

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On this Sixth day of October, 2008, the City of Elkhart Council convened into a regular session with the following members present:

Joe Burris	*	Mayor
Raymond Dunlap	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Randy McCoy	*	Councilmember
Michael Parker	*	Councilmember
Bobby Parton	*	Councilmember

A quorum being present, Mayor Burris called the meeting to order at 6:00 p.m.

Virgil Simpson, Public Works Supervisor, gave the invocation and following the invocation, the pledge of Allegiance was said by all in attendance of the meeting.

Mayor Burris recognized Constable Bennett, Engineer Tracy Hicks and his assistant Sigi West and Roger Bateman as being present for the meeting.

There being no citizens to be heard agenda items were addressed as follows:

OLD BUSINESS:

Tabled Item No. One – Consider Refurbishing Caboose; Possible Scout Project.

On this Sixth day of October, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Michael Parker that the City Staff locate a Community Service Worker who has the capabilities to pressure wash and paint the City Caboose. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of September 08, 29th, and 30th, 2008.

On this Sixth day of October, 2008, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Michael Parker to approve and accept the minutes of September 08, 29th, and 30th, 2008 as presented. Motion Carried.

Agenda Item No. Two – Consider Bids for City of Elkhart Water System Improvements Project.

On this Sixth day of October, 2008, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton that the Water System Improvements Project is awarded to Duplichain Contractors L.L.P. as this contractor was the low bidder in the amount of \$242,100. Motion Carried.

Agenda Item No. Three – To Be Heard and Considered; Regarding Vacant Lot Owned by the Elkhart Co-op; Felisha Clause.

On this Sixth day of October, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to send the coop a letter to start the process for cleaning up the underbrush and fence row on the Elkhart Farmer's Coop property. This motion was rescinded by Councilmember Raymond Dunlap. There was no vote.

On this Sixth day of October, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton that the Code Enforcement Official send a letter to the Elkhart Farmer's Coop informing the Coop that it has 30 days in which to comply. Motion Carried.

Agenda Item No. Four – Consider Water Accounts with Outstanding Balances.

On this Sixth day of October, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Michael Parker that customers that have closed accounts with balances due be handled in-house and those that can not be located are given to Retail Merchant Association. Motion Carried.

Agenda Item No. Five – Consider Ordinance to Govern Fireworks; Specifically Bottle Rockets inside the Corporate Limits of Elkhart, Texas.

On this Sixth day of October, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Michael Parker to repeal City of Elkhart Ordinance governing Fire Works inside the City Limits. The vote is as follows: Raymond Dunlap, Aye; Randy McCoy, Aye; Bobby Parton, Aye; Michael Parker, Aye; Bill Cargill, Nay. Aye's having the majority vote, Motion Carried.

Agenda Item No. Six – Consider purchase of Controls by Radio for the Elkhart Volunteer Fire Department; Randy McCoy.

On this Sixth day of October, 2008, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Raymond Dunlap to table Agenda Item No. Six for further information. Motion Carried.

Agenda Item No. Seven – Consider Placing Speed Humps on Bonners Ferry Road; Michael Parker.

On this Sixth day of October, 2008, a motion was made by Councilmember Michael Parker and seconded by Councilmember Randy McCoy to place four speed bumps on Bonners Ferry Road at various locations. The vote was as follows: Bill Cargill, Nay; Raymond Dunlap, Nay; Bobby Parton, Nay; Michael Parker, Aye; Randy McCoy, Aye. There being three Nays and two Ayes and Nays being the majority vote, Motion Failed.

Agenda Item No. Eight – Consider Proceeding with Making the City of Elkhart Generator Ready; Randy McCoy.

On this Sixth day of October, 2008, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to table Agenda Item No. Eight until Tracy Hicks, engineer for City, will provide more data on what is needed for generators. Motion Carried.

Agenda Item No. Nine – Executive Session, Open Meetings Act, Section 551.074, Personnel; Discussion on Employees Work Performance And Attendances.

Mayor Burris called for executive session as of 7:35 p.m. and council convened into closed session.

Council convened back into open session as of 9:07 p.m. and continued to address the agenda items.

Agenda Item No. Ten – Consider Employees' Work Performance and Attendances.

On this Sixth day of October, 2008, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Bill Cargill that an order is issued to Linda Bateman to up-date and organize ordinances, pursue her duties as Code Enforcement as she deems fit and to take care of the past due water bills; Virgil Simpson is to dig up sewer lines in order to locate Inflow and Infiltration Problem with wastewater; City Office is to screen calls and do not give out Virgil Simpson's pager number, but staff is to give him the messages and staff is to be courtesy to customers who have complaints. The vote is as follows: Bill Cargill, Aye; Raymond Dunlap, Aye; Randy McCoy, Aye; Bobby Parton, Aye; Michael Parker, abstained from the vote. Ayes having the majority vote, Motion Carried.

Agenda Item No. 11 – Approve Financial Report.

On this Sixth day of October, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bill Cargill to approve and accept the Financial Report for October as presented. Motion Carried.

Agenda Item No. 12 – Mayor's Report.

Mayor Burris gave a brief report on Donnie Fincher and the taps he will need for the houses he is building. No Action required, discussion only.

Agenda Item No. 13 – City Secretary Report.

City Secretary gave a brief report, no action required, discussion only.

Agenda Item No. 14 – Public Works Supervisor Report.

Virgil Simpson, Public Works Supervisor gave his report and no action was required as this was for discussion only.

Agenda Item No. 15 – Code Enforcement Official Report.

Code Enforcement Official gave no report.

Agenda Item No. 16 – Emergency Mgmt. Coordinator Report.

No report was given.

Agenda Item No. 17 – Adjourn.

On this Sixth day of October, 2008, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Raymond Dunlap to adjourn the meeting. Motion Carried.

This Council Meeting of October Sixth, 2008, adjourned as of 9:30 p.m.



JOE B. BURRIS, MAYOR

ATTEST:



MARGIE CRAWFORD, CITY SECRETARY

001077

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Third day of November, 2008, the City of Elkhart Council convened into a regular session with the following members present:

Joe Burris	*	Mayor
Raymond Dunlap	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Bobby Parton	*	Councilmember

Council members absent; Michael Parker and Randy McCoy.

A quorum being present Mayor Burris called the meeting to order at 6:09 p.m. and Mayor Burris proceeded by giving the invocation.

After the invocation, the Pledge of Allegiance was said by all in attendance of the meeting.

Citizens recognized as being present were Attorney Frank Dobrovony, Rodney Foster, Peggy Foster and Gene Barnes. There being none to be heard as of this time, the agenda items were addressed as follows;

OLD BUSINESS:

Item No. One - Consider Refurbishing Caboose; Possible Scout Project.

On this Third day of November, 2008, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to take no action on Tabled Item No. One. Motion Carried.

Item No. Two - Consider Purchase of "Controls by Radio" for Elkhart Vol. Fire Department.

On this Third day of November, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bill Cargill to take no action and this item remains under Old Business. Motion Carried.

Item No. Three – Consider Proceeding with Making the City of Elkhart Generator Ready.

On this Third day of November, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to table Item No. Three and this item remains under Old Business. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of October 06, 2008.

On this Third day of November, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to approve and accept the minutes of October 06, 2008 as presented. Motion Carried.

Agenda Item No. Two – Consider Request for Placement of Speed Bump on

Watkins Street; Rodney Foster.

On this Third day of November, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bill Cargill to have Public Works Dept. place a sign stating "Dead End Street" at the intersection of Watkins Street and Hawthorne Street. Motion Carried.

As Attorney Frank Dobrovony was present, Mayor Burriss asked the council to consider Agenda Item No. Eight in lieu of Agenda Item No. Three.

Agenda Item No. Eight – Consider Civil Suit for Persons in Violation of City of Elkhart Ordinance Governing Sub-Standard Structures.

On this Third day of November, 2008, a motion was made by Bill Cargill and seconded by Councilmember Bobby Parton for Attorney Frank Dobrovony acting on behalf of the City of Elkhart to proceed with present active court cases for non-compliances of City ordinance governing Sub-Standard Structures. Motion Carried.

Agenda Item No. Three – Appointment of a City of Elkhart Health Authority For a Two Year Term.

On this Third day of November, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to appoint Dr. Larry Burch to the position of City of Elkhart Health Authority. Motion Carried.

Agenda Item No. Four – By Resolution Designate the City of Elkhart Official Newspaper.

On this Third day of November, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to approve, pass, and adopt Resolution No. 274-110308 designating the Palestine Herald Press as the City of Elkhart's official newspaper for fiscal year of 2008/2009. Motion Carried.

Agenda Item No. Five – Consider Rental Agreements Between the City of Elkhart and the Elkhart Volunteer Fire Dept. and The South Anderson Emergency Corp.

On this Third day of November, 2008, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton that the City of Elkhart enters into a Rental Agreement with the Elkhart Vol. Fire Dept. and the South Anderson Emergency Corp for a term of one year. Motion Carried.

Agenda Item No. Six – By Ordinance Repeal City of Elkhart Ordinance Governing Fire Works.

On this Third day of November, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton that Ordinance No. 250-110308, an ordinance repealing City's ordinance governing Fire Works within the City of Elkhart corporate limits, is approved, passed, and adopted this date of 11/03/08. Motion Carried.

Agenda Item No. Seven – Consider Resignation of City Employee.

On this Third day of November, 2008, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton that Linda Bateman's letter of resignation from the City's positions of Code Enforcement Official and Court Clerk is hereby accepted as of this date of 11/03/08. Motion Carried.

Agenda Item No. Eight having been addressed earlier in the meeting, council's attention goes to Agenda Item No. Nine.

Agenda Item No. Nine – Consider Status on Locating Inflow and Infiltration From City of Elkhart Sewer Lines.

On the Third day of November, 2008, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Raymond Dunlap for Public Works Dept. to proceed with locating Manhole that was placed out of working order in a prior year and put it in operation; locate manhole from East side of Railroad Track to Jones Road Lift Station. Motion Carried.

Agenda Item No. Ten – Consider TCEQ Proposed Agreed Order Docket No. 2008-1639-MWDE.

On the Third day of November, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to take positive action on the proposed TCEQ Agreed Order. Motion Carried.

Agenda Item No. 11 – Approve Financial Report.

On the Third day of November, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bill Cargill to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. 12 – Mayor's Report.

Mayor Burris spoke on obtaining estimates for cost on cutting down tree and this to be an agenda item for the December meeting. No action required; discussion only.

Agenda Item No. 13 – City Secretary Report.

Margie Crawford, City Secretary, gave an up-date on collections for Delinquent Water Bills. No action required; discussion only.

Agenda Item No. 14 -- Public Works Supervisor Report.

Virgil Simpson, Public Works Supervisor, gave his report on the inspection by TCEQ on the City's Lift Stations. No action required; discussion only.


Agenda Item No. 15 – Emergency Mgmt. Coordinator Report.

Randy McCoy, Emergency Mgmt. Coordinator, was not present for meeting.

Agenda Item No. 16 – Adjournment.

On the Third day of November, 2008, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Raymond Dunlap to adjourn this council meeting of 11/03/08. Motion Carried.

This City of Elkhart Council meeting adjourned as of 8:10 p.m.


 Joe Burris, Mayor

ATTEST:


 Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the First day of December, 2008, the City of Elkhart Council convened into a regular session with the following members present:

Joe Burris	*	Mayor
Raymond Dunlap	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Randy McCoy	*	Councilmember
Bobby Parton	*	Councilmember

Council members absent; Michael Parker and Bill Cargill.

A quorum being present, Mayor Burris called the meeting to order at 6:00 p.m.

Public Works Supervisor Virgil Simpson gave the invocation and the Pledge of Allegiance was said by all in attendance of the meeting.

There were no citizens present to be recognized and the Mayor proceeded by addressing the agenda items as follows:

OLD BUSINESS:

Item No. one – Consider Refurbishing Caboose; Possible Scout Project.

On the First day of December, 2008, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton for the City to accept John Hanson's bid of \$1,050 to paint City's caboose with the exception of purchasing Black paint. Motion Carried.

Item No. Two – Consider Purchase of a "Controls by Radio" for Elkhart Volunteer Fire Department.

On the First day of December, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to approve and accept the proposal of \$ 154.02 for purchase of a Siren Activated by Remote Interface System. Motion Carried.

Item No. Three – Consider Proceeding with Making City of Elkhart Generator Ready.

On the First day of December, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to take no action and have this item remain on the agenda under Old Business. Motion Carried.

