

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 6th DAY OF OCTOBER 2003 IN THE CITY HALL COUNCIL CHAMBERS, LOCATED AT 200 NORTH FIFTH IN THE CITY OF CROCKETT, HOUSTON COUNTY TEXAS AT 6:00 P.M.

THE COUNCIL MET IN REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT: WAYNE MASK, JACK SHIVELEY, DARRELL JONES, NATHAN GARDNER, MARGARET BURNETT & CHUCK CUNNINGHAM. CITY OFFICIALS PRESENT: CITY ADMINISTRATOR RONALD DUNCAN, CITY SECRETARY MITZI THOMPSON, FIRE CHIEF DARRELL DECKARD & SERGEANT DOUG KING.

1. OPEN MEETING WITH INVOCATION AND PLEDGE

Mayor Mask called the formal session open. Council Cunningham gave the invocation and all joined in the pledge.

2. RECOGNITION OF VISITORS

Mayor Mask recognized all visitors present.

3. APPROVAL OF MINUTES: SEPTEMBER 2, 2003 - SPECIAL MEETING

Motion was made by Council member Burnett to approve the minutes of the September 2, 2003 Special Meeting as written. Motion seconded by Council member Gardner. Motion passes 5-0.

4. REPORTS: MAYOR – Mrs. Shiveley and Mayor Pro Tem Shiveley are in our prayers and wishes Mrs. Shiveley a speedy recovery.

CITY ADMINISTRATOR – The sewer project in Crockett Housing Authority, Sight 2, is almost complete, clean-up has started; street work should start soon.

5. PRESENTATION/ACTION OF NEW EMPLOYEES BY CITY ADMINISTRATOR

Mr. Duncan presented the following employees for approval: Leo Fields, Addie Warfield and Beverly Mize. Motion was made by Council member Burnett to approve the employees listed above. Motion seconded by Council member Cunningham. Motion passes 5-0.

6. FIRE DEPARTMENT REPORT

Fire Chief Deckard reported for the month of September the following: 26 total calls. A breakdown is included in the packets. Fire Chief Deckard then showed

council how the service area has been reduced due to the county not participating in the program; by means of funding.

A) NOMINATION/ELECTION OF NEW MEMBERS TO CROCKETT VOLUNTEER FIRE DEPARTMENT

Motion was made by Council member Jones to approve Billy Connell and Matthew Drum as new members to the fire department. Motion seconded by Mayor Pro Tem Shiveley. Motion passes 5-0.

7. EXECUTIVE SESSION: GOV. CODE 551.071 – CONSULTATION WITH ATTORNEY – PENDING LITIGATION. CONSIDER BILLY HORN vs. CITY OF CROCKETT

Mayor Mask stated that council should convene into executive session under Texas Gov. Code 551.071. Council convened into executive session at 6:09 P.M.

8. RECONVENE INTO REGULAR SESSION AND CONSIDER ACTION IF ANY ON ITEM NO. 7

Council re-convened in open session at 6:49 P.M. No action to take at this time.

9. CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION QUARTERLY REPORT BY ERIC WINTER

Mr. Eric Winter, Executive Director of Crockett Economic & Industrial Development Corp, presented council with a quarterly report of the activities and finances of the Corporation.

10. CONSIDER APPOINTMENT/REAPPOINTMENT TO CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION BOARD OF DIRECTORS

Mayor Mask explained that the following board members terms have expired and have indicated that they would like to be reappointed; Jake Caprielian, Bill Holcomb and Tommy Driskell. Motion was made by Council member Jones to approve the members listed as reappointments to the Crockett Economic & Industrial Development Board of Directors. Motion seconded by Mayor Pro Tem Shiveley. Motion passes 5-0

11. CONSIDER AND APPROVE WORKERS' COMPENSATION INTERLOCAL AGREEMENT WITH TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL

Mr. Duncan explained to council that the city's current workers' compensation carrier is Deep East Texas Self Insurance Fund and the rates are considerably

higher than the proposal from TML for the exact same coverage. The actual bid was 41,814.00, substantially lower than our previous carrier. Motion was made by Mayor Pro Tem Shively to approve the Workers' Compensation Interlocal Agreement with Texas Municipal League. Motion seconded by Council member Burnett. Motion passes 5-0.

