after 8.i.** M/M/2/C- *Approved-* **Councilman Merendino/Councilwoman Mitchell- no-new revenue**
  - **Charolette Yeates-** Explains how the tax rate is determined.
- e. **Consideration/Discussion/Approval** of resolution for authority to perform time-sensitive road repair, maintenance or construction per interlocal agreement. *Approved-* M/M/2/C- **Councilman Emmons/Councilwoman Vautrot**
  - **Councilman Emmons-** states that the County will come out and do work for the City when they have time and equipment to do so. The roads that need the repairs first have been looked at by the County and himself. Most of the roads still have a good base. The County and City agreement states that the County will do a mile of road a year. The County unofficially stated that they will do more work than that if they are available. We need to have the material on hand because we don't have a timeline of when the County will be coming out. This amount of rock will give enough to do around 2 miles of road. The cost of the material will be around \$50,000.
  - **Resident-** The first road that needs to be done is Leaning Oaks.
  - **Councilman Emmons-** That's the first road on the list
  - **Resident-** Is this part of the grant?
  - **Mayor Emmons-** No
- f. **Consideration/Discussion/Approval** resolution to cancel FEMA grants for the City Hall/Civic Center- *Approved-* M/M/2/C-**Councilwoman Mitchell/Councilman Mullins- All I's**
  - **Councilwoman Mitchell-** If we decide to not stay with the grant, will we be able obtain the \$200,000 that has been paid out to Blueline?



- **Councilman Merendino-** If we stayed with the grant, would we be able to change the scope of work?
- **Mayor Emmons-** When we first talked to someone from FEMA, we asked them for additional funds, they pretty much laughed in our faces because it's a 428 grant which means that the funds that the City are obligated to get are pretty much set in stone.
- **Councilman Mullins-** The City does not have the money to pay their 10 % of the grant.
- **Councilwoman Mitchell-** Mentions that she spoke with Brad (TDEM representative) and he said that there was no guarantee that FEMA would allow a change in the scope of work.
- **Councilman Mullins-** If we wanted to change the scope of work, it would take FEMA at least 6 months to a year to get a decision back to the City on approving or denying the change in scope of work.
- **Councilman Merendino-** A lot of the grants that the City have are repayment grants, where you spend the money then you get reimbursed? If we didn't get rid of the grants, spent the money to redo the buildings, started working on the buildings, requested a change in the scope of work from FEMA; a year from now if FEMA said yes to the change in the scope of work, then we submit the cost to redo the buildings, then they would send us the money?
- **Attorney Dru Montgomery-** Explains that isn't the way that the grant works. You have to do the work that they approved. If you don't comply with the approved scope of work, which we are unable to do because of the size of the contract.
- **Mayor Emmons-** Most of the money that was paid to Blueline was done before any of us were on Council. The money came out of insurance money.
- **Councilman Merendino-** Could we rescope it? If we did and a year from now they approved it
- **Mayor Emmons-** We can't do any work until we hear back from FEMA
- **Councilman Mullins-** If do work ahead of their approval, we wouldn't get reimbursed.
- **Resident Dale Darby-** The original part of the grant was to repair it?
- **Mayor Emmons-** Yes, Becky changed it and asked for more money. It was right around \$1,000,000, but the buildings had to be torn down and then we had to have new buildings built 14 feet in the air. We are trying to do away with the grant so that we can get these buildings renovated.

g. **Consideration/Discussion/Approval of variance requested by resident that damaged a water main during fence install**

- **Approved a six-month Payment Plan- M/M/2/C- Councilman Merendino/Councilman Mullins**

**h. Consideration/Discussion/Approval of ordinance for a Public Maintenance Department- *Approved- M/M/2/C- Councilman Mullins/Councilwoman Mitchell***

- **Mayor Emmons** - This will be for someone to mow properties, fill potholes, change meters and endpoints, etc.
- **Mayor Emmons**- The big DD6 ditches that run through the properties that DD6 can't get to because they don't have enough room for their equipment to fit down.
- **Councilwoman Mitchell**- This is Community Development.
- **Mayor Emmons**- States that she got Sabrenna to go through Utility Innovations invoices to see how much the City could eliminate paying the Utility company.
- **Councilwoman Mitchell**- When BOMUD was in the City, they even had a Community Development

**i. Consideration/Discussion/Approval of submitting Community Disaster loan application for an amount not to exceed the forgivable amount calculated by FEMA. *Discussed after financials 7.C. Approved- M/M/2/C- Councilwoman Mitchell/Councilman Mullins for \$140,000***

- **Charolette Yeates**- Explains that the community disaster loan. This type of loan becomes forgiven which means that it turns into a grant.
- **Dale Darby**- If the funds were used on utilities, then the money that was going to be used to pay the utilities can redirected to something else.
- **Charolette Yeates**- Yes.

**j. Consideration/Discussion/Approval of Ordinance for Entergy Declining to Approve Change in Rates Request. *Approved- M/M/2/C- Councilman Mullins/Councilwoman Mitchell***

**9. Review/Approve Consent Items – *Approved- M/M/2/C- Councilwoman Mitchell/Councilman Mullins***

- a. Financial Reports for City of Bevil Oaks
- b. Financial Reports for Water
- c. Report by Utility Specialties
- d. Previous Meeting Minutes

**10. Discussion**

**a. Agenda Request made by Councilman Merendino for various items.**

- **Councilman Merendino**- states that years ago when a pump or something went out, the Council would have to have an emergency meeting to decide to purchase a new one, so the Mayor was given the authority to spend \$5,000. Suggests that the \$5,000 only be used for emergencies.
- **Resident**- asks what if something happens, like a tree falling.
- **Dru Montgomery**- You can't have a meeting without 72 hours' notice. There was a resolution that past stating that unless it was over \$50,000, it didn't have to be put out for bids.
- **Councilman Merendino**- Can the Mayor hire and fire?

- **Attorney Dru Montgomery-** Yes, the Council has given her permission to do so. The City Council has the power over the payroll, to fire someone that the Mayor hired.
- **Councilman Merendino-** Let's go back to hiring someone. Can the Mayor hire someone?
- **Attorney Dru Montgomery-** Administration of the office has always been given to the Mayor.
- **Councilman Merendino-** There is no background checks done on the employees.
- **Resident-** Can the Council set guidelines to the people that are hired?
- **Councilman Merendino-** The mowing contractors don't have a current copy of the insurance for them. The contract that we currently have with them is expired.
- **Councilwoman Vautrot-** I have asked the Council to go out for bid for a new mowing contract.
- **Councilman Merendino-** What about Republic?
- **Councilman Merendino-** Suggests that the attorney bills get put in the packet for everyone. Also suggests that the spreadsheet that is done by Sabrenna when the bills are paid be put in the Council packets as well.
- **Councilman Merendino-** States that the DD6 sign that is located by the park is not visible enough for kids. A kid could run into it. Mentions that there are trees growing over and through the chain link fence that's at the sewer plant. At one-point Cousin's brush hogged the field, it needs to be done again. Asks why they mow the cul-de-sac side of the Inwood.


## 11. Reports

- a. Councilwoman Vautrot – Grounds and Maintenance – **No report**
- b. Councilman Merendino – Flood Prevention Project- **No report**
- c. Councilman Emmons – Roads and Drainage
  - **This grant is a GLO grant.** The total for the grant that the City will receive is close to \$2,000,000. The GLO & engineer suggested that the City wait until the prices of material drop. They wanted to get the work started, so the GLO changed the type of material that can be used. The roads that can be done with the GLO grant are the high traffic roads. States that some sections of Sweetgum and Riverbend have already been identified as not needing to be done. Describes the type of material that will be used to do the roads.
  - The City also received a grant from FEMA to do the roads. The FEMA money is specified to fix potholes.
- d. Councilman Mullins – Water & Sewer- **No Report**

e. Mayor Emmons – Various Items- **No Report**

12. **Adjourn Meeting @ 10:54 pm – M/M/2/C- Councilman Emmons/Councilwoman Mitchell**

  
\_\_\_\_\_  
Mayor, Barbara Emmons

Attest:   
\_\_\_\_\_  
City Secretary, Doug Mullins

**September 13, 2022**

**Budget Workshop Meeting Minutes**



# Budget Workshop Meeting Minutes

September 13, 2022

1. **Call to Order @ 6:30 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call- All Present**
4. **Conflict of Interest Statement - None**
5. **Discussion**
  - a. Discussion shall be limited to evaluation of current budgets and of items pertinent to establishing budgets for the City of Bevil Oaks for fiscal year 2022-2023. The City will receive input from private persons and entities including by not limited to its engineering firm, legal counsel, accountant, personnel with specific information related to the proposed budget.
    - **Councilman Merendino-** asks why we are doing another budget meeting
    - **Charolette Yeates-** There were some questions about a few things since the last meeting.
    - **Councilwoman Mitchell –** The public works department is an independent department
    - **Charlette Yeates-** Anything that is water or sewer is taken out of the public works account
    - **Councilwoman Mitchell-** This needs to be an independent department.
    - **Charolette Yeates-** What is the revenue for this department
    - **Councilwoman Mitchell -** The mowing contract would come out of a different account. Ordinance enforcement is a different department
    - **Charolette Yeates-** We don't need a different fund account
    - **Councilwoman Mitchell-** States that she would like to see a separate account for the public works department
    - **Charolette Yeates-** We don't need another account for that. If the council wants to set up another account for the public works department, then they can, however, that will be an additional cost to Edgar Kiker & Cross
    - **Councilwoman Mitchell-** Suggests opening an account so the funds are easier to track the expenses
    - **Charolette Yeates-** If the franchise fees are going to be redirected into another account, a resolution will have to be made. You don't have to have a separate fund to keep track of the expenses
    - **Councilwoman Mitchell-** It would be easier to the naked eye to have a separate fund. It seems like there is a lot of money going into the general fund.