NEW BUSINESS:

Item No. One – Approve Minutes of November 03, 2008.

On the First day of December, 2008, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to approve and accept the minutes of November 03, 2008 as presented. Motion Carried.

Item No. Two – Approve City of Elkhart Holidays for Calendar year of 2009.

On the First day of December, 2008, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to approve and accept the City of Elkhart's holidays for the Calendar year of 2009. Motion Carried.

Item No. Three – Consider Elkhart Volunteer Fire Department Using City of Elkhart Property Located ACR 136 for Training of Volunteer Fireman.

On the First day of December, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton for the City of Elkhart to enter into an agreement with the Elkhart Volunteer Fire Department for the Fire Department to utilize the City of Elkhart's closed landfill grounds for the purpose of training Fireman. Motion Carried.

Item No. Four – Consider Proposals for Cutting of Tree on Right-a-Way.

On the First day of December, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Randy McCoy to take no action on Item No. Four. Motion Carried.

Item No. Five – Consider Elkhart Farmer's Co-op Non-Compliances.

On the First day of December, 2008, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Raymond Dunlap to take no action on Item No. Five. Motion Carried.

Item No. Six – Consider Appointing a Code Enforcement Official for Vacant Position.

On the First day of December, 2008, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to contact Sheriff Taylor and see if there is an officer who would be willing to serve as City of Elkhart's Code Enforcement Official on a part-time basis; 20 hrs. weekly and place this item on the Tabled Item List. Motion Carried.

Item No. Seven – Consider Vacant Position of Court Clerk.

On the First day of December, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to take no action and bring this issue back at a later date. Motion Carried.

Item No. Eight – Approve Financial Report.

On the First day of December, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to approve and accept the Financial Report as presented. Motion Carried.

Item No. Nine – To Be Heard; Mayor's Report.

Mayor Burris did not have a report as of this meeting; no action required as this item is for discussion only.

Item No. Ten – City Secretary Report.

City Secretary gave a report and there was no action required as this item is for discussion only.

Item No. 11 – To Be Heard; Public Works Supervisor Report.

Public Works Supervisor gave a report on Manhole by Lift Station on Jones Road and the Infiltration and Inflow issue; no action required as this item is for discussion only.

Item No. 12 – To Be Heard; Emergency Management Coordinator Report.

Emergency Mgmt. Coordinator did not give a report; no action required as this is an item for discussion only.

Item No. 13 – Adjournment.

On the First day of December, 2008, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to adjourn the meeting. Motion Carried.

This regular City of Elkhart Council Meeting of December 01, 2008 adjourned as of 7:05 p.m.



Joe Burris, Mayor

ATTEST:



Margie Crawford, City Secretary

THE STATE OF TEXAS *

001084

COUNTY OF ANDERSON *

CITY OF ELKHART *

On this day, the 5th of January, 2009, the City of Elkhart Council was to have convened into a regular session meeting. The following Council Members were present:

Joe Burris	*	Mayor
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Bobby Parton	*	Councilmember

Council members absent were Raymond Dunlap and Randy McCoy.
Place One vacated by Michael Parker.

Financial Secretary Vicki Frederick and Public Works Supervisor Virgil Simpson were in attendance of the proposed meeting.

There were no citizens present for the meeting.

A quorum could not be declared as being present; therefore, the City of Elkhart Council Meeting of January 05, 2009 was canceled as of 6:05 p.m.



Joe Burris, Mayor

ATTEST:



Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Second day of February, 2009, the City of Elkhart Council convened into a regular session with the following members present:

Joe Burris	*	Mayor
Raymond Dunlap	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Randy McCoy	*	Councilmember
Bobby Parton	*	Councilmember

Place One on the council remains vacant as of this meeting.

A quorum being present, Mayor Burris called the meeting to order at 6:00 p.m. and proceeded with giving the invocation. The Pledge of Allegiance was said by all in attendance of the meeting.

Citizen Billy Jack Wright was recognized as present and was allowed to address the council regarding condition of Watkins Street and connecting Streets; no action could be taken as this was not an agenda item.

Upon conclusion of Mr. Wrights address to the council, the agenda items were addressed as follows:

OLD BUSINESS:

Item No. One – Consider Proceeding with Making the City of Elkhart Generator Ready.

On the Second day of February, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Raymond Dunlap to take no action and Item One remains on the agenda under Old Business. Motion Carried.

Item No. Two – Consider Appointing a Code Enforcement Official for Vacant Position.

On the Second day of February, 2009, Mayor Burris recommended that the council pass on Item No. Two of which there was no action taken by council; Item No. Two remains on the agenda under Old Business.

NEW BUSINESS:

Item No. One – Approve Minutes of December 01, 2008 and January 05, 2009.

On the Second day of February, 2009, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to approve and accept the minutes of December 01, 2008 and January 05, 2009 as presented. Motion Carried.

Item No. Two – Consider Councilmember Michael Parker's Resignation From City of Elkhart Council Place One and Declare Place One Vacant.

On the Second day of February, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy to accept Michael Parker's resignation and hereby declare Place One on the City of Elkhart Council vacant. Motion Carried.

Item No. Three – Consider Place One Vacancy on the City of Elkhart Council.

On the Second day of February, 2009, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to have Place One on the City of Elkhart Council remain vacant for an undetermined period of time. Motion Carried.

Item No. Four – Call City of Elkhart General Election for May 09, 2009 by Ordinance.

On the Second day of February, 2009, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bill Cargill that the City of Elkhart General Election is hereby called for May 09, 2009 by the passing, approving, and adoption of Ordinance No. 251-020209; an ordinance calling for the City of Elkhart's General Election for the electing of officers to the City of Elkhart Council and use of Direct Recording Electronic Voting Machine (s). Motion Carried.

Item No Five – Consider Renewing Contract with Anderson County Humane Society, Inc.

On the Second day of February, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Raymond Dunlap for the City of Elkhart to renew the agreement with the Anderson County Humane Society, Inc. d/b/a "BARC-the Humane Society" for another year. Motion Carried.

Item No. Six – Consider Resolving Low Water Pressure on Water Line to Donnie Fincher's Property Located ACR 133 and ACR 134.

On the Second day of February, 2009, a motion was made by Councilmember Bill Cargill and seconded by Bobby Parton that the Elkhart Water Works come from the City of Elkhart's Booster Pump on six inch (6") water line located on State Hwy 294 W and extend a water line with a four inch (4") line connecting into a two inch (2") water line with the idea of increasing water pressure to property belonging to Donnie Fincher at the location of ACR 133 & ACR 134 provided Mr. Fincher enters into an agreement with Elkhart Water Works as a commitment to construct Eight houses within 18 months. If at the end of the 18 months the number of houses committed to be built are not constructed, then Mr. Fincher shall reimburse Elkhart Water Works (City) in an amount of money pro-rated per house for a portion of the \$4,458.81 which will be the cost to Elkhart Water Works for extending a four inch into a two inch water line. Motion Carried.

Item No. Seven – Discussion on Septic System at the Elkhart Athletics Baseball Field.

On the Second day of February, 2009, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to Table Item No. Seven and take this issue under advisement of elevations for creating a sewer line and the cost of referenced proposed project and list as Discussion/Action. Motion Carried.

Item No. Eight – Approve Financial Report.

On the Second day of February, 2009, a motion was made by Councilmember Bill Cargill and seconded by Randy McCoy to approve and accept the Financial Reports of December 31, 2008 and January 29, 2009 as presented. Motion Carried.

Item No. Nine – Mayor's Report.

Mayor Burriss did not have anything to report to council at this time in the meeting.

Item No. Ten – City of Elkhart Representative to ACAD Report.

Raymond Dunlap, Mayor Pro-tem and Representative acting on behalf of the City of Elkhart on the Anderson County Central Appraisal District, provided a report on information regarding the progress of the Appraisal District; new Software, the rehiring of John McKinney, update of the employees hand book and appraisal of properties is currently underway. No action was to be taken; discussion only.

Item No. 11 – City Secretary Report.

City Secretary informed the council of the City's engineer coming to Elkhart with an electrical engineer to conduct a study on the needs of the Lift Stations, Waste Water Plant and Well Sites as to the size of Generators and types that will be needed in order to be in compliance with TCEQ requirements. Update was given on Court Action taken on Jim Branch and Janette Spencer. No action required; discussion only.

Item No. 12 – Public Works Supervisor Report and Consider Purchase of an Air Compressor and Refrigerator for Public Works Department.

Public Works Supervisor gave his report giving information supporting his department's need for an air compressor and a refrigerator as well as a progress report on water project.

On the Second day of February, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy that the City approve Public Works Supervisor Virgil Simpson to purchase a 60 gallon Air Compressor and a small to Mid size refrigerator for an estimated cost of \$400 to \$500 for each item purchased. Motion Carried.

Item No. 13 – Emergency Management Coordinator Report.

Randy McCoy Councilmember and City of Elkhart's Emergency Mgmt. Coordinator had no activity to report as of this meeting; no action required, discussion only.

Item No. 14 – Adjournment.

On the Second day of February, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to adjourn the meeting. Motion Carried.

This City of Elkhart Council Meeting of February 02, 2009 adjourned as of 8:00 p.m.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Second day of March, 2009, the City of Elkhart Council convened into a regular session with the following members present:

Joe Burris	*	Mayor
Raymond Dunlap	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Randy McCoy	*	Councilmember
Bobby Parton	*	Councilmember

A quorum being present, Mayor Burris called the meeting to order at 6:05 P.M.

Mayor Burris called upon City Secretary to give the invocation and following the Pledge of Allegiance was said by all in attendance of the meeting.

Vicki Frederick, Financial Secretary and Virgil Simpson, Public Works Supervisor were in attendance of the meeting. Others in attendance of the meeting were Jeremy Weisinger, Howard Callaway, Walter (Tracy) Hicks and Sigi West of Wisenbaker, fix & Associates, Chuck Wheat of Hutto Garbage Services, Mike Boren with the U.S. Census Bureau.

Following opening procedures the agenda items were addressed by council:

OLD BUSINESS:

Tabled Item No. One – Consider Proceeding with Making City of Elkhart Generator Ready.

On this Second day of March, 2009, a motion was made by Mayor Pro-tem Raymond Dunlap and seconded by Councilmember Bobby Parton for Tracy Hicks, engineer for City of Elkhart, to send a letter to TCEQ stating that the City of Elkhart is moving forward on the issue of non-compliance of not having generators in place by budgeting for the purchase of generators and to have the generators in place by next fiscal year. Motion Carried

Tabled Item No. Two – Consider Appointing a Code Enforcement Official for Vacant Position.

On this Second day of March, 2009, a motion was made by Mayor Pro-tem Raymond Dunlap and seconded by Councilmember Bobby Parton to take no action on Item No. Two and this item to remain on the agenda under Old Business. Motion Carried.

Tabled Item No. Three – Consider Septic System for City Property Utilized by the Elkhart Summer League Association for Baseball Fields.

On this Second day of March, 2009, a motion was made by Mayor Pro-tem Raymond Dunlap and seconded by Councilmember Bobby Parton for the City of Elkhart to go forward with the installation of a sewer system at the location of City property on St. Hwy 294W and this to be a joint effort with the Elkhart Summer League Association for Baseball Fields. Motion Carried.

NEW BUSINESS:

In lieu of citizens being recognized in the beginning of meeting, Mayor Burris recognized Jeremy Weisinger to speak to council. He stated his desire to serve as a council member in the place One vacated seat. There was no action to be taken as this was not an agenda item.

Agenda Item No. One – Approve Minutes of February 02, 2009.

On this Second day of March, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bill Cargill to approve and accept the minutes of February 02, 2009 as presented. Motion Carried.

Agenda Item No. Two – To Be Heard, Mike Boren of the U.S. Census Bureau.

Mr. Boren addressed the council as to procedures governing the Census program that will be taking place beginning next year. No action was required as this item was for discussion only.

Agenda Item No. Three – Consider Extending Hutto Garbage Service Contract; Chuck Wheat, General Manager.

On this Second day of March, 2009, a motion was made by Mayor Pro-tem Raymond Dunlap and seconded by Councilmember Randy McCoy that the City enter in an agreement with Hutto Garbage Service extending service to the year of 2012. Motion Carried.

Agenda Item No. Four – Consider Appointments of Presiding Judge, Alternate Judge, and Early Voting Clerk by Resolution.

On this Second day of March, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to approve, pass, and adopt Resolution 275-030209; a resolution for appointment of Presiding Judge, Donna Suber, Alternate Judge, Lisa Miller, and Early Voting Clerk Margie Crawford. Motion Carried.