12. PUBLIC HEARING ON REQUEST FROM ROBBY ALSBROOKS AND SCOTT GILES FOR A SPECIFIC USE PERMIT FOR A MOBILE HOME TO BE LOCATED ON HWY 19 SOUTH, ALL THAT CERTAIN 1.847 ACRES OUT OF AND A PART OF THE FRANK JOHNSON SURVEY, A-46, CITY OF CROCKETT, HOUSTON COUNTY, TEXAS: CLOSE PUBLIC HEARING

Mayor Mask opened the public hearing. Mayor Mask informed council that Planning & Zoning approved this request. Mr. Alsbrooks explained that this would be owner occupied and not for rental property. Mr. Tim Culp stated that one condition for this approval was that it would not be a rental property. Mayor Mask closed the public hearing.

13. CONSIDER REQUEST FROM ROBBY ALSBROOKS AND SCOTT GILES FOR A SPECIFIC USE PERMIT FOR A MOBILE HOME TO BE LOCATED ON HWY 19 SOUTH, ALL THAT CERTAIN 1.847 ACRES OUT OF AND A PART OF THE FRANK JOHNSON SURVEY, A-46, CITY OF CROCKETT, HOUSTON COUNTY, TEXAS

Motion was made by Council member Jones to approve the request from Robby Alsbrooks and Scott Giles for a specific use permit for a mobile home to be located on Hwy 19 South. Motion seconded by Council member Burnett. Motion passes 4-1. Council member Cunningham abstains.

14. CONSIDER AND APPROVE A RESOLUTION OF THE CITY OF CROCKETT, TEXAS, AUTHORIZING THE CITY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE AN ELECTRIC SUPPLY AGREEMENT PURSUANT TO THE CONTRACT TO BE SIGNED BY CITIES AGGREGATION POWER PROJECT, INC. FOR DELIVERIES OF ELECTRICITY EFFECTIVE JANUARY 1, 2004; AUTHORIZING ELIGIBLE DESIGNEES TO INCLUDE THE CHAIRMAN OF CAPP

City Administrator Duncan explained that this resolution is merely to allow the Chairman of CAPP to sign a contract for electricity on behalf of the City. Motion was made by Council member Burnett to approve the resolution authorizing the City Administrator or his designee to execute an electric supply agreement for deliveries of electricity effective January 1, 2004, including the chairman of CAPP. Motion seconded by Council member Gardner. Motion passes 5-0.

15. CONSIDER APPOINTMENT OF REPRESENTATIVE TO SERVE ON BOARD OF DIRECTORS FOR DEEP EAST TEXAS COUNCIL OF GOVERNMENTS

Mayor Mask states that he recommends Council member Jones to serve on the Board of Directors for DETCOG. Motion was made by Council member Burnett to approve Council member Jones to serve on the Board of Directors for DETCOG. Motion seconded by Council member Gardner. Motion passes 4-1. Mayor Pro Tem Shiveley voted against the motion.

16. CONSIDER AND APPROVE A RESOLUTION FOR NOMINATION OF A REPRESENTATIVE TO THE HOUSTON COUNTY APPRAISAL DISTRICT

Mayor Mask reported that Levi Steptoe has served as the cities representative for many years and has agreed to continue serving on the Appraisal Board. Motion was made by Council member Jones to approve Levi Steptoe as Board member to the Houston County Appraisal District. Motion seconded by Council member Gardner. Motion passes 5-0.

17. CONSIDER APPOINTMENT/REAPPOINTMENT OF MEMBERS TO PLANNING AND ZONING COMMISSION

Mayor Mask states that he recommends James Gentry for reappointment, James Hall and Jim Dowell as new appointments to the Planning & Zoning Commission. Motion was made by Mayor Pro Tem Shiveley to approve James Gentry, James Hall and Jim Dowell as members to the Planning & Zoning Commission. Motion seconded by Council member Burnett. Motion passes 5-0.

18. COMMENTS FROM AUDIENCE OR COUNCIL

Ms. Betty Harris addressed council about a problem she had with employee John Erickson, and a garage sale she had.

19. ADJOURNMENT

With no more business to consider, meeting was adjourned at 7:10 P.M.

Wayne Mask, Mayor

ATTEST:

Mitzi Thompson, City Secretary