- **Charolette Yeates**- If you have a separate fund for that and have a certain amount of money for that department, you are limiting your use of those funds
- **Councilwoman Mitchell**- What are the restricted funds? We have a resolution that restricts the insurance money.
- **Charolette Yeates** - The road fund are restricted funds
- **Councilwoman Mitchell** - Is there a way to move the \$75,000 that we received from FEMA to the corrected account for the road grant
- **Charolette Yeates** - The money for the grant is not in the road account. Suggests that her and Cheri go over the grant money that she is speaking about. If you want a separate fund, the revenue needs to be designated.
- **Councilwoman Mitchell** - Suggests that she doesn't want to pull funds out to buy a tractor, if we can't afford to drop the user fee by \$5
- **Charolette Yeates** - Those are two different sides
- **Councilwoman Mitchell** - Can we do away with the mowing contract and the current office position that we do not have an employee working right now.
- **Charolette Yeates** - If you are not charging the residents a fee, then you don't have the funds to cover the revenue
- **Councilman Merendino** - Can we replace the line for mowing?
- **Charolette Yeates** - You can't have revenue if you don't have something coming in
- **Councilwoman Mitchell & Councilman Merendino** - suggests that the accounts be renamed
- **Charolette Yeates**- yes, they can be renamed
- **Councilman Merendino** - It will still be done by us, but it won't be called maintenance ground
- **Mayor Emmons** - The employee is still employed through the City
- **Councilwoman Mitchell** - Suggests that the position from the employee be eliminated
- **Mayor Emmons** - The employee is on medical leave
- **Resident**- you can't do away with the position while she is on medical leave. If she filled out the medical leave forms, you can't do away with the position or fire her.
- **Charolette Yeates** - What do you suggest the pay be for the public work employee make?
- **Councilwoman Mitchell** - \$15/hr
- **Charolette Yeates** - Asks how the Council wants gas/oil to be labeled as in the budget
- **Councilman Emmons** - Can we label it as miscellaneous expenses
- **Charolette Yeates** - How do you want the funds to be paid
- **Councilman Mullins** - It has to be a 50/50 split

- **Council discusses how the funds should be paid out**
- **Charolette Yeates** - It will all be paid out of the general fund, then at the end of the month, it will be separated to split the difference.
- **Charolette Yeates** - What are y'all wanting to budget for the mower
- **Mayor Emmons** - Would we need a mower and a tractor
- **Councilwoman Mitchell** - Can we use the ARPA funds to fund this department
- **Mayor Emmons** - That question would need to be asked and get an answer in writing
- **Charolette Yeates** - Would \$50,000 cover the mower and the tractor
- **Councilman Merendino** - Yes, that would cover it
- **Mayor Emmons** - with the attachments?
- **Councilman Merendino** - You can go through Kabota and it's cheaper to buy the mower and tractor
- **Mayor Emmons** - What other things will we need to purchase?
- **Councilman Emmons** - Possibly a radio because you can't leave someone without a means of communication working outside
- **Mayor Emmons** - asks Councilman Merendino how much fuel it took him to mow everything when he did the mowing contract with the City?
- **Councilman Merendino** - probably around \$25 for the season
- **Councilman Merendino** - asks what the cell phone costs
- **Mayor Emmons** - For the City employees
- **Charolette Yeates** - Asks if there is anything else that needs to be changed for Public Works
- **Councilman Mullins** - won't some of the costs for the maintenance be cut by doing stuff in house through the Public maintenance department
- **Councilman Merendino** - Why are the attorney fees \$6,000, he doesn't see spending this much on an attorney.
- **Charolette Yeates** - The City does need an attorney for all sorts of things. A lot of cities have their attorney on a retainer.
- **Councilman Merendino** - states that the Council will start getting the attorney bills in the packets to see what the costs are for.
- **Councilwoman Mitchell** - The restricted funds for the insurance.
- **Charolette Yeates** - going by the resolution that was passed, all the insurance funds are to be spent on the City Hall and Civic Center. If the City hall and civic center are going to be rehabilitated, you would still want those funds restricted.
- **Charolette Yeates** - goes over what some of the line items that are on the budget.
- **Councilman Merendino** - Is there a way to get the money out of the restricted funds

- **Charolette Yeates** - A resolution must be passed to move the money out of the restricted funds
- **Councilman Merendino** - If a resolution is passed then the money, can be moved to the general account
- **Councilman Mullins** – Asks Councilman Merendino why he wants to move the funds?
- **Councilman Merendino** - There was talk about spending money on all sorts of things, those restricted funds, could help pay for that.
- **Charolette Yeates**- mentions that we have enough to pay off the water meters.
- **Councilman Merendino** - What will it take to pay off the user fee
- **Charolette Yeates** - It will take \$1.5 million to pay off the user fee.
- **Councilwoman Mitchell** - Can we reduce the user fee when the meters are paid off
- **Charolette Yeates** - the water meters are not the same thing as the user fee.
- **Councilwoman Mitchell** – Is there a line item for the late fee?
- **Charolette Yeates** - yes. The City has a fee schedule that needs to be looked at before fees can be changed.
- **Charolette Yeates** - the user fee is used to pay the bond. When the meters are paid off, that's \$24,000 that can be taken off the bond payment.
- **Charolette Yeates** - Suggests that Council discusses paying off the water meters in the October meeting. If it is approved, then those funds can be used to make a payment on the bond.
- **Councilman Mullins** - Didn't we figure that the amount that was needed to pay the debt service was \$25 user fee
- **Charolette Yeates** - yes
- **Charolette Yeates** - There is money in public works there needs to be transferred to the general account due to bills that have been paid strictly out of the general fund instead of splitting it.
- **Councilman Merendino** - isn't it required by the government that we have a certain amount kept in the account for operation
- **Charolette Yeates** - the City doesn't have that. It's recommended that you kept at least a year of operational funds in the account. States that she can look into lowering the user fee in October.
- **Councilwoman Mitchell** - the water meters are a yearly payment? If we pay it off early can we get some interest back?
- **Charolette Yeates** - You can look into transferring some of the money that is in the operating account into the TexPool account so it can incur some interest.

- Mayor Emmons - What is the TexPool account for?
  - Charolette Yeates - It is the emergency fund
6. Adjourn Meeting- M/M/2/C- Councilman Emmons/Councilman Mullins @ 8:24 pm

Barbara Emmons

Mayor Emmons, Mayor

Attest: Doug Mullins

City Secretary, Doug Mullins

**September 15, 2022**  
**Meeting Minutes**



# Notice of Regular Meeting Minutes CITY OF BEVIL OAKS, TEXAS

September 15, 2022

1. **Call to Order @ 6:30 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call- All Present**
4. **Conflict of Interest Statement- None**
5. **Citizen Comments (3 minutes each)** – An opportunity for the citizens to address Council on agenda items or concerns not on the agenda – those wishing to speak must complete the comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a 3-minute time limit
6. **Discussion**
  - a. **Agenda Request from resident Jennifer Joyce- Questions about road grant**
    - **Jennifer Joyce-** asks who put the bid packets together for the road grant. Asks who is in charge of that.
    - **Councilman Emmons-** LJA
    - **Jennifer Joyce-** Asks if Council gets to see the paperwork before it goes out for bid
    - **Councilman Emmons-** No
    - **Jennifer Joyce-** Asks who is charge of doing the streets, speed bumps, the 2 inch or inch and a half thickness. Who makes the decision on that.
    - **Councilman Emmons-** Once the bids come in, LJA and the grant administrator do the review then the Council.
    - **Councilman Mullins-** Are you asking about the thickness?
    - **Jennifer Joyce-** Who voted on that? The speed bumps, the rumble strips.
    - **Councilman Emmons-** We haven't voted on anything yet.
    - **Jennifer Joyce-** Asks who would vote on that? Would Council vote after the bids?
    - **Councilman Emmons & Councilman Mullins-** Yes
    - **Jennifer Joyce-** Asks who the grant administrator is
    - **Mayor Emmons-** Michael Miguard with Public Management
    - **Jennifer Joyce-** Asks if it can be altered after the bids have been received.
    - **Councilman Emmons-** No
    - **Jennifer Joyce-** IS there something in the bid papers
    - **Councilwoman Mitchell-** Change the scope?
    - **Jennifer Joyce-** Yes
    - **Dru-** There are some restrictions about the percentage that can be changed. There are some changes that can be considered alterations and some may require more like a change order. Otherwise people would bid low and change it to be more expensive later on. There's a difference

between non-material alterations versus material ones. There's not a simple answer to that question. As a rule, amendments and changes are possible depending on the materiality.