Agenda Item No. Five – Consider Approving Financial Secretary and City Secretary to Attend a Public Funds Investment Act Training Session of Ten Hours.

On this Second day of March, 2009, a motion was made by Mayor Pro-tem Raymond Dunlap and seconded by Councilmember Bill Cargill approving Financial Secretary and City Secretary to attend a Public Funds Act Seminar July 14 and 15th, 2009. Motion Carried.

Agenda Item No. Six – Consider Rescinding Codified Ordinance Governing Fire Prevention and Fire Protection by Ordinance.

On this Second day of March, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy to rescind Article V, Section 7.50 defined as "Open Burning" of City of Elkhart Codified Ordinance governing "Fire Protection and Fire Prevention" by the approving, passing, and adoption of Ordinance 251-030209; an ordinance for the purpose of repealing the City of Elkhart, Texas' ordinance governing Fire Protection and Fire Prevention of Which is located in the City of Elkhart Codified Code of Ordinances; Article V, Section 7.50; "Open Burning". Motion Carried.

Agenda Item No. Seven – Consider Purchase of a Ford Turbo Diesel Tractor With Boom Axe.

On this Second day of March, 2009, a motion was made by Mayor Pro-tem Raymond Dunlap and seconded by Councilmember Bobby Parton to take no action on Item No. Seven. Motion Carried.

Agenda Item No. Eight – Approve Financial Report.

On this Second day of March, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Nine – Mayor's Report.

The mayor did not have a report to give, but did have questions to ask of staff. Are easements for Harry Schmidt and Melanie Whittenburg Farmer ready and has water storage tanks been ordered. Answer to both questions was yes.

Agenda Item No Ten – City Secretary Report.

City Secretary reported on the status of Fines and Court Cost imposed on persons under judgement by Jeff Doran's Court; Agreement signed by Donnie Fincher on the construction of houses within an 18 month period of time; funding available for damages done due to hurricanes Dolly and Ike and an up-date on Water Project expenditures to date indicating Nine Draws from Grant Funds.

Agenda Item No. 11 – Public Works Supervisor Report.

Virgil Simpson reported to council the status on various projects; Donnie Fincher Construction of houses and the number of taps the Public Works Dept. has installed as of this date; School's proposed building project regarding utilities. No action required, discussion only.

Agenda Item No. 12 – Emergency Mgmt. Coordinator Report.

Randy McCoy reported that he had attended a Four day seminar on "Emergency Response to Highways" in Fort Worth at the Will Rogers Coliseum covering topics such as 18 wheelers turn overs and chemical spills on highways. No action required, discussion only.

Agenda Item No 13 – Adjournment.

On this Second day of March, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to adjourn the meeting. Motion Carried.

This City of Elkhart Council Meeting of March 02, 2009 adjourned at 7:50 p.m.


Joe B. Burris, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Sixth day of April, 2009, the City of Elkhart Council convened into a regular session with the following members present:

Joe Burris	*	Mayor
Raymond Dunlap	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Bobby Parton	*	Councilmember
Randy McCoy	*	Councilmember

A quorum being present Mayor Burris called the meeting to order at 6:00 p.m...

Virgil Simpson, Public Works Supervisor gave the invocation and following the invocation the Pledge of Allegiance was said by all in attendance of the meeting.

Citizen Howard Calloway was recognized as present and did address the council as to his interest of being considered for the position of City of Elkhart Code Enforcement Official.

Next order of business was to address the agenda items and they are as follows:

OLD BUSINESS:

Tabled Item No. One - Executive Session, Open Meetings Act, Section 551.074, Personnel; Consider a Code Enforcement Official for Vacant Position.

Mayor Burris called for a motion to convene into Executive Session.

On this Sixth day of April, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton for council to enter into closed session under the Open Meetings Act, Section 551.074, Personnel; consider a code Enforcement Official for vacant position. Motion Carried.

City of Elkhart Council entered into Executive Session as of 6:07 p.m. and exited out of the closed session into open session as of 6:50 p.m.

Tabled Item No. Two – Consider a Code Enforcement Official for Vacant Position.

On this Sixth day of April, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to hire Howard Calloway at \$13.50 per hr. for a ninety day probation period and to reimburse him on his personal health insurance premium; only Mr. Calloway's premium, not family members. He is to report to work as soon as Drug Test and Physical Exam reports have been reported to the City of Elkhart. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of March 02, 2009.

On this Sixth day of April, 2009, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bill Cargill to approve and accept minutes of March 02, 2009 as presented. Motion Carried.

Agenda Item No. Two – Consider Appointment to Vacated City Council Place One for Unexpired Term of One Year.

On this Sixth day of April, 2009, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to table Agenda Item No. Two. Motion Carried.

Agenda Item No. Three – Amend Ordinance No. 131 Governing Flood Damage Prevention and the Implementation of a Development Permit Application with Permit Fee and Designation of a Floodplain Administrator.

On this Sixth day of April, 2009, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Randy McCoy to amend Ord. No. 131-040609; an ordinance up-dating existing ordinance to current requirements and implementing a Permit Application with a permit fee of \$50.00 and authorizing a penalty (fine) of \$500.00 for non-compliances of the ordinance and appointing a Floodplain Administrator by the position of Code Enforcement Official. Motion Carried.

Agenda Item No. Four – Approve Resolution for Adhering to Flood Control Criteria Set Forth in Section 60 of the National Flood Insurance Program Regulations.

On this Sixth day of April, 2009, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bill Cargill to approve and pass on Resolution No. 276-040609; an resolution assuring the Federal Emergency Management Agency that the City of Elkhart will enact as necessary, and maintain in force, in these areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60 of the National Flood Insurance Program Regulations. Motion Carried.

Agenda Item No. Five – Consider Constructing a Security Fence for the Day Road Lift Station.

On this Sixth day of April, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton that Virgil Simpson, Public Works Supervisor, is authorized to purchase fence materials and erect a security fence around the City of Elkhart Lift Station located at 134 ACR 164 (Day Rd.). Motion Carried.

Agenda Item No. Six – Approve Financial Report.

On this Sixth day of April, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Raymond Dunlap that the submitted Financial Report is approved and accepted by Council. Motion Carried.

Agenda Item No. Seven – To Be Heard; Reports. Mayor, City Secretary, Public Works Supervisor and Emergency Mgmt. Coordinator.

Mayor Burris did not have a report to give in this meeting.

Margie Crawford, City Secretary, gave a report covering Sub-divisions in relation to dividing property into plats, complaints coming forth about Streets on the West side of Elkhart; Davis, Hatten, and Gambrell Streets and referenced the election dates.

Virgil Simpson, Pub. Wks. Supervisor, gave a report covering the TCEQ inspector forth coming to inspect the Wastewater Plant, Status of Lift Stations during the heavy rains,

and the previous smoke and video test that were done on the city's existing sewer lines in hope of solving the City's Inflow and Infiltration problem.

Randy McCoy, Emergency Mgmt. Coordinator, for the City of Elkhart asked for authorization to place Red Stickers on City Property as well as other locations within the City in the event an emergency call is made to a residence, then this would indicate that there is a list of meds the person of the residence is taking. Also, the EVFD with permission is going to erect a fence with gate on City owned property of which EVFD is utilizing for training purposes.

Agenda Item No. Eight – Adjournment.

On this Sixth day of April, 2009, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Bobby Parton to adjourn the meeting. Motion Carried.

This City of Elkhart Council meeting adjourned as of 8:15 p.m.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Fourth day of May, 2009, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Randy McCoy	*	Councilmember

Absent was Mayor Burris and Council member Bobby Parton.

A quorum being present, the meeting proceeded with the invocation being given by the City Secretary. Following the invocation the Pledge of Allegiance was said by all in attendance of the meeting.

Citizens present were Donnie Fincher, Karen Bridges, Ed Wagner, Cecil Staples and Tom Watson of Staples & Associates.

Donnie Fincher, Builder of Fincher Sub-division No. One, was recognized and he presented the council with preliminary copies of his plated sub-division; this was not an agenda item, therefore, no action was required by council as of this meeting

Ed Wagner was recognized to address the council on the issue of the City of Elkhart's previously conducted drawing of candidate names for the order of placement of names on the ballot for the city's election of officers. There was no action to be taken as this was not an agenda item.

OLD BUSINESS:

Tabled Item No. One – Consider Appointment to Vacated City Council Place One For Unexpired Term of One Year.

On this Fourth day of May, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy to take no action on Tabled Item No. One and it is to remain on the Tabled Item List under old business. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of April 6, 2009.

On this Fourth day of May, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bill Cargill to approve and accept the minutes of April 06, 2009. Motion Carried.

Agenda Item No. Two – Presentation on City of Elkhart Financial Statement by Staples & Associates, C.P.,CPAs.

On this Fourth day of May, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bill Cargill to approve and accept the Financial Statement of the City of Elkhart's audit for year ending of 09/30/07 as presented by Tom Watson of Staples & Associates. Motion Carried.

Agenda Item No. Three – Consider Complaint Regarding Sewage Overflow at Residence; Ronnie Beasley.

On this Fourth day of May, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bill Cargill to take no action on Item No. Three as Mr. Beasley was not present to address the council on the issue of sewage back-up in his house. Motion Carried.

Agenda Item No. Four – Consider Ordinances Governing a Building Permit Fee.

On this Fourth day of May, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy to pass, approve, and adopt Ordinance No. 253-050409; an ordinance of the City of Elkhart, Texas repealing Ordinance No. 1-5-65-IV and providing a procedure and fee structure for issuance of building permits and establishing the minimum regulations governing the conditions and maintenance of all property, building, and structure; by providing standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and in accordance with the adopted International Building codes herein after known as “Building Code” and the implementation of a SEVENTY-FIVE DOLLAR (\$75.00) Application Fee and a determination of the amount of the Permit Fee to be determined by the number of inspections times established fee of \$ 75.00. Motion Carried.

Agenda Item No. Five – Consider Transfer of Funds to the Elkhart Water Project Grant Fund for City’s Matching Fund.

On this Fourth day of May, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bill Cargill to authorize Administrative Staff to transfer NINETY-FIVE THOUSAND SEVEN HUNDRED DOLLARS (\$95,700) from the City of Elkhart Water/Sewer Systems bank account into the City of Elkhart Water System Project Fund; this transfer of \$95,700 will bring the City’s match up to \$120,000. Motion Carried.

Agenda Item No. Six – Consider a Date for Conducting a City of Elkhart Budget Workshop for Fiscal Year of 2009/2010.

On this Fourth day of May, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy to set the date of May 18, 2009 and a time of 6:00 p.m. for the City of Elkhart’s first Budget Workshop. Motion Carried.

Agenda Item No. Seven – Approve Financial Report,

On this Fourth day of May, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Eight – Reports to Be Heard: Mayor, City Secretary, Public Works Supervisor, Code Enforcement Official And Emergency Mgmt. Coordinator.

Mayor Pro-tem Raymond Dunlap gave a brief report on activities of the Anderson County Central Appraisal District in regard to their Budget and Audit. No action required; discussion only.

City Secretary gave a report on the response of the city’s attorney, Melvin Whitaker, regarding recourse the City may have in recouping money spent for erroneous audit of 2005/2006. No action required; discussion only.

Public Works Supervisor gave a status report on the laying of 4 inch water line to provide sufficient water pressure to Sub-Division No. One and a report on Storm damages at the Wastewater Plant and answered questions from council on construction of a security fence for Day Road Lift Station and concerns about the City’s Closed Landfill was discussed by council and Public Works Supervisor. No action required; discussion only.

Code Enforcement Official gave the council a report on activities of his department; becoming familiar with city ordinances, visiting with citizens in the city, Sheriff's Department and conversing with Animal Control Officer Dan Watkins and he had contacted Texas Department of Transportation about clearing culverts on U.S. Hwy 287 South in order to solve a drainage problem. No action required, discussion only.

Agenda Item No. Nine – Adjournment.

On this fourth day of May, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy to adjourn this meeting of May 04, 2009. Motion Carried.

The regular City of Elkhart Council Meeting adjourned as of 7:55 p.m.



RAYMOND DUNLAP, MAYOR PRO-TEM

ATTEST:



MARGIE CRAWFORD, CITY SECRETARY

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 12th day of May, 2009, the City of Elkhart Council convened to canvass the City of Elkhart General Election of May 09, 2009 with the following members present:

Joe Burris	*	Mayor
Raymond Dunlap	*	Mayor Pro-tem
Bill Cargill	*	Councilmember

Others in attendance of the canvassing of the election were Nancy Dunlap, Raymond Lewis Dunlap, Jr. and Howard Calloway; city's Code Enforcement Official.

Mayor Burris called the meeting to order at 3:36 p.m. and proceeded with the canvassing of the city's election of May 09, 2009. The results are as follows:

Raymond Dunlap, Position of Mayor – 97 Votes

William Cargill, Place Two – 84 Votes

Karen Bridges, Place Four - 96 Votes

Ed Wagner, Place Four – 23 Votes

All votes having been accounted for, Mayor Burris asked for a motion to approve and accept the Talley of votes as presented.

On this 12th day of May, 2009, a motion was made by Mayor Pro-tem Raymond Dunlap and seconded by Councilmember Bill Cargill to approve and accept the Talley of the votes as presented. Motion Carried.

Upon approval and acceptance of the vote, the results are that the following candidates have been duly elected to the following places on the City of Elkhart Council:

Raymond Dunlap – Mayor

William Cargill – Councilmember; Place Two

Karen Bridges – Councilmember, Place Four

There being no further business, a motion was asked for to adjourn the meeting of which was to canvass the City of Elkhart's May 09, 2009 General Election.

On this 12th day of May, 2009, a motion was made by Councilmember Bill Cargill and seconded by Mayor Pro-tem Raymond Dunlap to adjourn this canvassing of the city's general election of May 09, 2009. Motion Carried.

Canvassing of the votes adjourned at 3:53 p.m.



JOE B. BURRIS, MAYOR

ATTEST:



MARGIE CRAWFORD, CITY SECRETARY

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 18th day of May, 2009, the City of Elkhart Council convened into a Special Called Meeting and Budget Workshop with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Karen Bridges	*	Councilmember
Bobby Parton	*	Councilmember

Mayor Dunlap called the meeting to order at 6:00 p.m. and a quorum being present proceeded by addressing the agenda items as follows:

Agenda Item No. One – Consider Appointment to Place One on City Council.

On the 18th day of May, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bill Cargill to take no action and Tabled Agenda Item No. One remains on the Tabled Item List. Motion Carried.

Agenda Item No. Two – Appoint a Mayor Pro-tem for a One Year Term.

On the 18th day of May, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Bobby Parton to appoint Councilmember Randy McCoy as Mayor Pro-tem for a term of one year. Motion Carried.

There being no further agenda items to be acted upon, Mayor Dunlap closed the city business segment of the meeting and opened the Budget Workshop for the City's fiscal year of 09/10.

Council reviewed and discussed the proposed budget for the General Fund and Street Fund. The Budget for the Fire Department was passed over and will be discussed in a future budget workshop when the Elkhart Volunteer Fire Department Fire Chief, Jim Bob Parker, may be present to enter into the discussion for the Fire Department Budget.

The council's consensus was to have the next Budget Workshop June 8th, 2009 at 6:00 p.m.

A motion to adjourn was asked for by Mayor Dunlap.

On the 18th day of May, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to adjourn the meeting of May 18, 2009. Motion Carried.

This Special Called Meeting and Budget Workshop adjourned as of 7:05 p.m.


RAYMOND DUNLAP, MAYOR

ATTEST:


MARGIE CRAWFORD, CITY SECRETARY

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the First day of June, 2009, the City of Elkhart, Texas Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Bobby Parton	*	Councilmember

Council member absent was Bill Cargill.

A quorum being present, Mayor Dunlap called the meeting to order at 6:00 p.m. and proceeded by leading all present in saying the Pledge of Allegiance.

Citizens were recognized as present and there were none to be heard as of this time in the meeting.

All preliminary procedures having been done, the agenda items are addressed as follows:

OLD BUSINESS:

Agenda Item No. One – Consider Appointment to Vacated Council Place One for Unexpired Term of One Year.

On this First day of June, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to take no action and this item is to remain as a Tabled Item. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of May 4th, 12th, and 18th, 2009.

On this First day of June, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to approve and accept the minutes of May 4th, 12, and 18th, 2009 as presented. Motion Carried.

Agenda Item No. Two – Consider Utility Services for Elkhart ISD New Construction; Superintendent Mike Moon.

On this First day of June, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to go forth with providing water and sewer to the Elkhart ISD's new facility to be constructed at a location on Hwy 287 N upon City of Elkhart's engineer, Tracy Hicks, approval of project. Motion Carried.

Agenda Item No. Three – To Be Heard and Considered; Ronnie Beasley, Sewage Backup on Property.

On this First day of June, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to take no action as Mr. Beasley was not present to discuss the issue of sewage backup on his property and to remove Agenda Item No. Three from the agenda. Motion Carried.

Agenda Item No. Four – Consider Approval of Donnie Fincher's Plat for Housing Project.

On this First day of June, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to approve Mr. Fincher's plat for his housing project as presented. Motion Carried.

Agenda Item No. Five – Consider Renewal of City Employees' Group Health Insurance.

On this First day of June, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton that the City renews premiums with Principal Financial Group Health Insurance for providing health insurance to City of Elkhart employees.

Agenda Item No. Six – Consider Engaging Auditor for 07/08 City of Elkhart Audit.

On this First day of June, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Karen Bridges to go out for bids to obtain qualified auditing firm for City of Elkhart's annual audits. Motion Carried.

Agenda Item No. Seven – Consider Authorizing Public Works Supervisor to Rent a Boom Ax as Needed.

On this First day of June, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to take no action on Agenda Item No. Seven and remove it from the agenda. Motion Carried.

Agenda Item No. Eight – Consider Replacing Sewer Line from Railroad up to Jones Road Lift Station.

On this First day of June, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges for Public Works Department to proceed with replacing sewer lines beginning at the railroad tracks and going up to Jones Road Lift Station. Motion Carried.

Agenda Item No. Nine – Consider Use of City of Elkhart Closed Landfill.

On this First day of June, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Randy McCoy to secure the Gate and place a 3X6 sign at Landfill stating landfill closed. Motion Carried.

Agenda Item No. Ten – Executive Session, Open Meeting Act, Section 551.074, Personnel; Training for Office Personnel and Consider Hiring a Part-time Court Clerk.

Mayor Dunlap called for Executive Session and closed the open session of meeting at 7:24 p.m. Council convened into closed session for discussion only.

Agenda Item No. 11 – Convene Into Open Meeting; (1) Consider Training for Office Personnel; (2) Consider Hiring a Part-time Clerk.

On this First day of June, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Randy McCoy for staff to obtain information on accounting classes and bring back to council. Motion Carried.

On this First day of June, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to advertise for a part-time Court Clerk. Motion Carried.

Agenda Item No. 12. Approve Financial Report.

On this First day of June, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Randy McCoy to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. 13 – Reports; Mayor, City Secretary, Public Works Supervisor, Emergency Mgmt. Coordinator and Code Enforcement Official.

All reports having been given, Mayor Dunlap asked for a motion to adjourn the meeting.

On this First day of June, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Bobby Parton to adjourn the meeting. Motion Carried.

This June 01, 2009 regular City of Elkhart Council Meeting adjourned at 8:33 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Eighth day of June, 2009, the City of Elkhart Council convened into a Special Called Meeting with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Karen Bridges	*	Councilmember
Bill Cargill	*	Councilmember

Council member absent was Bobby Parton.

City Secretary Margie Crawford was absent and in her stead was Financial Secretary Vicki Frederick.

Mayor Dunlap proceeded by addressing the agenda items as follows:

Agenda Item No. One – Convene into Open Session and Declare a Quorum As Present.

Mayor Dunlap opened the meeting at 5:00 p.m and declared a quorum as being present to conduct city Business.

Agenda Item No. Two – Executive Session, Open Meetings Act, Section 551.071; Consultation with City Attorney; Seeking Advice on Contemplated Litigation.

Mayor Dunlap called for Executive Session under the Open Meetings Act, Section 551.071; Consultation with City Attorney seeking attorney advice on considered litigation. Open session of this Special Called Meeting closed at 5:05 p.m. This session being for discussion only.

Agenda Item No. Three – Re-convene into Open Meeting; Consider Contemplated Litigation.

On the Eighth day of June, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy to have City Attorney Melvin Whitaker contact Cecil Staples of Staples & Associates regarding the issue of erroneous 2005/2006 City of Elkhart Audit and to send a letter to Smith, Lambright & Associates informing the auditing firm of proceedings and to pursue litigation for erroneous audit. Motion Carried.

There being no further business, a motion to adjourn was called for by the Mayor.

The Eighth day of June, 2009, a motion was called for by Councilmember Bill Cargill and seconded by Councilmember Randy McCoy to adjourn the Special Called Meeting. Motion Carried.

This Special Called Meeting adjourned as of 5:30 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Sixth day of July, 2009, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Karen Bridges	*	Councilmember
Bobby Parton	*	Councilmember

Councilmember absent was Bill Cargill.

City Secretary Margie Crawford was absent and in her stead was Financial Secretary Vicki Frederick.

Mayor Dunlap called the meeting to order at 6:00 p.m. and proceeded with the saying of the Pledge of Allegiance.

Citizen present and recognized was Billy Jack Wright and others to be heard were City Engineer Tracy Hicks and his assistant Sigi West; John Seale of Center Point Energy and Chris Stewart of Texas Municipal Equipment.

All preliminaries having been done, Mayor Dunlap proceeded by addressing the agenda items as follows:

OLD BUSINESS:

Item No. One – Consider Appointment to Vacated Council Place One for Unexpired Term.

On this Sixth day of July, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton that Tabled Item No. One under old business remains. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of June 01 and June 08, 2009.

On this Sixth day of July, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to approve and accept the minutes of June 01 and June 08, 2009 as presented. Motion Carried.

Agenda Item No. Two – Consider Franchise Agreement between City of Elkhart And Center Point Energy.

On this Sixth day of July, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Randy McCoy to table Item No. Two and address the issue in next month's council meeting. Motion Carried.

Agenda Item No. Three – To Be Heard: Citizens of Hawthorne Street Regarding Mobile Home Parks.

Agenda Item No. Three was for discussion only and therefore, no action was required of council.

Agenda Item No. Four – To Be Heard; Engineer Walter Hicks, III and Assistant Sigi West on City of Elkhart Projects.

On the Sixth day of July, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Randy McCoy for City Engineer Tracy Hicks to prepare a budget for the replacement of sewer lines and bring back to council in another meeting. Motion Carried.

Agenda Item No. Five – Consider Approval of Change Order for City of Elkhart Water Project.

On this Sixth day of July, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to take no action on Agenda Item No. Five. Motion Carried.

Agenda Item No. Six – To Be Heard; Representative for Lowe's Retail Store, Tracie Willingham.

Ms. Willingham was not in attendance of this meeting; no action was required as this item was for discussion only.

Agenda Item No. Seven – To Be Heard; Presentation on Jet Machine.

Mr. Chris Stewart of Texas Municipal Equipment gave a presentation on a Jet Machine and following Mr. Stewart took questions from the council. There was no action to be taken as this item was for discussion only.

Agenda Item No. Eight – Consider Signing Off on Donnie Fincher's Plat.

On this Sixth day of July, 2009, a motion was made by Councilmember Randy McCoy and Councilmember Bobby Parton to table Agenda Item No. Eight. Motion Carried.

Agenda Item No. Nine – Consider Amending Ordinance No 110 and Establish a Fee for City of Elkhart Maintaining a Property When a Owner is Negligent to Maintain.

On this Sixth day of July, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Bobby Parton for three (3) bids to be obtained from licensed independent contractors for the clearing of debris and overgrowth on properties of which owners of said property are negligent in maintaining their property and these bids (proposals) are to be brought back to council in the next council meeting. Motion Carried. Note: Ordinance No. 110 was not amended as of this meeting.

Agenda Item No. Ten - Consider Construction of a Concrete Apron (slab) for the Elkhart Volunteer Fire Department at the Elkhart Fire Station.

On this Sixth day of July, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to table Agenda Item No. Ten and address the issue in the next council meeting. The vote was as follows: Bobby Parton, Aye; Karen Bridges, Aye; Randy McCoy refrained. Vote was 2 – 0; Ayes having the majoring vote, Motion Carried.

Agenda Item No. 11 – Consider the City of Elkhart Providing Mowing Service At the Elkhart Volunteer Fire Station.

On this Sixth day of July, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Bobby Parton that the City of Elkhart Public Works Department will provide mowing service to the Elkhart Volunteer Fire Department at the location of the Fire Station. The vote was as follows: Bobby Parton, Aye; Karen

Bridges, Aye; Randy McCoy, Refrained. Vote was 2 – 0; Ayes having the majority vote, Motion Carried.