- **Jennifer Joyce-** Asks who told LJA, which is the people that did the bid packet, what had to be put in the paper.
- **Councilman Emmons-** GLO
- **Dru-** the grant has limits and LJA worked within those limits
- **Jennifer Joyce-** If there is something that is in there and GLO said that it had to be changed, how does that get changed. For example, they are putting a speedbump in the middle of the road. Can that be changed?
- **Councilman Emmons-** Asks if he can go ahead and do his report
- **Mayor Emmons-** Yes, that will answer her questions
- **Councilwoman Mitchell-** What if the bids come in over our budget?
- **Councilman Emmons-** Informs everyone that the bid meeting was held the week prior to the Council meeting. That is where LJA sat down with the bidders and went over the scope of work and let them ask questions. Once the meeting was over, they came back and asked for an extension to submit the bids. They asked for 2 weeks making the bid opening September 29<sup>th</sup>. When the bids are open, that does not mean that it's an award. It strictly says who bid what and that's it. LJA will go over the bids and make sure that the bidders followed the guidelines. Michael Miguad will go through and make that that all the government regulations. This is a government job. The bidders have already been told that they have to follow those guidelines. In the bid package, we did include that GLO's guideline was for inch and a half thickness, but they were told to provide a second bid for 2 inch thickness. The GLO part of the grant is to cover main traffic areas. Sweetgum, Riverbend and Inwood. We did ask them to bid alternate roads. There is a second part of this which is the FEMA grant. The FEMA grant lays different spots in Bevil Oaks. It is only for pothole work. Their definition of pothole work is that they cut a whole section of road out, redo the base and cove it. Please be aware that originally the GLO was calling out for 2 layers of chip seal. Which is inexpensive to do. They came back and said that they would pay for top asphalt. Its about 11 % more for the hot asphalt. We will have to wait on the bids to come out. The Council has talked about moving some of the City's funds to help pay for some of the work that needs to be done. Until the bids come back, we will not know what the cost is going to be. During the beginning, the topic was brought up about speeders and people running stop signs. There was talk about putting rumble strips at the stop signs. We did not want to put the rumble strips anywhere else on the roads because of the noise. During the pre-bid meeting, the bidders mentioned that the cost on the rumble strips would be astronomical. The lady from LJA asked the bidders to come up with alternate ideas that we could look at. One of the companies mentioned the rumble strips that are located on 105. States that those are not what

the City is looking for. If the bidders do come up with different ideas, it will have to be approved by the Council.

- **Councilman Merendino-** How are Sweetgum, Riverbend and Inwood be our main travel roads instead of Sweetgum, Riverbend and Shipley? Mentions that Councilman Mullins and Councilman Emmons stated that they picked the roads.
- **Councilman Mullins-** Explains that they graded the roads by how many potholes they had.
- **Councilman Emmons-** Explains that it was for the work that the City was going to have the County do. We told them about that and it was added as alternates in the bid package, but not of that is set in stone. Until Council decides, everything is up in the air.
- **Councilman Merendino-** Mentions that when Councilman Emmons mentioned the bid meeting, it was actually the pre-bid meeting. Mentions that we only have so much money to spend.
- **Councilman Emmons-** The grant is only allowing so much money. The things that we are going to have to look at are the fact that we are going from a one and half in to a two inch, that money has to come from some place. 11 % don't sound like much but when you are looking at this big of a project, that's a whole side street. We are looking at almost \$150-\$200,000.
- **Councilwoman Mitchell-** This is the \$2,000,000 grant, right?
- **Jennifer Joyce-** Last month it was an inch and a half and now it's two inch.
- **Councilman Emmons-** No, the main bid is for inch and a half. There is an alternate bid for two inch. There is two different bids. Council will have to decide because if the grant doesn't have enough money for the two inches, if that's what Council decides to do, Council will have to come up with more money to pay for it.
- **Jennifer Joyce-** The scope can be changed?
- **Councilman Emmons-** To a degree. IF we want to add anything to it, that means that the bids are no good and we have to go back out for bid.
- **Dru-** The scope isn't necessarily changed, its requesting an alternate. It's requesting an alternative. One alternative is meeting the grant. If the second alternative is accepted, its because City Council decided to add to it, to contribute to it. The scope won't be changed. What the City is choosing to pursue on may be different than what the grant does based on public resources available.
- **Councilwoman Mitchell-** If we change the streets, are we changing the scope?
- **Councilman Emmons-** Yes. There is enough streets in it right now, the alternate streets that were put in, are over \$1,000,000.
- **Councilwoman Mitchell-** This is a \$2,000,000 grant plus the FEMA grant?
- **Councilman Emmons-** No. The FEMA grant is only going to do potholes. FEMA picked what streets can be repaired with that part of the

grant. With the type of work that will be done with that, we may do pretty good on those streets.

- **Mayor Emmons-** The FEMA grant is not only on the main roads. It includes the side roads.
- **Councilman Emmons-** Mentions that the roads that him and Councilman Mullins looked at, if the FEMA grant does fix those, we may not have to do any more work.
- **Jennifer Joyce-** Has the Council, past and present, ever voted on anything extra, stop signs, rumble strips or any of that for any grant or anything?
- **Dru-** The roads have been done two or three years before Harvey.
- **Jennifer Joyce-** States that she was asking if anything was approved by Council as far as speed bumps, rumble strips, stop signs or anything similar.
- **Mayor Emmons-** Mentions that stop signs get ordered when they need to be replaced.
- **Dru-** Asks Jennifer Joyce if she means related to grants or ever
- **Jennifer Joyce-** In the last 10 years
- **Dru-** There have been votes on stop signs.
- **Mayor Emmons-** There has been discussions
- **Councilman Emmons-** states that there was a council meeting a long time ago where we voted on putting speed bumps in Bevil Oaks. It wasn't a grant.
- **Mayor Emmons-** There was a big stickler about speeding in Bevil Oaks. It was a year or two before Harvey, before the street lights were installed, there were two accidents back to back at night. That's when people on Council started listening to the issue and that's when the talk about lowering the speed limit started.
- **Councilwoman Vautrot-** Mentions that when the rumble strip was voted on, was when Becky was Mayor. She gave several suggestions. In 2019.
- **Jennifer Joyce-** Asks If the rumble strips have been done
- **Councilwoman Mitchell-** They only approved the one at the stop sign
- **Jennifer Joyce-** Has there been any discussion since then?
- **Mayor Emmons-** Mentions that it was before any of us were on Council.
- **Dru-** Suggests that she defers to the meeting minutes.
- **Councilwoman Vautrot-** Mentions that there was a discussion about the speeding when her and Councilman Merendino were on Council together the first time. The people wanted something done. Doug suggested a few things that we couldn't afford.
- **Councilman Merendino-** the radar signs. States that the speedhump that is in place is not making people stop.
- **Councilman Emmons-** asks Jennifer Joyce if that answered her questions about the roads

- **Jennifer Joyce-** for the most part
- **Councilman Emmons-** suggests that if anyone has any questions about the roads, to please call him. We will probably hold a special Council meeting just for the bids that the City receives. We can't wait long to get this done.
- **Councilman Merendino-** How many miles are the people bidding on? What do we do with the money left over from the grant?
- **Councilman Emmons-** There isn't going to be any money left over
- **Mayor Emmons-** States that she can't remember how this grant works, but with other grants that we have, the grant administrator helps with all of that. Mentions that she remembers that the grant was supposed to cover all the roads in Bevil Oaks, but due to the rise in costs, we can't.
- **Councilman Merendino-** Mentions that a year ago, the Council was told that we needed to wait to go out for bid. He doesn't understand why we had to wait.
- **Councilman Emmons-** There is nothing that says that we have to do anything right now. It is up to the Council if they want to move forward with the hot asphalt. The grant originally covers 2 layers of chip-seal, which is less. We could get more roads done with the 2 layers of chip-seal than we could the hot asphalt. GLO wants us to move forward and get the money spent.
- **Dru Montgomery-** states that there is a strong seasonal issue. Some contractors will only hold the price for so long. For example, you can't bid something in August for the warm weather. There may be a timing issue on when you publish, receive the bids and are able to get started.
- **Councilwoman Vautrot-** Councilman Merendino has showed us pictured of what the road would look like with chip-seal installed.
- **Councilman Merendino-** states that it was improperly installed by the County. They did not come back with a final layer like they were supposed to.
- **Councilman Emmons-** Mentions that a question that came from the bidders was about street closures. States that Sweetgum and Riverbend will not be closed at the same time, but they may close off a whole section of Sweetgum.
- **Councilwoman Mitchell-** Who will pick the street that they start on?
- **Councilman Emmons-** they will pick it. One of the things that they asked was where they could store the materials because they are going to bring in truckloads so they can start doing the work. The big grassy area that we have at the sewer plant is where they will be storing it. We will have to get it mowed before then.

**7. Review/Approve Consent Items – M/M/2/C- Councilman Emmons/Councilwoman Vautrot- *Approved***

- a. Financial Reports for City of Bevil Oaks
- b. Financial Reports for Public Works
- c. Report by Utility Specialties
- d. Previous Meeting Minutes

- **Councilman Merendino-** states that the monthly bills that are paid are mixed together in the financials. States that the Council is now receiving the bills broken down by each time they are paid. States that he has a question as to why Cousin's Lawn Service was paid twice. States that he took pictures of the areas that Cousin's are not mowing according to the map.
- **Councilwoman Vautrot-** That's why we are trying to hire someone for the Public Works Department, so we don't have to pay that much for it.
- **Mayor Emmons-** Cousin's was having trouble receiving their check through the mail due to the address, so what we paid them this month could be for a few months' worth of service.
- **Mayor Emmons-** explains that when the bills are paid, one Council member approves the bills, then two separate Council member signs the checks. The invoices are attached to the checks until the checks are signed. The check has been copied and is ready to be mailed out. Whichever council members sign the checks can look at the invoices as well.
- **Dru Montgomery-** The accounting practices changed. There is nothing that isn't done by a third party that is individually making a decision.
- **Councilwoman Mitchell-** states that if she doesn't agree with what is being paid, she will not approve it.