Agenda Item No. 12 – Consider City Elkhart Providing Full Insurance Coverage On the Elkhart Volunteer Fire Department's Most Recent Purchased Vehicles.

On this Sixth day of July, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to table Agenda Item No. 12 and bring back to the council table more information as to cost for the addition of full coverage on the Fire Department's newest vehicles. The vote was as follows: Bobby Parton, Aye; Karen Bridges, Aye; Randy McCoy, Refrained. Vote was 2 – 0; Ayes having the majority vote, Motion Carried.

Agenda Item No. 13 – Consider Billing Charges for the Filling of Swimming Pools and Watering of Yards During Summer Months.

On this Sixth day of July, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Bobby Parton that for the months of June, July, and August an average of the individual customers water account be worked up and applied to the customers sewer charge as a discount on the sewer charge and that for filling of swimming pools and at the discretion of the customer, a meter reading is to be taken at the beginning of filling the swimming pool and another meter reading upon completion of filling the swimming pool. Then the meter readings are to be submitted to the billing clerk for an adjustment on the customer's sewer charge. Motion Carried.

Agenda Item No. 14 – Consider Purchase of a Saw-Zaw for the City of Elkhart.

On this Sixth day of July, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges authorizing Howard Calloway to purchase a XPR 18 volt Saw-Zaw for the Public Works Department. Motion Carried.

Agenda Item No. 15 – Consider Annexation of Joe Burris Property; Bill Cargill.

On this Sixth day of July, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to take no action and remove this item from the agenda. Motion Carried.

Agenda Item No. 16 – Grant Authorization to Remove Joe Burris as a Signatory And Appoint a Person to be the City's Third Signer on All City of Elkhart Bank Accounts.

On this Sixth day of July, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to have Joe Burris removed as a signatory on City of Elkhart bank accounts and appoint Mayor Pro-tem Randy McCoy as a Third signer for all City of Elkhart bank accounts. Motion Carried.

Agenda Item No. 17 – Approve Financial Report.

On this Sixth day of July, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Randy McCoy to approve and accept the Financial Report as presented. Motion Carried

Agenda Item No. 18 – Reports to Be Heard; Mayor, City Secretary, Public Works, Code Enforcement Official and Emergency Mgmt. Coordinator.

All reports being given, council moved to adjourning the meeting.

On this Sixth day of July, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to adjourn this meeting of July 06, 2009. Motion Carried.

This July 06, 2009 City of Elkhart Council Meeting adjourned as of 9:11 p.m.


RAYMOND DUNLAP, MAYOR

ATTEST:


MARGIE CRAWFORD, CITY SECRETARY

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 10th day of August, 2009, the City of Elkhart Council convened into a Public Budget Hearing for the purpose of reviewing the City of Elkhart's proposed budget of 2009/2010 with the following members in attendance of the hearing:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Bobby Parton	*	Councilmember

Councilmember absent was Karen Bridges.

Persons in attendance of this budget hearing were the following:

John Seals of Center Point Energy, Donnie Fincher, Builder, Citizens Billy Jack Wright and Doug Smith, Jim Bob Parker, Fire Chief of Elkhart Vol. Fire Dept., Mike Moon and Denise Ray of Elkhart ISD.

Public Works Supervisor, Virgil Simpson, Financial Secretary, Vicki Frederick, and Code Enforcement Official, Howard Calloway, were present for the budget hearing.

Mayor Dunlap stated the Budget Hearing as being officially open at 5:45 p.m. and proceeded with review of the budget.

The Budget review being over, Mayor Dunlap asked for questions and discussion of various aspects of the budget. There being none, a motion to adjourn the Budget Hearing was called for by the mayor.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to close the Budget Hearing. Motion Carried.

This City of Elkhart Budget Hearing for the City's fiscal year of 2009/2010 was officially closed as of 6:01 p.m.


RAYMOND DUNLAP, MAYOR

ATTEST:


MARGIE CRAWFORD, CITY SECRETARY

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On this 10th day of August, 2009, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Bill Cargill	*	Councilmember
Bobby Parton	*	Councilmember

Councilmember absent was Karen Bridges.

Mayor Dunlap called the meeting to order at 6:01 p.m. and then all in attendance join in saying the Pledge of Allegiance and following was recognition of citizens.

There being no citizens to be heard as of this time in the meeting, Mayor Dunlap addressed the agenda items as follows:

OLD BUSINESS:

Item One - Consider Franchise Agreement between City of Elkhart and Center Point Energy.

On this 10th day of August, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Randy McCoy for the City to enter into the agreement with Center Point Energy and accept the terms therein as presented for the purpose of franchise fees to the City of Elkhart. Motion Carried

Item Two – Consider Appointment to Vacated Council Place One for Unexpired Term.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to appoint Douglas Smith to council Place One seat for the unexpired term of Nine (9) months. Motion Carried.

Statement of Appointed Officer and the Oath of Office were administered to Mr. Smith by City Secretary, Margie Crawford and following Councilmember Doug Smith took his place at the council table.

Item No. Three – Consider Leasing to Buy a Jet Machine for the Public Works Department.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to have this item remain tabled for further financial information. Motion Carried.

Item No. Four – Sign Off on Donnie Fincher's Plat. (a formality, already approved in a prior meeting).

On this 10th day of August, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Randy McCoy to approve the Fincher Plat as presented and attest to this approval of plat by the signing thereof. Motion Carried.

Item No. Five – Consider Construction of a Concrete Apron (slab) for the Elkhart Vol. Fire Department.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to Table Item No. Five. The vote was as follows: Bill Cargill, Aye; Bobby Parton, Aye; Doug Smith, Aye; Randy McCoy refrained. Vote was 3-0; Motion Carried.

Item No. Six – Consider City of Elkhart Providing Full Coverage Insurance on Elkhart Vol. Fire Department Newest Vehicles.

On this 10th day of August, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Bill Cargill to take no action on the issue and to remove Item No. Six from the agenda. Vote was as follows: Bill Cargill, Aye; Bobby Parton, Aye; Doug Smith, Aye; Randy McCoy refrained; Ayes having the majority vote, Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of July 06, 2009.

On this 10th day of August, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Randy McCoy to approve and accept the minutes of July 06, 2009 as presented. Motion Carried.

Agenda Item No. Two – Approve City of Elkhart Budget for Fiscal Year of 2009/2010.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to approve and accept the Budget for the City of Elkhart's fiscal year of 2009/2010 as presented. Motion Carried.

Agenda Item No. Three – Consider Budget for Sewer Line Replacements.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to proceed with replacement of Jones Road Sewer Lines. Motion Carried.

Agenda Item No. Four – Consider Creating an Ordinance Implementing a “No Parking” of trucks on US Hwy 287 S also known as State Hwy 19 in front of Business Buildings and in Front of Business Buildings Located 108 & 110 W. Parker Street; Billy Jack Wright.

On this 10th day of August, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Bill Cargill to proceed with the creation of an ordinance to establish “No Parking” signs on US Hwy 287 S in the Highway's right-away. Motion Carried.

Agenda Item No. Five – Consider an Ordinance Governing Grease Traps.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to Table Item No. Five. Motion Carried.

Mayor Dunlap moves Agenda Item No. Eight up for council to consider in lieu of Agenda Item No. Six.

Agenda Item No. Eight – Consider Making N. Church Street a One-Way Street When Elkhart ISD is in Session.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Doug Smith to make N. Church Street a one way street. Motion Carried.

Agenda Item No. Six – Consider Approving Construction of Aerator.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton for the City to proceed in having East Texas Fabrication, owner Bill Richbourg, construct an Aerator for the City of Elkhart. Motion Carried.

Agenda Item No. Seven – Consider a Cost Study for Bringing Day Road Well on Line.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to take no action on the issue of Day Rd. Well and remove Agenda Item No. Seven from the agenda. Motion Carried.

Agenda Item No. Nine – Consider Bid (Proposals) From Licensed Independent Contractors for Landscaping of Grounds for Sub-Standard Properties.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton authorizing Code Enforcement Official Howard Calloway to obtain bids from landscaping contractors and depending on the bids select a contractor to take care of sub-standard properties. Motion Carried.

Agenda Item No. Ten – Approve Street Repairs for Watkins, Davis, Hatten, and Gambrell Streets.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to begin a Long Range Plan for street repairs starting with Davis, Hatten, Gambrell, Edwards, and then to Watkins and Wright Streets Motion Carried.

Agenda Item No. 11 – Consider Revising Method of Adjustment to Sewer Charges for Summer Months of June, July, August, and September.

On this 10th day of August, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to rescind motion made in July council meeting implementing an adjustment on sewer charge and instead place a cap of 6,000 gallons for the calculation of sewer charge for the summer months of June, July, August, and September to be effective October 01, 2009; all gallons over the 6,000 gallon cap will not be charged to the customer. Motion Carried.

Agenda Item No. 12 – Consider Amending Ordinance No. 110, Section 4:a; Code Enforcement Official.

On this 10th day of August, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Bill Cargill to amend Ordinance No. 110, Section 4:a; Code Enforcement Official by deleting sentence stating “There is hereby appointed a Code Enforcement Official of who shall be a resident of the City” and inject the following sentence to read “There is hereby appointed a Code Enforcement Official of who shall be a resident of the County”. Motion Carried.

Agenda Item No. 13 – Approve Financial Report.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Doug Smith to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. 14 – Executive Session; Open Meetings Act, Section 551.074, Personnel; Evaluation of Public Works' Employees and Code Enforcement Official.

Mayor Dunlap called for executive session and closed the open meeting at 7:53 p.m.

City Council convened back into open session at 8:45 p.m.

Agenda Item No. 15 – Reconvene Into Open Session: Personnel, Evaluation of Public Works' Employees and Code Enforcement Official.

On this 10th day of August, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton that a calendar be kept listing employees' work history for each day of the work week; create a work order for when the council asks for a certain job to be done; Joseph Branson is to get a \$1.00 per hr. increase on his hourly wage and Howard Calloway is to get a \$ 1.00 per hr. increase on his hourly wage and staff is to conduct a cost analysis on hourly wage verses salaried by next council meeting. Wage increases to be effective as of August 19, 2009. Motion Carried.

Agenda Item No. 16 – To Be Heard; Reports. Mayor, City Secretary, Public Works Supervisor, Code Enforcement Official and Emergency Management coordinator.

All reports having been given Mayor Dunlap asked for a motion to adjourn which is Agenda Item No. 17 – Adjournment.

On this 10th day of August, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton to adjourn the meeting. Motion Carried.

This City of Elkhart Council Meeting adjourned as of 9:22 p.m.


RAYMOND DUNLAP, MAYOR

ATTEST:


MARGIE CRAWFORD, CITY SECRETARY

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On this date of September 14, 2009, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Bill Cargill	*	Councilmember
Bobby Parton	*	Councilmember
Doug Smith	*	Councilmember

A quorum being present, Mayor Dunlap called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was said by all in attendance of the meeting and following citizens were recognized; there being none to be heard as of this time in the meeting, agenda items were then addressed as follows:

OLD BUSINESS:

Tabled Item No. One – Consider Leasing to Buy Jet Machine for Public Works Department.

On this 14th day of September, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bill Cargill that Tabled Item No. One remains on the list of Old Business. Motion Carried.

Upon further discussion of funds for concrete apron for EVFD and purchase of a Jet Machine for the Public Works Department, Mayor Dunlap asked the council to go back to Tabled Item No. One for consideration of the issue.

On this 14th day of September, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to rescind the previous motion made regarding no action taken and the remaining of the issue on the Tabled Item List headed under "OLD BUSINESS". Motion Carried.

On this 14th day of September, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Bobby Parton that the City enter into a Lease Agreement with Alpine Leasing Inc., Option 2, with the option to purchase Jet Machine at the Acquisition Cost of \$ 35,000; Term Five(5) years; monthly payment of \$ 696 and a payment Mode of Monthly in Advance. Motion Carried.

Tabled Item No. Two – Consider construction of a Concrete Apron (slab) for Elkhart Volunteer Fire Department Fire Station.

On this 14th day of September, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to have constructed a Concrete Apron at the location of the Fire Station for the Elkhart Volunteer Fire Department. The vote was as follows: Bill Cargill, Nay; Bobby Parton, Nay; Karen Bridges, Aye; Doug Smith, Aye. Randy McCoy abstained from the vote. A tie vote; 2 Nays – 2 Ayes – 1 abstain. Mayor Dunlap broke the tie by voting Aye for the project. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of August 10, 2009; Budget Hearing And Council Meeting.