#### 8. Discussion/Action Items

- a. **Consideration/Discussion/Approval** of changes to Water Ordinance # 252 affecting rates, charges and other related issues. **Tabled-** until the ordinance is rewritten- **M/M/2/C-** Councilwoman Mitchell/Councilman Merendino
  - **Councilwoman Mitchell-** explains that part of the reason for looking at this ordinance is because the office does not accept cash anymore, but in the ordinance is says that it does. Suggests that the City needs to address lowering the water rates and the user fee. There is a \$3.00 administration fee on the irrigation meter, which makes it look like the water rate is calculated at .014 instead of .013. States that she suggested that there be a separate line item showing that \$3.00 fee. There needs to be more transparency on the water bills. Residents should be allowed to turn their water off. Suggest no application fee for homeowners. The deposit for the renters need to go up. Suggests that the entire ordinance needs to be done by a professional. The rate schedule is listed with the current and suggested prices.
  - **Dru-** states that 90 % of what Councilwoman Mitchell is saying is policy changes that can be made by Council. The rates that we pay to the City of Beaumont is set making it hard for the City to change the rates that the residents pay.
  - **Councilwoman Mitchell-** states that the City isn't paying Beaumont all the money that it receives from the residents, it is only paying about half of it.
  - **Councilman Emmons-** states that the City has to pay to run the pumps and the money has to come from some place.



- **Councilwoman Mitchell-** We need to figure out how to give something back to the residents.
- **Councilman Emmons-** states that prices have increased, but we haven't gone up on the rates.
- **Councilwoman Mitchell-** our rates are higher than Meeker compared to some of our surrounding areas.
- **Councilman Mullins-** states that it isn't a comparison to the surrounding areas because they are bigger than we are.
- **Mayor Emmons-** states that Cheri Mitchell is the one over the water rates and that she could suggest a change in rates.
- **Councilwoman Mitchell-** states that she suggested, in the budget meeting, that we take \$5.00 off the user fee and to pay off the bank loan.
- **Councilman Mullins-** states that he is for lowering the user but not lowering the water rate right now.
- **Councilwoman Mitchell-** suggest that we are change the rates for commercial because commercial rates are not what they should be.
- **Councilwoman Vautrot-** mentions that when Becky was in office, something was signed stating that the water rates would be evaluated every 3 months.
- **Mayor Emmons-** asks Councilwoman Mitchell if she can see herself evaluating the water rates every 3 months
- **Councilwoman Mitchell-** yes. States that 3 months ago she did a rate study. One way to lower the cost is to eliminate an office position. We can look at getting rid of expenses to be able to give something back to the people.
- **Councilman Merendino-** states that the girl in the office (luz Rodriguez) did not file the proper paperwork to be on medical leave.
- **Mayor Emmons-** There is paperwork.
- **Councilwoman Mitchell-** if positions are eliminated, we can cut expenses. States that Sabrenna deserves a raise and a title.
- **Mayor Emmons-** states that she agrees.
- **Resident-** If the rates are lowered then it lowers what we owe for the bond? States that she wasn't here when the bond was taken out, but we can't get rid of the bond.
- **Councilwoman Mitchell-** states that she would like to see the user fee lowered by \$5.00.
- **Councilman Mullins-** states that there needs to be more documentation to change the water ordinance. States that he is willing to look at it.
- **Councilwoman Mitchell-** states that she will include where she thinks expenses can be cut.
- **Councilman Mullins-** states that he is for cutting expenses, but we need to make sure that it is going to be something that is going to help everybody in the long run.
- **Councilman Merendino-** states that most of the people that go to the office is not for an emergency.

- **Councilman Emmons-** the reason why the statement about the meters is in the ordinance is because whenever the meters were first installed, people were disconnecting the endpoints thinking they wouldn't get charged for water. The endpoints were damaged and they were being charged for the damaged endpoints.
  - **Councilwoman Mitchell-** Between eye on water and Beacon, we spend \$1,000, so we should be able to tell if someone disconnects the endpoint.
  - **Councilman Merendino-** States that if someone damaged the endpoint, then yes, they should pay for it, but if they have a leak, they should be able to turn it off.
  - **Councilman Emmons-** Every property out here needs to get a shut off on their side of the line so if something happens, they can turn it off.
  - **Dru-** if the issue is to rewrite the ordinance, he can work with Councilwoman Mitchell to fix the ordinance.
  - **Mayor Emmons-** asks to table the decision on changing the water ordinance until it is rewritten.
- b. **Consideration/Discussion/Approval** of variance request from resident.  
*Approved- 6-month payment plan. M/M/2/C- Councilman Mullins/Councilwoman Vautrot*
- **Councilman Merendino-** He had a leak under his house and didn't know. The City sent him an email to let me know, but he didn't get the email. Customer states he wasn't notified until a month after it started. He is going through some financial issues right now. He wants a payment plan.
  - **Mayor Emmons-** How long is he wanting to do it for?
  - **Councilman Merendino-** states that he isn't sure, but he is guessing 6 months like the other ones that we have done. Will he be charged a late charge since he isn't current?
  - **Mayor Emmons-** no, not if he makes the payment on time.
- c. **Consideration/Discussion/Approval** of resolution to change City office hours of public operation *Approved- M/M/2/C- Councilwoman Mitchell/Councilman Merendino*
- **Councilman Emmons-** right now we only have one employee, if she can't be there, who is going to run the office?
  - **Councilwoman Mitchell-** Mentions that she would volunteer. Martha can help too.
  - **Mayor Emmons-** states that there isn't a lot of foot traffic in the office. The reason for the office being closed on Thursday and Friday was to get caught up on grant paperwork and filing because it was a mess when we all got in there.
- d. **Consideration/Discussion/Approval** of cost of living raise for City employee  
*Approved- Office Manager Title and \$2.00 cost of living raise. M/M/2/C- Councilwoman Mitchell/Councilman Mullins*
- **Councilwoman Mitchell-** Suggests giving Sabrenna the title of Office Manager and give a cost-of-living increase because she is having to do a lot of things outside her scope of work like changing endpoints. She is having to use her truck and gas to do that.

- **Mayor Emmons-** She hasn't been able to go out for the past couple of months.
  - **Councilwoman Mitchell-** if we give her a stiffen for gas, it should be done on her paycheck instead of using the City credit card. The City can just reimburse her.
  - **Mayor Emmons-** there is a difference in cost-of-living increase and a raise. Asks Councilwoman Mitchell how much she was wanting to give.
  - **Councilwoman Mitchell-** \$2.00.
  - **Councilman Merendino-** asks what Council thinks.
  - **Councilwoman Mitchell-** Is there educational requirements to make someone City Manager.
  - **Mayor Emmons-** Yes, she has been looking into it.
  - **Dru Montgomery-** If there was a City Manager, the charter would have to be changed. It would be fairly expensive and it would change our government.
  - **Mayor Emmons-** if she can get back out in the field on Thursday and Friday's. What about paying for gas? How do you want to do that? Reimbursement?
  - **Councilwoman Mitchell-** Yes, reimbursement
  - **Councilman Mullins-** Don't we have to keep a log?
  - **Dru-** yes
- e. **Consideration/Discussion/Approval** of voting on and selecting Council officers- *Approved-* Councilwoman Mitchell- **Mayor Pro-Tem** & Councilman Mullins- **City Secretary**
- **Councilwoman Mitchell-** suggests that Councilman Mullins stay City Secretary
  - **Councilman Merendino-** suggests that Councilwoman Mitchell stay as Mayor Pro-Tem and Councilman Mullins stay as Secretary
  - **Councilman Emmons-** suggest Councilman Vautrot as Mayor Pro-tem and Councilman Mullins stay as Secretary
  - **Mayor Pro-Tem-Councilwoman Mitchell- M/M/2/C- Councilman Merendino/Councilwoman Mitchell- I's- 3/ Councilman Merendino & Councilwoman Mitchell & Councilwoman Vautrot. Neh- 1 - Councilman Emmons. Councilman Mullins abstained from voting**
  - **City Secretary- Councilman Mullins- Unanimous I's- M/M/2/C- Councilwoman Mitchell/Councilwoman Vautrot**
- f. **Consideration/Discussion/Approval** of putting the grants that the City currently has and the grants that have previously been obtained and completed. *Approved-* Councilwoman Mitchell/Councilman Merendino
- **Councilwoman Mitchell-** Put grants that we are working on and grants that we have gotten on the website.
  - **Mayor Emmons-** How far do we need to go back?
  - **Councilwoman Mitchell-** Just a list of what we have
  - **Councilman Mullins-** suggests that above the grant a paragraph be added to state that the City hasn't been received any money.

- **Councilwoman Mitchell-** The grants that are still open cannot have as much information until they are closed.
- g. **Consideration/Discussion/Approval** of the City hosting a public workshop to discuss agenda items before they are placed on the agenda. **M/M/2/C- Councilwoman Mitchell/Councilman Mullins- *Approved***
  - **Councilwoman Mitchell-** the purpose of doing that is so the citizens can come and discuss what they want on the agenda. If we have workshops, then we know ahead of time what we are going to talk about.
  - **Mayor Emmons-** mentions that one of the things that her and Councilwoman Mitchell discussed was at least 2 weeks before the Council meeting.
  - **Councilwoman Mitchell-** no one is required to come because it's a workshop.
- h. **Consideration/Discussion/Approval** of putting yearly budget and monthly expenses on the website **M/M/2/C- Councilwoman Mitchell/Councilman Merendino- *Approved***
  - **Councilman Emmons-** States that it's too much information on the website. Opposed on putting it on the website.
- i. **Consideration/Discussion/Approval** of a resolution of the City Council of the City of Bevil Oaks, Texas, to remove all authority unless voted on. **M/M/2/C- Councilwoman Mitchell/Councilman Merendino- *Opposed/Denied***
  - **Councilman Merendino-** City Council runs the City. There are emergencies that come up, so we gave the Mayor a \$5,000.00 limit. The Mayor should not be able to not disclose information to the Council.
  - **Councilwoman Vautrot-** So you are wanting the Council to get together any time something happens and money needs to be spent?
  - **Councilman Merendino-** No.
  - **Councilman Emmons-** Anytime we need to go out and buy toilet paper, we are going to have to have a meeting?
  - **Councilman Merendino-** We ran the City without the \$5,000 limit before.
  - **Dru Montgomery-** That isn't how the resolution is written. It states that no Council may approve any expenses unless approved by Council action.
- j. **Consideration/Discussion/Approval** of budgets for the City of Bevil Oaks for fiscal year 2022-2023 previously presented in budget meeting on September 13, 2022. **M/M/2/C-Councilman Mullins/Councilman Emmons- *Approved***
- 9. **Discussion**
  - a. **Agenda Request** made by Councilman Merendino for various items.
    - **Councilman Merendino-** would like clarification on the mowing contract map. If the work isn't completed, then it shouldn't be paid.
    - **Councilwoman Mitchell-** Can we call them out here to finish what they are supposed to be doing.
    - **Mayor Emmons-** Sabrenna documents when she talks to them

- **Councilman Merendino-** The trees that they cut down were supposed to be cut up and placed by the road for the citizens to have access to it if they wanted it. It was not put out by the road; they shoved the tree into the woods. He cut a tree at the Civic Center and crams the tree in with the other tree that had fallen.
- **Councilwoman Vautrot-** We can call them and tell them and tell them to come out and clean up what they were supposed to.
- **Councilman Merendino-** Are we going to have a City- wide garage sale?
- **Mayor Emmons-** Community Development isn't over that. If the citizens can agree on a date, then we can have one.

**b. Agenda Request** made by Councilwoman Mitchell for various items- **everything was covered.**

**10. Reports-** No reports from anyone

- a. Councilwoman Vautrot – Grounds and Maintenance
- b. Councilman Merendino – Flood Prevention Project
- c. Councilman Emmons – Roads and Drainage
- d. Councilwoman Mitchell- Water & Sewer Rates
- e. Councilman Mullins – Water & Sewer
- f. Mayor Emmons – Various Items

**11. Adjourn Meeting @ 8:27 p.m. – M/M/2/C-** Councilwoman Mitchell/Councilwoman Vautrot

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins

**October 14, 2022**  
**Special Meeting Minutes**



# Notice of a Special Meeting Minutes

## CITY OF BEVIL OAKS, TEXAS

October 14, 2022

1. **Call to Order @ 4:00 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call- Present- Mayor Emmons, Councilman Mullins, Councilman Emmons**  
**Not Present- Councilman Merendino, Councilwoman Mitchell,**  
**Councilwoman Vautrot**  
***A quorum was not present, but the Council members and the citizen that was present discussed the item on the agenda.***
4. **Conflict of Interest Statement**
5. **Review/Approve Action items**
  - a. **Consideration/Discussion/Approval-** of all available and appropriate bids, potentially reject insufficient bids, consider qualifications and bids of various contractors and selecting contractors to perform work on Bevil Oaks roads using city, state and federal grant and otherwise specifically designated funds.
    - **Mayor Emmons-** states that it is not a meeting being that there was not a quorum present.
    - **Resident Jennifer Joyce-** asks if the citizens were going to be able to see the papers that the Council has.
    - **Mayor Emmons-** Once the Council reviews them.
    - **Resident Jennifer Joyce-** states that she wanted to see the work that was going to be done.
    - **Councilman Emmons-** On Sweetgum, the new road will go from 105 to just before the Water Plant. On the other side of the Water Plant it will pick up and go all the way to Inwood.
    - **Councilman Mullins-** states that any part of the road that is still good, will not be replaced because we can use that money to do the parts that need to be done.
    - **Councilman Emmons-** The money that is applied to the streets like Riverbend, Sweetgum, Carrol, Leaning Oaks and River Oaks. We will be able to use the FEMA funds for those roads and the whole road will be done.
    - **Resident Jennifer Joyce-** asks if the bids that were received are for the 1 ½ or 2 " how asphalt.

- **Councilman Mullins-** It is for the 1 ½”.
- **Councilman Emmons-** The 2” was going to through us out because of the costs.
- **Councilman Emmons-** Almost every road in the City will get some work done.
- **Councilman Emmons-** Once we get all of this done, it changes the priority list for the County.
- **Resident Jennifer Joyce-** Are they starting at 105 and going forward?
- **Councilman Emmons-** They are going to decide where they want to start.
- **Sabrenna Crain- *Speaking to Victoria (LJA)*** asks her to explain what the pink and the blue of the GLO map is.
- **Victoria (LJA)-** the pink lines represent the roads that were in the base bid. Those roads provide City wide benefit.
- **Councilman Mullins-** Shipley is on the map in blue
- **Victoria (LJA)-** the blue ones are the additive alternate list. Shipley is not getting any FEMA funds. It isn't getting GLO funds either.
- **Sabrenna Crain-** states that in the back of the packets, the addresses from each Ward are on a spreadsheet to show which ones will benefit from the roads that are being done.
- **Councilman Emmons-** The roads that will completely done are Sweetgum, Riverbend, Inwood, Carroll Lane and Leaning Oaks.
- **Sabrenna Crain- to Victoria (LJA)-** on the engineer recommendation page, where it says estimated fund deficiency, what does that mean
- **Victoria (LJA)-** FEMA is giving money to allocations. FEMA has given the City 2 allocations. The deficiency comes from the FEMA portion of the grant. They know that it will be more expensive for some of the repairs that originally intended, but they will only give you what they have allocated and the City will be responsible for the remainder left over.
- **Councilman Emmons-** That is just for the pothole repairs, right?
- **Victoria (LJA)-** Yes.
- **Councilman Mullins-** It's going to cost the City an additional \$48,000 to do those roads?
- **Victoria (LJA)-** yes. The roads in the other portion of the FEMA grant, will be fixed and reimbursed at today's costs.
- **Mayor Emmons-** We can't vote on anything during this meeting.
- **Councilman Mullins-** Asks Victoria if she will be able to attend the Council meeting.

- Victoria (UA)- Yes
6. Adjourn Meeting @ 5:00 p.m.

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins

**October 20, 2022**  
**Meeting Minutes**

# Regular Meeting Minutes CITY OF BEVIL OAKS, TEXAS

October 20 ,2022

1. **Call to Order @ 6:30 p.m.**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: *"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."*
3. **Roll Call-** All Present except Councilwoman Vautrot
4. **Conflict of Interest Statement-** None
5. **Citizen Comments (3 minutes each)** – An opportunity for the citizens to address Council on agenda items or concerns not on the agenda – those wishing to speak must complete the comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a 3-minute time limit
  - **Mrs. Childers-** Asks what is going to be done with Davida?
  - **Mayor Emmons-** states that Victoria from LJA will be discussing the road grant
  - **Mrs. Childers-** Asks if any roads have been done
  - **Councilman Mullins-** No
  - **Mrs. Childers-** Asks that Davida be kept in mind when the roads do get done
6. **Review/Approve Action items**
  - a. **Consideration/Discussion/Approval-** of all available and appropriate bids, potentially reject insufficient bids, consider qualifications and bids of various contractors and selecting contractors to perform work on Bevil Oaks roads using city, state and federal grant and otherwise specifically designated funds. **M/M/2/C-** Councilman Emmons/Councilman Mullins- **Approved-** *LJA's recommendation on selecting Allco as the contractor.*
    - **Councilman Merendino-** asks that the details of the bids be discussed before the Council makes a decision
    - **Victoria Dai (LJA engineering)-** The City was awarded money for Harvey infrastructure. \$1,696,612.00 from the GLO \$336,854 from FEMA. The roads could not just be picked out. It had to be a City-wide benefit. Sweetgum, Riverbend and Inwood are the main roads. The reason that Inwood was selected is because FEMA came out and did an assessment, Inwood was going to take a lot of money to repair. Allco, Gulf Coast and LD Construction put in bids. States that she has worked with all three companies and that all of them are qualified to do the work. Allco came in at the lowest bid with a bid of \$1,515,649.00. LJA suggests that the City selects Allco for the contractor. The City has around \$300,00.00 in funds that it can contribute to the grant to get more roads done. The additional roads that were added are Carroll Lane, Leaning Oaks and River Oaks Blvd.
    - **Resident-** The money that FEMA gave for Inwood is tied to that street
    - **Victoria Dai-** Yes. FEMA's money is road specific. The funds cannot be used on another road.
    - **Resident-** Who decided on the roads

- **Victoria Dai-** FEMA. FEMA came in after Harvey and assessed all the roads. Although it is 4 years after Harvey, FEMA is going off the assessment that they did after Harvey. LJA and the City asked FEMA if they could take the money that they have allocated to the City and put it in one lump sum to be spent on whatever roads the City wanted to do and FEMA rejected it.
- **Resident-** Is there a timeframe of when the money has to be used.
- **Victoria Dai-** States that she isn't sure, but she will check into it. States that she thinks it is 2 years.
- **Resident-** 2 years from when the City receives the grant until the job is completed?
- **Victoria Dai-** FEMA is giving the City two allocations. One for \$250,000. The City has already been given \$86,000. The larger allocation will be reimbursed once they start the construction. The good thing about the larger allocation is that they will get it at costs today. If a contractor comes in and says that it cost them \$20,000 more to do the repair, FEMA will pay that. The allocation that has already been given; FEMA will not adjust it to today's costs.
- **Councilman Merendino-** During the bid meeting, he asked Victoria who gave the information for the roads and she stated that it was Doug and Doug.
- **Victoria Dai-** Correct. States that she didn't understand what the question was. The list of the roads that were additive roads, were based off the list that Doug and Doug listed as priority roads. That's how those roads were added to the proposal.
- **Councilman Merendino-** Some of the frustration is because there was no representation from Ward 1 included in the process.
- **Councilman Emmons-** For the FEMA funding, we had no choice in the road. Last spring, we made a list for the County on prioritizing roads for them to do. That is when the roads were picked. We were told at first that the GLO grant was going to pay for chip and seal. Then they came back and said that we could use hot asphalt. The estimates for the hot asphalt were going to be over \$2,000,000 just for Riverbend and Sweetgum, so we didn't think that we were going to be able to any roads. We submitted the priority list to see if we would be able to get additional roads done.
- **Councilman Merendino-** Asks Councilman Emmons who he was referring to as "we"
- **Councilman Emmons-** The City
- **Councilman Merendino-** states that him nor Councilwoman Mitchell were not involved.
- **Councilman Mullins-** states that him and Doug did work in the City.
- **Mayor Emmons-** the reason why the priority list came in is because the Commissioner asked about it. We can use City funds to do the roads that the grant doesn't cover.
- **Victoria Dai-** Unfortunately, all the roads didn't get funding
- **Councilman Merendino-** Where are the rumble strips going to be?