On this 14th day of September, 2009, a motion was made by Councilmember Bill Cargill and seconded by Councilmember Doug Smith to approve and accept the minutes of August 10, 2009 as presented. Motion Carried.

Agenda Item No. Two – Consider application of Consumer Price Index Applicable to Hutto Garbage Service Rates.

On this 14th day of September, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Bobby Parton that in lieu of a rate increase for the contract year of 2010 that the City of Elkhart agrees to extend the contract with Hutto Garbage Service through October 01, 2014. Motion Carried.

Agenda Item No. Three – To Be Heard and Considered; Windstream Communications Parking Issue on One-way Street; North Church.

On this 14th day of September, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Karen Bridges that the City purchase and install the correct signs for a One-way Street. Motion Carried.

Agenda Item No Four – Consider Ordinance Adopting City of Elkhart Budget for Fiscal Year of 2009/2010.

On this 14th day of September, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to approve, accept, and adopt the City of Elkhart's budget for the City's fiscal year of 2009/2010 by Ordinance No. 253-091409; an ordinance of the City of Elkhart, Texas adopting the budget for the City of Elkhart, Texas for the fiscal year beginning October 01, 2009 and ending September 30, 2010; providing for the intra and inter department and fund transfers and declaring an effective date. Motion Carried.

Agenda Item No. Five – Consider Ordinance Setting Property Tax Rate for Tax year of 2009.

On this 14th day of September, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to leave the City of Elkhart's property tax rate at 0.2954 by the passing and adoption of Ordinance No. 254-091409; an ordinance providing for the Levy of Ad Valorem Taxes on all Real and Personal Property situated within the corporate limits of the City of Elkhart, Texas for the year of 2009; providing a penalty and interest for failure to pay the taxes levied within the time provided by law; fixing a lien on Real and Personal property to secure the payment of taxes and repealing all ordinances or parts of ordinances. The vote was as follows: Doug Smith, Aye; Karen Bridges, Aye; Bobby Parton, Aye; Randy McCoy, Aye; Bill Cargill, Nay. Vote: 4 Ayes – 1 Nay. Motion Carried.

Agenda Item No. Six – Consider Ordinance Governing Regulations for Grease Traps/Interceptors.

On this 14th day of September, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Doug Smith to pass, approve, and adopt Ordinance No. 255-091409; an ordinance of the City of Elkhart, Texas to implement rules and requirements governing non-domestic users of grease traps and the establishing of penalties and/or fines for non-compliance of said ordinance. Motion Carried.

Agenda Item No. Seven – Consider Ordinance Implementing “NO PARKING POLICY” at Locations on US Hwy 287S.

On this 14th day of September, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Doug Smith to pass, approve, and adopt Ordinance No.256-091409; an ordinance of the City of Elkhart, Texas implementing a "No Parking" policy governing businesses, buildings, and residences located on either side of US Hwy 287S within the corporate limits of Elkhart, Texas and the imposing of civil penalties for violations of this "NO PARKING POLICY". "NO PARKING" signs are to be erected at the locations of 108 and 413 US Hwy 287S. Motion Carried.

Agenda Item No. Eight – Consider Enforcing HB 55, 81st Legislature "Cell Phone Use Prohibited-Up to \$200 Fine" Within A School Zone.

On this 14th day of September, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Bobby Parton to join with TxDOT in enforcing HB 55, 81st Legislature "Cell Phone Use Prohibited Up to \$200 Fine" within a school zone. Motion Carried.

Agenda Item No. Nine – Consider Amending Fire Department Budget for For Fiscal Year of 2009/2010.

On this 14th day of September, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to take no action on Agenda Item No. Nine. Motion Carried.

Councilmember Bill Cargill exited the council meeting as of 7:40 p.m.

Agenda Item No. Ten – Consider Sewer Charges for Summer Months.

On this 14th day of September, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Karen Bridges to leave sewer rates for the summer months of June, July, August, and September as is. Motion Carried.

Agenda Item No. 11 – Consider Re-Working Day Well.

On this 14th day of September, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Bobby Parton to have Jere Pritchett of Palestine Well Service secure Day Well. Motion Carried

Agenda Item No. 12 – Consider Elkhart Water System Inter-Connecting with Slocum Water System.

On this 14th day of September, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to table Agenda Item No. 12 until next council meeting. Motion Carried.

Agenda Item No. 13 – Financial Report.

On this 14th day of September, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Bobby Parton to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. 14 – Executive Session, Open Meetings Act, Section 551.074; Personnel, Consider Wage Analysis; Hourly Verses Salaried.

Mayor Dunlap called for Executive Session under the Open Meetings Act, Section 551.074 and the council exited out of open session and entered into closed session at 8:08 p.m.

Agenda Item No. 15 – Re-convene Into Open Meeting: Consider Wage Analysis; Hourly Verses Salaried.

On this 14th day of September, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Doug Smith to move Code Enforcement Official Howard Calloway from an hourly wage to salaried employee; salary to be paid bi-weekly in the amount of \$ 1,160. Motion Carried.

Agenda Item No. 16 – To BE Heard; Reports from Mayor, City Secretary, Public Works Supervisor, Code Enforcement Official and Emergency Management Coordinator.

All reports having been given, Agenda Item No. 17. Adjournment was addressed.

Mayor Dunlap asked for a motion to adjourn.

On this 14th day of September, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to adjourn the meeting. Motion Carried.

This Council Meeting of September 14, 2009 adjourned as of 9:06 p.m.



Raymond Dunlap, Mayor

ATTEST:



Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On this date of September 21, 2009, the City of Elkhart Council convened into a Special Called Meeting with the following members present:

Raymond Dunlap	*	Mayor
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Bobby Parton	*	Councilmember
Doug Smith	*	Councilmember

Council members absent: Randy McCoy and Bill Cargill

Citizen Present: Erroll Tatum

Financial Secretary: Vicki Frederick

A quorum being present Mayor Dunlap called the meeting to order at 6:05 p.m. and proceeded with addressing the agenda items as follows:

Agenda Item No. One – Consider Councilmember’s Resignation from Place Two Council Seat and Declare Place Two Vacant.

On this 21st day of September, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges that the council accept Bill Cargill’s resignation from Place Two on the City of Elkhart Council and declare Place Two vacant. Motion Carried.

Agenda Item No. Two – Consider Appointment to Vacant Place Two Council Seat.

On this 21st day of September, 2009, a motion was made by Councilmember Bobby Parton and seconded by Doug Smith to appoint Erroll Tatum to Place Two Council Seat for the unexpired term as of May, 2011. Motion Carried.

There being no further business to act upon, Mayor Dunlap asked for a motion to adjourn the Special Called Meeting.

On this 21st day of September, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to adjourn the meeting. Motion Carried.

This Special Called Meeting adjourned as of 6: 07 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Fifth day of October, 2009, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Council member absent: Bobby Parton

A quorum being present, Mayor Dunlap called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was said by all in attendance of the meeting and following citizens were recognized. There being none to be heard as of this time, agenda items were addressed by council.

OLD BUSINESS:

Tabled Item No. One – Consider Elkhart Water System Inter-Connecting with Slocum Water System.

On this Fifth day of October, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith that no action be taken and this item remains on the Tabled Item List. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of September 14th and September 21st, 2009.

On this Fifth day of October, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to approve and accept the minutes of September 14th, 21st, 2009 as presented. Motion Carried.

Council member Bobby Parton arrived for the meeting at 6:26 p.m.

Mayor Dunlap brought Tabled Item No. One listed under Old Business back to the council table to be re-considered.

OLD BUSINESS:

Agenda Item No. One – Consider Elkhart Water System Inter-Connecting with Slocum Water System.

On this Fifth day of October, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges that Tabled Item No. One under Old Business remains on agenda for further information. Motion Carried.

NEW BUSINESS:

**Agenda Item No. Two – To Be Heard, Gene Barnes; Re: City of Elkhart
Acquiring Local Law Enforcement.**

This item was for discussion only; Mayor Dunlap stated to Mr. Barnes that the City Council would take the matter into consideration.

**Agenda Item No. Three – Consider Selection of City of Elkhart's Official
Newspaper for Fiscal Year of 2009/2010.**

On this Fifth day of October, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Bobby Parton that the Palestine Herald Press be the City of Elkhart's official newspaper for the city's fiscal year of 2009/2010 and is hereby implemented by the passing and adopting of Resolution No. 278-100509; a resolution of the City of Elkhart, Texas designating the official newspaper for the city's fiscal year of 2009/2010. Motion Carried.

**Agenda Item No. Four – Consider Rental Agreement Between City of Elkhart
and Elkhart Volunteer Fire Department for Housing of
Fire Vehicles & Equipment.**

On this Fifth day of October, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to renew rental agreement between the City of Elkhart and the Elkhart Volunteer Fire Department for a term of one year. The vote was as follows: Doug Smith, Aye; Karen Bridges, Aye; Bobby Parton, Aye; Erroll Tatum, Aye; Randy McCoy abstained. Ayes having majority of vote, Motion Carried.

**Agenda Item No. Five – Consider Rental Agreement Between City of Elkhart and
First Responders for Housing of Emergency Response
Vehicle & Equipment.**

On this Fifth day of October, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Doug Smith to renew the rental agreement between the City of Elkhart and the First Responders for a term of one year. The vote was as follows: Doug Smith, Aye; Karen Bridges, Aye; Bobby Parton, Aye; Erroll Tatum, Aye; Randy McCoy, Abstained. Ayes having the majority vote, Motion Carried.

Agenda Item No. Six – Consider Centralized Time Clock.

On this Fifth day of October, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Doug Smith that the City of Elkhart will have one centralized Time Clock located at the City Office for all employees and this is to be effective as of Thursday morning, October 08, 2009. Motion Carried.

Agenda Item No. Seven – Consider City of Elkhart/TCEQ Agreed Order.

On this Fifth day of October, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Doug Smith to enter into the Agreed Order with Texas Commission on Environmental Quality (TCEQ) with the appropriate signature affixed to the order and pay the penalty in the amount of TWO THOUSAND TWO HUNDRED THIRTY-TWO DOLLARS (\$ 2,232). Motion Carried.

**Agenda Item No. Eight – Consider Invoice for Audit of 06/07; Staples &
Associates, P.C., CPA's.**

On this Fifth day of October, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Erroll Tatum for the City to acquire an attorney opinion in regard to non-payment of Staples & Associates Invoice for audit of 06/07 providing adjusting entries resulting from audit. Motion Carried.

Agenda Item No. Nine – Approve Financial Report.

On this Fifth day of October, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Bobby Parton to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Ten – Consider Continuation of Messages on Water Bills and Briefs for Packets.

On this Fifth day of October, 2009, a motion was made by Councilmember Doug Smith and seconded by Erroll Tatum to continue with messages on water bills and to provide council with brief pertaining to agenda items. Motion Carried.

Agenda Item No. 11 – Reports; Mayor, City Secretary, Public Works Supervisor, Code Enforcement Official and Emergency Management Co-coordinator.

All reports having been given, Mayor Dunlap asked for a motion to adjourn the meeting.

Agenda Item No. 12. – Adjournment.

On this Fifth day of October, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to adjourn the meeting. Motion Carried.

This City of Elkhart Council Meeting of October 05, 2009 adjourned as of 8:20 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Second day of November, 2009, the City of Elkhart conducted a Public Hearing on the Texas Community Development Block Grant Program with the following council members present:

Raymond Dunlap	*	Mayor
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Doug Smith	*	Councilmember

Absent: Council member Bobby Parton and Mayor Pro-tem Randy McCoy.

Citizens recognized as present were Lucky and Angela Steubing, Greg Chapin, and Ed Wagner.

The Public Hearing convened at 5:45 p.m. and Mayor Dunlap proceeded with review of performance of the City's Contract No. 727149; CDBG program for the year of 2007.

The council took questions and comments on the Community Development Block Grant program. Discussion between citizens and council was implemented by the mayor.

There being no further questions, comments and discussion on the issue, the public hearing for the Community Development Block Grant was closed.

This public hearing closed at 6:01 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Second day of November, 2009, the City of Elkhart Council convened into a regular session meeting with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Bobby Parton	*	Councilmember
Doug Smith	*	Councilmember
Errol Tatum	*	Councilmember

A quorum being present, Mayor Dunlap called the meeting to order at 6: 05 p.m.

The Pledge of Allegiance was said by all in attendance of the meeting and following citizens present were recognized.