- **Mayor Emmons-** There are not going to be any
- **Victoria-** Initially there were rumble strips. The rumble strips will be painted on
- **Councilman Emmons-** We don't want to rumble strips
- **Victoria Dai-** It was part of the bid package, so it has to be awarded
- **Councilman Emmons-** We are going to do a change order.
- **Victoria Dai-** If the City doesn't want the rumble strips, then we can do a change order, we just have to award it up front, then a change order can be done. The rumble strips were presented as part of the bid package because a change order can't be done until the contract/contractor is awarded. The contract will have to be for the amount of the base bid and what the City wants to add. Once the contract is signed by the contractor then a change order can be submitted. Legally we can't change a contract unless publicly presented.
- **Mayor Emmons-** not only was Allco the lowest bidder but they had the quickest turnaround time. Allco was 85 days, Gulf Coast was 87 days and LD Construction was 200 days.
- **Councilman Emmons-** Keep in mind that those days are working days. That's not saying that it will be done in that many days.
- **Mayor Emmons-** Asks Victoria to explain how long it will be to get the contractor mobilized.
- **Victoria Dai-** If the City selects them as the contractor, the contractor will submit their bond and insurance. LJA has to get their contract together and the attorney has to review it. It will most likely take around 4 weeks.
- **Councilman Merendino-** Allco is ready to mobilize?
- **Victoria Dai-** As soon as there is an executed contract, they will be ready to go.
- **Councilman Merendino-** According to some of the contractors that he has spoken with, the temperature that is needed to lay hot asphalt is between 50 – 70 degrees. How will that be possible in the winter.
- **Victoria Dai-** The contractor will make sure that temperatures are right before beginning work.
- **Councilman Merendino-** What kind of warranty do we have?
- **Victoria-** The contract is a 12-month warranty. There will be a final walk through once the work is completed. There will be a Certificate of Completion issued. The date on the certificate will mark when the warranty period starts.
- **Mrs. Clark-** States that she asked her husband, that's from Iowa, about the temperature and he said that down here you could do road work all year.
- **Councilman Merendino-** DOT has specifications that you have to go by. You can lay it down year around, but the material and the structure will not have near the life span as it would if you did it in the right temperatures and correct moisture content.
- **Victoria Dai-** Part of the contract is that they will have to meet density requirements, patching requirements.

- **Resident-** Asks who is going to hire the testing lab?
- **Victoria Dai-** the contractor has their choice
- **Victoria Dai-** states that he does this kind of work and it's not a good idea for the contractor to hire them. The City needs to hire them. You do not ever let the contractor hire them.
- **Victoria Dai-** States that they will keep that in mind
- **Councilman Merendino-**Asks if LJA has seen roads fail in 12 months
- **Victoria Dai-** When there is a drought, yes. Complete failure is not likely.
- **Councilman Merendino-** What is the general life span of the roads?
- **Victoria Dai-** A Geotech done an analysis based on traffic and conditions in Bevil Oaks and they said around 10 to 15 years. Keep in mind that it is based on what they consider the traffic flow. On the design that the Geotech did it is 10 to 15 years. If you see a crack, the sooner you get to it, that will keep the longevity of the road.
- **Resident-** Regular road work would be done by the County?
- **Mayor Emmons-** Yes
- **Victoria Dai-** The next step is to accept LJA's recommendation. The City will have to put some funds forward outside of the funds that they will be getting from the GLO and FEMA
- **Resident-** How much will the City be paying?
- **Victoria Dai-** \$257,989.79
- **Mayor Emmons-** \$200,000 will be coming from the ARPA funds and the \$57,989.79 will be coming from the road fund.
- **Councilman Emmons-** The FEMA part of the grant is pothole repair. What FEMA defines as pothole repair is they take the whole section and cut it out and put all new in. It is not what the County does.
- **Victoria Dai-** After the construction is done FEMA will come out and do an assessment.
- **Councilman Emmons-** There will be road closures.
- **Mayor Emmons-** There will be call-outs done to let everyone know.
- **Councilman Merendino-** According to FEMA and the GLO, the roads that are being done have to be beneficial to the majority of the citizens throughout the City.
- **Victoria Dai-** Any money from the GLO has to have City-wide benefit.
- **Councilman Merendino-** GLO has 90 % of the funding?
- **Victoria Dai-** Yes
- **Councilman Merendino-** So the City won't be responsible if the GLO comes back and says that Inwood is not beneficial to the majority of the citizens.
- **Victoria Dai-** FEMA is paying \$135,000. The contractors' bid came in at \$138,000.
- **Councilman Merendino-** That's for asphalt?
- **Victoria Dai-** Yes, the entire contract is for asphalt.

- b. **Consideration/Discussion/Approval-** of resolution to approve 2022 Certified Tax Roll presented by the Jefferson County Tax Assessor-Collector. **M/M/2/C- Councilman Emmons/Councilman Merendino- *Approved***
- c. **Consideration/Discussion/Approval-** of Ordinance for Entergy declining to approve the change in rates requested in Entergy Texas, Inc.'s ("ETI" or "Company") Statement of Intent - Entergy's UODG (Back Up Electric Service) tariff. **M/M/2/C – Councilman Emmons/Councilman Mullins- *Approved***

## 7. Discussion

- a. Agenda Request from citizen- Erin Gentry- proposal for organization of community development group
  - **Councilman Mullins-** States that he would like to apologize for peeling out in the parking lot at City Hall. He has paid to have it fixed. Apologizes for his behavior.
  - **Erin Gentry-** States that she would like to start a Community Development group that will be community based. It will not be through the City. Asks that the City allows them to use the City green spaces for events. Mentions that she has done this before in previous places.
  - **Mayor Emmons-** States that the City does have money set aside for Community Development. States that the City does have decorations that can be used. Mentions that Sabrenna can do callouts for the events and put it on the City website.
  - **Erin Gentry-** Would like to bring the Community together.
  - **Councilwoman Mitchell-** states that the some of the companies that we get franchise fees from, may make donations. Being that this isn't going to be done through the City, how would we separate the donations to go to her?
  - **Councilman Merendino-** States that we should be able to just put it in the Community Development and then give her the money.
  - **Mayor Emmons-** Thanks Mrs. Gentry.
  - **Mayor Emmons-** States that the consent items need to be done before doing the other discussion items listed below.
- b. **Councilman Merendino -** Agenda Request Item # 1 – discussion on mowing for site preparation
- c. **Councilman Merendino-** Agenda Request # 2 – conduct of ward 3 councilman
- d. **Councilman Merendino-** Agenda Request # 3 – road grant discussion
- e. **Councilman Merendino-** Agenda Request # 4 - – item # 3 related future council involvement request

## 8. Review/Approve Consent Items – M/M/2/C- Councilwoman Mitchell/Councilman Emmons- *Approved.*

- a. Financial Reports for City of Bevil Oaks
- b. Financial Reports for Public Works
- c. Report by Utility Specialties
- d. Previous Meeting Minutes
  - **Councilman Merendino-** On the Attorney invoice, on August 12, it states *meeting with Mayor and Vautrot on number of issues regarding governance*

*including management of abandoned houses, impact of public works part time employee and cancellation of election. What was that for?*

- **Dru Montgomery-** On cancelling the election, it was just for one Ward. Technically you cancel that election, so it's not submitted on the ballot.
- **Councilman Merendino-** What happened on with the Mayor and Mrs. Vautrot regarding governance?
- **Dru Montgomery-** A large project that she asked me to evaluate was the ability to take action on abandoned houses. That requires a lot of notice, it requires the enforcement of how the ordinances are. She wanted to know what we could do to the abandoned houses. A lot of people have asked about the abandoned houses, and she wanted to know the legalities of what can be done.
- **Mayor Emmons-** mentions that she complained about it before she was on Council.
- **Resident-** How do other Cities handle abandoned houses?
- **Mayor Emmons-** they have the money
- **Dru-** that's a complicated answer. About 10 years ago the City demolished a house and put a lien on the property. When the property was sold at a Sherriff sale, they have no obligation to recover the City's funds. Ultimately, the purchaser only needs to meet delinquent taxes not the lien. The lien is distinguished at a sheriff sale. Is the City willing to pay that money.
- **Mayor Emmons-** That was the big thing with creating the maintenance department to be able to take care of the tagged houses. After the notice is given, they have 10 days to clean it up. After 10 days straight, we can post a notice on the door, with out maintenance department, we can have the lawns mowed, have the windows boarded up if needed. That is one of the things that we were looking at doing.
- **Councilwoman Mitchell-** We have a new ordinance that we could enforce, but it needs to be revisited because it needs to be publicized in the newspaper.
- **Councilman Merendino-** What do we do about the ones that are not abandoned. People are living in the house.
- **Resident-** What do we do about the houses that have knee-high grass and garbage stacked up outside?
- **Dru-** The way that the ordinances are that we have now are structured for a code enforcement officer. An ordinance is in place but as a practical matter it's difficult
- **Mayor Emmons-** That's why we were looking at doing the Mayor or her appointed person. It would be ordinance enforcement not code enforcement.
- **Dru Montgomery-** Jefferson County Appraisal District has records of ownership. It's not always easy to find out who the owner is. There is a process. One of our biggest needs is replacing our code enforcement officer because he's currently working.
- **Mayor Emmons-** Under the high weed ordinance, the Mayor can go out or one of her appointees.

- **Resident-** Does someone need to initiate the process? Does someone need to make a complaint? I can print the form out and give it to Sabrenna.
- **Dru Montgomery-** Advises him to turn the form in.

#### **Rest of discussion items**

- e. Councilman Merendino - Agenda Request Item # 1 – discussion on mowing for site preparation
- f. Councilman Merendino- Agenda Request # 2 – conduct of ward 3 councilman
- g. Councilman Merendino- Agenda Request # 3 – road grant discussion
- h. Councilman Merendino- Agenda Request # 4 - – item # 3 related future council involvement request
  - **Mrs. Currie-** Is there a way to get community funds to mow the ditches and take care of the side of the road?
  - **Mayor Emmons-** The City does not take care of the ditches. When we get a maintenance department, we can get someone to take care of that.
  - **Mrs. Currie-** It is a concern.
  - **Councilman Merendino-** It is in the mowing contract to take care of the corner of Blackgum and Sweetgum and it hasn't been done. It got taken out when Fruge was here.
  - **Resident-** When the City takes over the mowing, the ditches can be taken care of?
  - **Mayor Emmons-** They can be. The council will have to address it.
  - **Resident-** There is an ordinance in Beaumont that says you are responsible for the property to take care of everything to the ditch. If everyone would take care of it all the way to the road, that would be better.
  - **Resident-** Some of the ditches are hard to mow when they are dug out.
  - **Mrs. Currie-** between my property and the abandoned house, is not taken care of, is that the City's responsibility?
  - **Mayor Emmons-** The City has a right of way, but it is not the City's responsibility to mow it.
  - **Mrs. Currie-** Is there anything that we can do about the speeding on Sweetgum?
  - **Mayor Emmons-** Call the Sherriff's office
  - **Mrs. Currie-** States that she has called them.
  - **Mayor Emmons-** If you have someone speeding by your house at the same time every day, the Sherriff's office will come out.
  - **Resident-** There was a Marshall out here years ago
  - **Mayor Emmons-** The is a lot of liability to having a Marshall.
  - **Dru Montgomery-** The City is responsible for the cost if they arrest someone.
  - **Councilman Merendino-** At Jefferson County, you have to rent the beds in case someone is arrested, you have guaranteed jail space.
  - **Resident-** Would someone get in trouble if they mowed someone else's ditch?
  - **Dru Montgomery-** Someone would have to complain about the trespassing.

- **Councilman Merendino-** States that he talked to DD6 and they have mowed their ditches and that they are spraying the bottom of the ditches.

## 9. Reports

- a. Councilwoman Vautrot – Grounds and Maintenance
- b. Councilman Merendino – Flood Prevention Project
- c. Councilman Emmons – Roads and Drainage
- d. Councilwoman Mitchell- Water & Sewer Rates
- e. Councilman Mullins – Water & Sewer
- f. Mayor Emmons – Various Items
  - **Mayor Emmons-** All the houses left on the elevation grant are on phase 4. They are almost complete.
  - **Councilwoman Mitchell-** In the meantime, can something be done about the dump trucks that are up and down River Bend? They are dumping stuff on that property
  - **Councilman Merendino-** They have a landfill.
  - **Dru-** We do have an ordinance that regulates the heavy traffic. We can reevaluate that ordinance.
  - **Mayor Emmons-** Where the property is located, is by a DD6 ditch and the bayou. They are building the land up, so it is going to cause flooding.
  - **Dru-** They have to have a permit to they are going to affect the flow of water.
  - **Councilman Merendino-** TCEQ regulates any kind of dumping.
  - **Mayor Emmons-** Does anyone know how far back that property goes back.
  - **Councilman Merendino-** No. Suggests that Sabrenna calls TCEQ. If TCEQ comes out, they can go on the property and fine them based on what's in the ground.
  - **Dru-** We have some options.

## 10. Adjourn Meeting @ 8:05 p.m. M/M/2/C- Councilwoman Mitchell/Councilman Mullins

Barbara Emmons

Mayor Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins



**November 17, 2022**  
**Meeting Minutes**

Notice of Regular Meeting Minutes  
CITY OF BEVIL OAKS, TEXAS

November 17 ,2022

1. **Call to Order @ 6:30 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: "*Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*"
3. **Roll Call – All Present**
4. **Conflict of Interest Statement- None**
5. **Citizen Comments - None**
6. **Review/Approve Consent Items- M/M/2/C- Councilman Emmons/Councilwoman Vautrot- Approved**
  - a. Financial Reports for City of Bevil Oaks
  - b. Financial Reports for Public Works
  - c. Report by Utility Specialties
  - d. Previous Meeting Minutes
    - **Councilman Merendino**- referring to the Heartfield Law Firm bills- states that the City spent as much money on attorney fees as we did on mowing. States that he doesn't understand why we need an attorney on some of the things that he is used for.
    - **Mayor Emmons**- States that she uses the attorney for the grants and for the ordinances. States that the bill has drastically dropped since the previous year.
7. **Review/Approve Action Items- M/M/2/C- Councilman Emmons/Councilman Mullins- Approved**
  - a. **Consideration/Discussion/Approval** for the City Council to Canvass and Certify 2022 Election including a canvassing of all votes collected and tabulated by the Jefferson County Election Clerk.
8. **Pre-Oath of Office- Ward 1- Gary Watson, Ward 2- Doug Emmons, Ward 2- Keith Currie, Ward 3- Jim Wright- Given by Mayor Emmons**
9. **Oath of Office- Ward 1- Gary Watson, Ward 2- Doug Emmons, Ward 2- Keith Currie, Ward 3- Jim Wright- Given by Mayor Emmons**
  - **Mayor Emmons**- states that the contractor for the roads will mobilize on the 28<sup>th</sup> of November and they will begin on December 05,2022. There will be monthly updates. States that there is no plan on having a meeting in December at this time.
10. **Adjourn Meeting @ 6:48 pm M/M/2/C- Councilman Emmons/Councilman Mullins**

Barbara Emmons

Mayor, Barbara Emmons

Attest: Doug Mullins

City Secretary, Doug Mullins



**December 08, 2022**  
**Special Meeting Minutes**

# Notice of a Special Meeting Minutes CITY OF BEVIL OAKS, TEXAS

December 08, 2022

1. **Call to Order @ 6:30 pm**
2. **Pledge of Allegiance/Invocation**
  - a. The United States Flag
  - b. The Texas state flag: "*Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*"
3. **Roll Call-** Councilman Merendino, Councilman Currie, Councilman Wright & Councilman Watson- **Present**; Mayor Emmons, Councilman Emmons & Councilman Mullins- **Not Present**
4. **Conflict of Interest Statement-** None
5. **Citizen Comments** (3 minutes each) – An opportunity for the citizens to address Council on agenda items or concerns not on the agenda – those wishing to speak must complete the comment card, present the comment card to the City Secretary prior to the beginning of the meeting, and observe a 3-minute time limit
  - **Dale Darby-** States that he wants the Mayor, Councilman Emmons and Councilman Mullins to step down because he doesn't have confidence in them. States that they don't answer the questions that are asked by the citizens. States that during the elevation of the houses, Mayor Emmons and Councilman Emmons were first on the list and they should have been last. States that the issue with the signs was dishonest. States that for that matter, he suggests that they step down voluntarily. If they don't step down voluntarily, he wants to see if the Council can force them off. States that Councilman Mullins and Councilman Emmons made decisions about what roads were going to get done without discussing it with anyone. Councilman Mullins and Councilman Emmons stated that there would be rock delivered and it still hasn't been.
6. **Discussion/Action Items**
  - a. **Consideration/Discussion/Approval** removal of late fees and disconnect fees for December 2022 **M/M/2/C-** Councilman Watson/Councilman Wright- **Approved- All I's**
    - **Councilman Merendino-** The late fees will be waived just for December. It will be readdressed in January.
    - **Councilman Watson-** Is this the first time that this has been done?
    - **Councilman Merendino-** I don't remember doing it last year, but Sabrenna brought it up and I thought it was a good idea.
    - **Dru Montgomery-** addressing Councilman Merendino: When you say that it will roll over to January, does that mean that it will be due January 1<sup>st</sup> or will it roll over to the next billing cycle?
    - **Councilman Merendino-** the late fee will not roll over. They will not be charged for December
    - **Dru Montgomery-** If they don't pay, will it be due with the January bill
    - **Councilman Merendino-** It will be due at the due date of the January.
  - b. **Consideration/Discussion/Approval** of rehabilitation of the old fire station & making an office location there so the trailer can be removed. **M/M/2/C**

Councilman Wright/Councilman Watson- **Approved-** the committee consists of all the Council that is present at the meeting and any citizens that would like to join.