Mayor Dunlap recognized Mr. Steubing to address the council regarding the Right-a-way on Woodcrest Street, drainage problems, basketball goals in street and animal control. This issue not being on the agenda, there was no action to be taken.

Following Lucky Steubing, Greg Chapin was recognized to address the council. Greg Chapin presented a request for additional Street Lighting on U.S. Hwy. 287 S. to be located close to his business. There was no action taken as this issue was not on the agenda.

OLD BUSINESS:

1. Consider Elkhart Water System Inter-Connecting with Slocum Water System.

On this Second day of November, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Doug Smith that the City of Elkhart (water system) enters into agreement with Slocum Water System by written contract for the purpose of inter-connecting the two water systems. Motion Carried.

NEW BUSINESS:

- Agenda Item No. One - Approve Minutes of October 05, 14, and 19, 2009.

On this Second day of November, 2009, a motion was made by Councilmember Errol Tatum and seconded by Councilmember Bobby Parton to approve and accept the minutes of October 5th, 14th, and 19th, 2009 as presented. Motion Carried.

- Agenda Item No. Two – Consider Appointment of a Board of Director Representative to ACCAD.

On this Second day of November, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Bobby Parton that Mayor Raymond Dunlap be appointed as the City of Elkhart's representative to the Anderson County Central Appraisal District Board of Directors. Motion Carried.

Agenda Item No. Three – Consider Proposal for purchase of Computers for City Office.

On this Second day of November, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Errol Tatum that the City of Elkhart purchase two computers for the front office in order to up-grade the system. Motion Carried.

Agenda Item No. Four – Consider Proposals for Construction of Security Barrier In City Office.

On this Second day of November, 2009, a motion was made by Councilmember Errol Tatum and seconded by Councilmember Bobby Parton to accept the proposal of A-1 Glass and Mirror to construct the security barrier in the front office of City Hall. Motion Carried.

Agenda Item No. Five – Consider Purchase of Attachments for Jet Machine; Pipe Gun and Cleaning Nozzle.

On this Second day of November, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Doug Smith approving the purchase of attachments for the Jet Machine; Pipe Gun and Cleaning Nozzle. Motion Carried.

Agenda Item No. Six – Consider Annexation of Property Located on ACR 164; Also Known as Day Road.

On this Second day of November, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to take no action on Agenda Item No. Six. Motion Carried.

Agenda Item No. Seven – Approve Financial Report.

On this Second day of November, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Errol Tatum approving and accepting the Financial Report as presented. Motion Carried.

Agenda Item No. Eight – Executive Session, Open Meetings Act, Section 551.074, Personnel; Consider Hiring for Combined Position of Court Clerk and Counter Clerk; Consider Overtime and Attitude Relating to Employees.

Mayor Dunlap called for executive session (closed meeting) and council exited out of open session at 7:15 p.m.

City of Elkhart Council convened back into open session as 8:15 p.m.

Agenda Item No. Nine – Convene Into Open Session; Consider Hiring for Combined Position of Court Clerk and Counter Clerk.

On this Second day of November, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Bobby Parton to hire Donna Surber as Part-time Court Clerk and as emergency back-up for the front office when other employees are absent. Motion Carried.

Agenda Item No. Ten – Consider Overtime and Attitude Relating to Employees.

On this Second day of November, 2009, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Bobby Parton to take no action on Agenda Item No. Ten. Motion Carried.

Agenda Item no. 11 – Reports to Be Heard; Mayor, City Secretary, Public Works Supervisor, Code Enforcement Official and Emergency Mgmt. Coordinator.

Reports having been given, Mayor Dunlap addressed Agenda Item No. 12 and asked for a motion to adjourn.

On this Second day of November, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to adjourn this meeting of November 02, 2009. Motion Carried.

This City of Elkhart Council Meeting adjourned as of 8:30 p.m.



Raymond Dunlap, Mayor

ATTEST:



Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Seventh day of December, 2009, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Karen Bridges	*	Councilmember
Bobby Parton	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Absent were Mayor Pro-tem Randy McCoy and City Secretary Margie Crawford. Vicki Frederick, Financial Secretary, acted in City Secretary's stead for this meeting.

Pledge of Allegiance was said by all in attendance of the meeting.

Citizens present and recognized were Mr. and Mrs. Bradfield, Francis Steubing, Jason and Jessie Smith. Also present was Engineer Tracy Hicks and his assistant Sigi West.

A quorum being present, Mayor Dunlap called the meeting to order at 6:00 p.m. and proceeded by moving Agenda Item No.13 up to first place in lieu of acting on Agenda Item No. One; Approval of Minutes of November 02, 2009.

Addendum Item:

Agenda Item No. 13 – Consider Bid Proposal for Jones Rd. Line Replacement.

Bids having been tabulated by engineer Tracy Hicks and submitted to council for consideration, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Doug Smith to award the bid to Stan's Backhoe Service in the amount of \$68,513. Motion Carried.

Agenda Item No. One – Approve Minutes of November 02, 2009.

On this Seventh day of December, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Bobby Parton to approve and accept the minutes of November 02, 2009 as presented. Motion Carried.

Agenda Item No. Two – Presentation by Josh Payne on Solar Power; Renewable Energy Experts Co.

On this Seventh day of December, 2009, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Doug Smith to take no action on Agenda Item No. Two. Motion Carried.

Agenda Item No. Three – Consider Animal Control Pertaining to Horses; Michele Bradfield.

On this Seventh day of December, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Karen Bridges to table Agenda Item No. Three for more information on the issue of animal control governing horses inside the city limits of Elkhart. Motion Carried.

Agenda Item No. Four – Consider Request for a Street Light on U.S. Hwy 287 S;

Greg Chapin.

On this Seventh day of December, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Erroll Tatum to take no action on Agenda Item No. Four. Motion Carried.

Agenda Item No. Five – To Be Heard; Presentation by Engineer Chris Gafford of Velvin & Weeks.

On this Seventh day of December, 2009, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Bobby Parton to take no action on Agenda Item No. Five as a representative from Gafford of Velvin & Weeks was not present for the meeting. Motion Carried.

Agenda Item No. Six – Consider Holidays for City of Elkhart's Fiscal Year of 2010.

On this Seventh day of December, 2009, a motion was made by Councilmember Bobby Parton and seconded by Councilmember Doug Smith to approve the City of Elkhart's holidays for the city's fiscal year of 2010 as presented. Motion Carried.

Agenda Item No. Seven – Consider Creating Long Range Plan for Sewer Line Replacements and for Street Maintenance and Repair.

On this Seventh day of December, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to table Agenda Item No. Seven. Motion Carried.

Agenda Item No. Eight – Approve Financial Report.

On this Seventh day of December, 2009, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Bobby Parton to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Nine – Executive Session; Open Meetings Act, Section 551,074 Personnel; Employee's Bonuses.

Mayor Dunlap called for executive session and closed the open meeting at 6:55 p.m.

City Council reconvened into Open Session as of 7:45 p.m.

Agenda Item No. Ten – Open Session; Consider Employees' Bonuses.

On this Seventh day of December, 2009, a motion was made by Councilmember Doug Smith and seconded by Councilmember Bobby Parton to give bonuses to each employee of the City. Motion Carried.

Agenda Item No. 11 – Reports to Be Heard; Mayor, Public Works, Code Enforcement Official and Emergency Management Coordinator.

All reports having been given, Agenda Item No. 12 was addressed by council.

Agenda Item No. 12 – Adjourn.

On this Seventh day of December, 2009, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Bobby Parton to adjourn the meeting. Motion Carried.

This regular council meeting of December 07, 2009 adjourned at 8:20 p.m.

Raymond Dunlap
Raymond Dunlap, Mayor

ATTEST:

Vicki Frederick
Vicki Frederick, Financial Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Fourth day of January, 2010, the City of Elkhart Council convened into a regular session with the following members in attendance:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Councilmember Bobby Parton was absent from the meeting.

A quorum being present, Mayor Dunlap called the meeting to order at 6:00 p.m. and following the Pledge of Allegiance was said by all in attendance of the meeting.

Citizens recognized as present; Janice Whittenburg, Paul Martin, Frances Steubing, Ratael Hernandez, Rev. Lynn Willhite, Michele and William Bradfield.

Mr. Steubing was recognized to address the council and the issue of athletic equipment being placed in the street creating a hazard and the destruction of a mailbox was the topic discussed by Mr. Steubing and the council. This was not an agenda item, therefore, there was no action to be taken.

OLD BUSINESS:

1. Consider Animal Control Pertaining to Horses; Michele Bradfield.

On this Fourth day of January, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Karen Bridges that the city will accept the signatures of persons located within 500 ft. of Ms. Bradfield's location indicating they have no objection to Ms. Bradfield having a horse at her location within the city limits of Elkhart. The condition for acceptance is that Ms. Bradfield's signature must be on the document and must be notarized and Code Enforcement Official is to contact persons which have signed the document. Motion Carried.

2. Consider Creating Long Range Plan for Sewer Line Replacements and For Street Maintenance and Repair.

On this Fourth day of January, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to take no action and Item No. Two under Old Business remains until next meeting. Motion Carried.

NEW BUSINESS:

Mayor Dunlap moved Agenda Item No. Four to be considered first in lieu of Agenda Item No One.

Agenda Item No. Four – Consider Location for Processing Church Charities Applications.

On this Fourth day of January, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to decline on allowing church Charities to utilize space within City Hall for the processing of applications due to city not having sufficient space. Motion Carried.

Agenda Item No. One – Approve Minutes of December 07, 2009.

On this Fourth day of January, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to approve and accept the minutes of December 07, 2009 as presented. Motion Carried.

Agenda Item No. Two – Order City of Elkhart May 08, 2010 General Election With Proposition for Continuance of Sales Tax Designated for Street Maintenance and Repair.

On this Fourth day of January, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum ordering the City of Elkhart General Election of May 08, 2010 with Proposition on the ballot for continuance of Sales Tax designated for street maintenance and repair by the passing and adoption of Ordinance No. 257-010410; an ordinance calling the City of Elkhart's General Election for the Electing of Officers to the City of Elkhart Council and calling for reauthorization for continuance of a street maintenance sales tax and use of a direct recording electronic voting machine(s). Motion Carried.

Agenda Item No. Three – Consider Resolution to Designate Authorized Signators For 2008 Texas CDBG Supplemental Disaster Relief Program.

On this Fourth day of January, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Doug Smith to designate the Mayor, City Secretary and Mayor Pro-tem as signators for Texas CDBG Supplemental Disaster Relief Program. Motion Carried.

Agenda Item No. Five – Consider Up-date of Software for Computers.

On this Fourth day of January, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Erroll Tatum for city to up-date software on city's computers for a cost of TWO THOUSAND FOUR HUNDRED DOLLARS (\$2,400). Motion Carried.

Agenda Item No. Six – Consider Attorney for City of Elkhart.

On this Fourth day of January, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to take no action and Table this item until contacts may be made to various attorneys and data be brought back to council in next meeting. Motion Carried.

Agenda Item No. Seven – Consider CPA Proposals for Audit.

On this Fourth day of January, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Karen Bridges to pay half of the invoice which stated the amount due as being \$1,406.05; agreed payment to Staples & Associates is \$703.03. Motion Carried.

On this Fourth day of January, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith that City of Elkhart awards the contract for audits of 07/08 and 08/09 to the CPA firm of Todd, Hamaker & Johnson, LLP. Motion Carried.

Agenda Item No. Eight – Approve Financial Report.

On this Fourth day of January, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Nine – Reports to be Heard; Mayor, City Secretary, Public Works Supervisor, Code Official, Emergency Mgmt. Coordinator.

All reports having been given, Mayor Dunlap asked for a motion to adjourn the meeting.

Agenda Item No. Ten – Adjourn.

On this Fourth day of January, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to adjourn the meeting. Motion Carried.

This City of Elkhart Council Meeting adjourned at 8:10 p.m.



Raymond Dunlap, Mayor

ATTEST:



Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On this First day of February, 2010, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Council members absent; Bobby Parton and Karen Bridges.

A quorum being present, Mayor Dunlap called the meeting to order at 6:00 p.m. and proceeded with the saying of the Pledge of Allegiance and following was recognition of citizens in attendance of the meeting.

There being no citizens to be heard as of this time in the meeting, agenda items were addressed as follows:

OLD BUSINESS:

1. Consider Creating Long Range Plan for Sewer Line Replacements and Street Maintenance & Repair.

On this First day of February, 2010 a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Doug Smith to approve purchase of additional road material for street repairs and Item No. One remains on the Tabled Item List for submission of written plans. Motion Carried.