- **Councilman Merendino-** At one time the fire station was deemed unfixable. Now it can be repaired. We did a tour and it has been professionally cleaned.
- **Dale Darby-** It was not deemed unfixable by an engineer. The Council is the ones who said that.
- **Councilman Merendino-** States that it would have to be researched that that is what took place.
- **Dale Darby-** States that he put in a request for it and that he never received it. Asks Dru how long it had been since that request had been turned in and that he still doesn't have the information
- **Dru Montgomery-** States that it had been 3 or 4 years. States that he gave the information to Mr. Neichoy because he turned in the appropriate form.
- **Dale Darby-** States that he turned in the request
- **Councilman Merendino-** States that several people have experience rebuilding their homes, so they know what needs to be done. States that he would like to see if some Council members would like to volunteer with him.
- **Councilman Wright-** Asks what they are volunteering for?
- **Councilman Merendino-** To figure out a way to show the City how much it will cost to get the building functional.
- **Councilman Wright-** States that he isn't sure that he is understanding what Councilman Merendino is wanting to do. States that we don't have an idea of what the scope of work would be and he is unsure if that is the right thing to do or not.
- **Councilman Merendino-** That is what is needing to be discussed. That is what he is suggesting a committee for.
- **Councilman Wright-** You're suggesting that we get together to figure out what the scope of work would be?
- **Councilman Merendino-** Yes
- **Councilman Watson-** Do you know if the City inspector can come out and look at everything?
- **Councilman Merendino-** Yes, we need to do that. We can only have 3 Councilman on it. States that he can call a guy that did work on several of the houses that he has and get a quote from him for material that we need.
- **Councilman Wright-** We need to have someone that has the skill set to be able to tell us if there is anything wrong with the things that we can't see.
- **Councilman Merendino-** The point of the committee is to find someone to do everything the right way

- **Councilman Wright-** Sabrenna said that the records that are at City Hall now, have to be behind double locks.
- **Councilman Merendino-** We can put a closet in there.
- **Councilman Wright-** We need to know how much money we have to spend.
- **Councilman Merendino-** We can find that out at the next meeting.
- **Councilman Watson-** States after speaking to Sabrenna, there is insurance money to do this.
- **Councilman Wright-** We have insurance money not FEMA money to do this with.
- **Councilman Merendino-** We can make a five- year plan, but we just need it to be functional for now. We can do upgrades later.
- **Dru Montgomery- speaking to Councilman Merendino;** to summarize what you are wanting to do, you are wanting to form a committee with 3 or less Council members to investigate and provide and estimate and recommendation to the rest of the Council at the next meeting?
- **Councilman Merendino-** Yes. Citizens are welcome to add their input. The number of citizens can be unlimited.
- **Dru Montgomery-** The committee allows the Council to do “ boots on the ground” work. This means that they can meet and make recommendations to the Council. Any money spent will be authorized at an open Council meeting. The committee makes a recommendation and the Council will decide as a whole.
- **Councilman Wright-** How do we publicize the meeting
- **Councilman Merendino-** Sabrenna can put it on the City website. Anyone that wants to help with deciding what to do can come with us to the building. Once the building is functional, we can sell the trailer that is currently City Hall. It is completely paid for, so it will off set some of the funds spent.
- **Councilman Watson-** In reality, this refurbish is not going to be that big of a deal.
- **Councilman Merendino-** It’s not going to be that big of a deal, but I want it to be open to everybody. It can be habitable in less than a month.

## 7. Discussion

- Agenda request made by Councilman Merendino-** Discussion over the procedure of the pre-construction meeting for the road’s project.
  - **Councilman Merendino-** States that he spoke with the lady from LJA and she said that the pre-construction meeting was not required to be open to the public. That meeting was to decide what day they would start construction, and where the equipment would be stored. States that the Mayor and Councilman Emmons went to the meeting. No one else on Council knew about it. All the other meetings, everyone was invited. It isn’t required by law, that the meeting be made public. States that as a representative of Ward one, he was never consulted about any of the



road repair. States that if your road was not done, it wasn't because he didn't represent it, it was because he was never consulted or involved.

**b. Agenda request made by Councilman Merendino-** request proof of ordinance allowing signage in the City right of way.

- **Councilman Merendino-** There was an agreement made, that the City wouldn't allow advertising signs. At one point there were too many signs. It was decided that the signs that were in the City right-of-way, next to the road, would be taken up inside the City. The signs would be taken up and put behind the Civic Center. States that the City of Bevil Oaks property ends at the property line that runs parallel to 105, that becomes DOT right-of-way. States that the ordinance can't be found. We made a resolution, that the people who came door to door, had to have a permit to go door to door. If they are on the homeowner's property, the City can't touch it. States that the sign that everyone has heard about was 22 feet away from the highway. The City isn't supposed to take anything up that is 20 feet off the road because that is private property.

**c. Agenda request made by Councilman Merendino-** future council involvement request

- **Councilman Merendino-** States that he didn't put that on the agenda.
- **Dru Montgomery-** Any topic of Council member involvement is open for discussion. Be as broad as possible. Anything that you want to discuss about the future of Council members
- **Councilman Merendino-** No Council member has a right to pull up any signs. No City Council member or Mayor has a right to pull up a sign and put it in their garage and cause the Sheriff's office to retrieve it. When the sign was taken, the Mayor and Councilman Emmons, denied that they had the sign. It was later proven that they did have the sign. States that he doesn't see how we can trust those Council people to be over a \$2,000,000 project. States that he doesn't trust them any more.
- **Councilman Wright-** Asks what the process is to remove a Council member?
- **Dru Montgomery-** A Council member can be removed for committing a crime, failure to appear at 3 meetings and for showing up to a public meeting intoxicated.
- **Dale Darby-** What type of crime? A felony, a misdemeanor?
- **Dru Montgomery-** States that this isn't something that comes up often, so he is unsure and he would have to do some research and circle back with Council.
- **Councilman Wright-** States that he is not condoning or supporting what happened, the sign doesn't belong to a citizen of Bevil Oaks, right?
- **Owner-** It was my sign

- **Councilman Wright-** You don't live here or vote here?
- **Owner of sign-** No, but I own property out here.
- **Councilman Wright-** The sign was on someone's property and the DOT right-of-way. The issue should have been between the owner and the owner of the sign. Why is this a Council issue?
- **Councilman Merendino-** States that the Mayor lied twice about having the sign.
- **Owner of sign-** Councilman Emmons said that the sign had to be 20 feet off of the road. The sign was 22 feet off the road.
- **Councilman Wright-** states that he isn't defending what happened with the sign, he wants to know why he should get involved in this issue when we have buildings that need to be built, roads that need to be done, water plant that needs to be run right and vacant houses all over that are eye sores.
- **Dale Darby-** States that because these issues don't get resolved. We could have had all the things that you just listed fixed. The buildings could have been back on its feet a year after the storm. States that the Mayor and the other Councilmen that aren't here, do what they want to do.
- **Councilman Merendino- to Councilman Wright-** When you ask why you should get involved, you need to be involved because you were elected to represent the people of your Ward. You are representing the people, not yourself. States that he should find out what the people in his Ward want.
- **Councilman Watson-** The intent now is to change the concept of Council, nothing against the people that are on Council, but we have some fresh blood on Council now.
- **Dale Darby-** States that they are tired of the no representation.
- **Councilman Merendino-** States that there is a Council member from each Ward at the meeting tonight, so every Ward is being represented at this meeting. States that Mayor and Councilman Emmons couldn't be at the meeting due to a family member having surgery, states that his thoughts and prayers are with them. States that he is unsure why Councilman Mullins isn't at the meeting. States that the Council isn't required to be at Special Meetings.
- **Dru Montgomery-** States that he believes that Councilman Mullins is out of town and there was not supposed to be a December meeting.
- **Councilman Merendino-** There wasn't supposed to be a meeting unless something came up. The water bill fees came up and the sign issue came up, and the fire station rehabilitation came up and I didn't want to wait

another month to get started because I might be busy, so that is why there was a meeting.

- **Councilman Watson-** States that there is a quorum in place at the meeting so decisions can be made. We value and welcome the other Council members input and opinion, but we have to move on. We will get something done, that is our promise to you.
- **Dale Darby-** that is all we ask as citizens. We want to know how we are going to spend the money that the City has to spend. We want to know what the Council's dreams are for that.
- **Councilman Merendino-** We want you to be there to put input into it. Let's try to move forward.
- **Resident-** mentions the water bills
- **Councilman Merendino-** Cheri Mitchell worked tirelessly to lower the water bills. You pay the same amount on sewer as you do water. We are trying to lower the water bills, but we will not do away with the water bills and they won't be \$40 a month.
- **Resident-** Can you justify why they are so high?
- **Councilman Merendino-** states that Councilman Mullins said that the City needs the revenue. States that we paid for them to come out and fix the chlorine system when the chlorine was too high.
- **Councilman Wright-** The problem is the chlorine system. Sometimes you can be within the limit and still smell chlorine. The lack of communication is part of the problem. If the water is not drinkable, we have to be notified.
- **Councilman Merendino-** We are required by law to have 2 parts per million of chlorine. You have to have chlorine in the water to make it drinkable. We can lower it, but it won't be by much.
- **Cheri Mitchell-** 50 % of the cost of sewer goes to the City of Beaumont
- **Councilman Wright-** Where does the other 50 % go?
- **Cheri Mitchell-** to the City of Bevil Oaks
- **Councilman Wright-** Beaumont will raise their rate. There is probably a piece of the water fees that are revenue. Most smaller City's actually use their water as a source of revenue.
- **Dale Darby-** Before the City went high on the water bills, before the City took over the water. Why are we paying for an ungraded system when it hasn't been upgraded? The chlorination system hasn't been upgraded is about 50 years.
- **Councilman Wright-** the cost of replacing the chlorination system is small compared to the cost of replacing sewer line or putting 6 inch water lines in. That can be a high cost.

8. Adjourn Meeting @ 6:43 pm M/M/2/C Councilman Wright/Councilman Watson

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