2. Consider Attorney for City of Elkhart.

On this First day of February, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to table Item No. Two in order to allow time for other attorneys to provide letters of qualifications and rates prior to council making a decision on the issue. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Report by Engineer Firm of Wisenbaker Fix & Associates on TCEQ Compliance Issues and Various City Projects; Sigi West.

Upon completion of report by Sigi West of Wisenbaker Fix & Associates which reiterated the time line for submission of reports to TCEQ under the Agreed Order with a start date of January 25, 2010, a motion was asked for by Mayor Dunlap.

On this First day of February, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Randy McCoy to take no action on Agenda Item No. One. Motion Carried.

Agenda Item No. Two – To Be Heard; Presentation by Engineering Firm of Velvin & Weeks.

Mr. Tyler N. Hendrickson, P.E. of Velvin & Weeks did a presentation on the engineering firm of Velvin & Weeks and also introduced himself and his associate to the council as representatives for the engineering firm. There was no action to be taken as this item was for discussion only.

Agenda Item No. Three – Approve Minutes of January 04, 2010.

On this First day of February, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to approve and accept the minutes of January 04, 2010 as presented. Motion Carried.

Agenda Item No. Four – Consider Single Petition to Annex Property Located at U.S. Hwy 287 N; Elkhart I.S.D.

On this First day of February, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to table Agenda Item No. four for further study of the issue. Motion Carried.

Agenda Item No. Five – Amend Flood Damage Prevention Ordinance No. 131-040609; Article 3, Section B.

On this First day of February, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to amend Article 3, Section B. of Ordinance No. 131-040609 as presented. Motion Carried.

Agenda Item No. Six – Consider Plan for Day Road Well.

On this First day of February, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to table Agenda Item No Six for filing of a claim on dropped equipment and as to whether or not Palestine Water Well Service, Inc had a Performance Bond at the time of providing a service to the city. Motion Carried.

Agenda Item No. Seven – Consider Clinic for Vaccination of Dogs.

This issue was discussed and Howard Calloway will contact the school for more information regarding the schools annual fund raiser; vaccination of dogs. Therefore, there was no action to be taken as this item was for discussion only.

Agenda Item No. Eight – Approve Financial Report.

On this First day of February, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Nine – Reports: Mayor, City Secretary, Public Works Supervisor, Code Enforcement Official, Emergency Mgmt. Coordinator.

All reports having been given, Mayor Dunlap asked for a motion to adjourn the meeting.

On this First day of February, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to adjourn the meeting. Motion Carried.

This City of Elkhart Council Meeting adjourned as of 8:40 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the First day of March, 2010, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Council member absent was Bobby Parton.

Mayor Dunlap called the meeting to order at 6:04 p.m. and declared a quorum as being present.

The Pledge of Allegiance was said by all in attendance of the meeting and next order of business was the recognition of citizens. Citizen Billy Jack Wright was in attendance of the meeting.

There being no citizens to be heard as of this time in the meeting, agenda items were addressed as follows:

OLD BUSINESS:

1. Consider Creating Long Range Plan for Sewer Line Replacements and Street Maintenance & Repairs.

On the First day of March, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Karen Bridges to take no action on Item No. One and this item remains on the Tabled Item List. Motion Carried.

2. Consider Attorney for City of Elkhart.

On the First day of March, 2010, a motion was made by councilmember Randy McCoy and seconded by Councilmember Doug Smith to invite attorney Blake E. Armstrong to city's next council meeting and the hiring thereof pending on Mr. Armstrong's visit with the council. Motion Carried.

3. Consider single Petition to Annex Property Located at U.S. Hwy 287 N; Elkhart I.S.D.

On the First day of March, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to take no action on Item No. 3, Consider Single Petition to Annex Property Located at U.S. Hwy 287 N, and to remove this item from the Tabled Item List unless Elkhart I.S.D. has further action to be taken on the school's side of the issue. Motion Carried.

4. Consider Plan for Day Road Well.

On the first day of March, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Karen Bridges that tabled Item No. 4 remains on the Tabled Item List. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Consider Approving Minutes of February 01, 2010.

On the First day of March, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Erroll Tatum to approve and accept the minutes of February 01, 2010 as presented. Motion Carried.

Agenda Item No. Two – Consider Appointment of Presiding Judge, Alternate Judge and Early Voting Clerk.

On the First day of March, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Doug Smith to approve, pass, and adopt Resolution No. 280-030110; a resolution appointing Wendie Nivens as Presiding Judge, Deborah Richbourg Fuller as Alternate Judge and Margie Crawford as Early Voting Clerk. Motion Carried.

Agenda Item No. Three – Consider Transfer of Funds From Elkhart WaterWorks/Sewer systems MMA to Elkhart WaterWorks/Sewer Sewer Systems Bank Account.

On the First day of March, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to transfer \$ 68,513 from the Elkhart WaterWorks/Sewer Systems Money Market Account and deposit money into the Elkhart WaterWorks/Sewer Systems regular checking account in order to fund the Jones Road Sewer Line Replacement Project. Motion Carried.

Agenda Item No. Four – Consider Amending City of Elkhart Budget for Fiscal Year of 09/10.

On the First day of March, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to approve budget amendments in the total amount of \$ 77,555; a sum total of each fund presented for consideration. Motion Carried.

Agenda Item No. Five – Consider Relocation of Public Works Files.

On the First day of March, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum for the Public Works Master Files be relocated from the Waste Water Plant to City Office. Motion Carried.

Agenda Item No. Six – Consider Bobby Parton's resignation from Council Seat Place Three and Declaration of Vacancy.

On the First day of March, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to accept Bobby Parton's resignation from Place Three and declare Place Three vacant. Motion Carried.

Agenda Item No. Seven – Consider Approving Financial Report.

On the First day of March, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Eight – To Be Heard, Reports; Mayor, City Secretary, Pub. Wks. Supervisor, Code Enforcement Official and Emergency Mgmt. Coordinator.

All reports having been given, Mayor Dunlap asked for a motion to adjourn the meeting.

Agenda Item No. Nine – Adjournment.

On the First day of March, 2010, a motion was made by Councilmember Erroll Tatum and Councilmember Doug Smith to adjourn the meeting. Motion Carried.

This regular session of the City of Elkhart Council adjourned as of 8:00 p.m.



Raymond Dunlap, Mayor

ATTEST:



Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Fifth day of April, 2010, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Place Three remains vacant as of this meeting.

A quorum being present, Mayor Dunlap called the meeting to order at 6:00 p.m. and commenced by having all in attendance state the Pledge of Allegiance.

Citizens in attendance and recognized were Attorney Blake Armstrong, Pat Burke, and Lucia Butler.

Upon all preliminaries having been completed, agenda items were addressed by the council as follows:

OLD BUSINESS:

Tabled Item No. One – Consider Creating Long Range Plan for Sewer Line Replacements and Street Maintenance & Repairs.

On the Fifth day of April, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to take no action and this item remains on the Tabled Item List. Motion Carried.

Tabled Item No. Two – Consider Plan for Day Well.

On the Fifth day of April, 2010, a motion was made by Councilmember Randy McCoy and seconded by Doug Smith to take no action and this item remains on the Tabled Item List. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Consider Approving Minutes of March 01, 2010.

On the Fifth day of April, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Erroll Tatum to approve and accept the minutes of March 01, 2010 as read. Motion Carried.

Agenda Item No. Two – To Be Heard and Considered, Attorney Blake Armstrong.

On the Fifth day of April, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Erroll Tatum to hire Mr. Blake Armstrong for the city's attorney and use Mr. Armstrong's services for any other legal matters that the city deems necessary. Motion Carried.

Agenda item No. Three – Consider Drainage Problem in Ditch Line; Pat Burke.

On the Fifth day of April, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Doug Smith that a Work Order is made for correcting the drainage problem at Ms. Pat Burke's residence and that the city purchases a culvert to replace the damaged culvert located in curve of street. Motion Carried.

Agenda Item No. Four – Consider Ordinance Authorizing Elkhart Volunteer Fire Department Billing for Emergency Services.

On this Fifth day of April, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to approve, pass, and adopt Ordinance No. 258-040510; an ordinance of the City of Elkhart, Texas authorizing the Elkhart Volunteer Fire Department to charge the cost of certain emergency and rescue services within the response area of Elkhart Volunteer fire Department. Recovered revenue would be used to purchase Apparatus, Tools, Equipment and Materials for the Elkhart Volunteer Fire Department. The vote was as follows: Karen Bridges, Aye; Doug Smith, Aye; Errol Tatum, Aye and Randy McCoy refrained. Three Ayes and One Refrain; Motion Carried.

Agenda Item No. Five – Consider Petition for Annexation with Metes and Bounds; Elkhart I.S.D.

On this Fifth day of April, 2010, a motion was made by Councilmember Doug Smith to take no action and remove this item from the agenda. This motion failed due to lack of a second on the motion.

On this Fifth day of April, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Doug Smith that as of this time to say no to annexation of school property and reconsider the issue at a later time. Motion Carried.

Agenda Item No. Six – Consider Cancellation of General Election for Council Places by Order and Declare Unopposed Candidates Duly Elected.

On this Fifth day of April, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Karen Bridges to cancel the City of Elkhart's General Election and hereby declare all unopposed candidates duly elected and that a Special Election is called for a vote on the "reauthorization of the local sales and use tax in the City of Elkhart, Texas at the rate of ¼ of one percent (1%) to continue providing revenue for maintenance and repair of municipal streets". Motion Carried.

Agenda Item No. Seven – Consider Changing Time for Council Meetings.

On this Fifth day of April, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Erroll Tatum to take no action and bring back the issue in late fall. Motion Carried.

Agenda Item No. Eight – Consider Approving Financial Report.

On this Fifth day of April, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to approve and accept the Financial Report as presented. The vote is as follows: Karen Bridges, Aye; Doug Smith, Aye; Erroll Tatum, Aye; Randy McCoy, Nay. 3 Ayes and 1 Nay. Ayes having majority of the vote, motion carried.

Agenda Item No. Nine – Reports to Be Heard.

Reports were given and there was no action required as this item is for discussion only.

Agenda Item No. Ten – Adjourn.

On this Fifth day of April, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to adjourn the meeting. Motion Carried.

This council meeting of April 05, 2010 adjourned as of 8:05 p.m.

Raymond Dunlap
Raymond Dunlap, Mayor

ATTEST:

Margie Crawford
Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 3rd day of May, 2010, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Mayor Dunlap called the meeting to order at 6:00 p.m. and declared a quorum as being present to address agenda items.

The Pledge of Allegiance was said by all in attendance and following was recognition of citizens. Citizen Earl Jenkins was recognized to speak to council regarding easements and as this was an agenda item it could not be acted upon at this time in the meeting.

OLD BUSINESS:

Tabled Item No. One – Consider Creating Long Range Plan for Sewer Line Replacements and Street Maintenance and Repair.

On the 3rd day of May, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith adopting the proposed Long Range Plan for Street Maintenance and Repair as funds become available. Motion Carried.

Tabled Item No. Two - Consider Plan for Day Well.

On the 3rd day of May, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to do repairs and keep Day Well on Line for future use. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of April 05, 2010.

On the 3rd day of May, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Randy McCoy to approve and accept the minutes of April 05, 2010 as presented. Motion Carried.

Agenda Item No. Two – Consider Animal Ordinance, Section 3. Keeping of Cattle, Horses, Swine, Goats and Poultry; Francis Anderson.

On the 3rd day of May, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to take no action on Agenda Item No. Two. Motion Carried.

Agenda Item No. Three – To Be Heard, Beverly Anderson, representative for Garden of Memories Cemetery Association, on Easement for laying of Sewer Line to Service New

Elkhart ISD High School Building.

On the 3rd day of May, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Doug Smith to take no action on Agenda Item No. Three. Motion Carried.

Agenda Item No. Four – Executive Session, Open Meetings Act, Section 551.074, Personnel; (1) Evaluation of Public Works Supervisor And Duties Thereof (2) Evaluation of Court Clerk and Duties Thereof.

On the 3rd day of May, 2010, the council exited open session and convened into closed session at 6:50 p.m.

At 8:45 p.m. council came out of closed session and convened back into open session.

Agenda Item No. Five – Consider Evaluation of Public Works Supervisor and Duties Thereof.

On the 3rd day of May, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Karen Bridges that Agenda Item No. Five be tabled for further research and TML may be contacted for more information. Motion Carried.

Agenda Item No. Six – Consider Evaluation of Court Clerk and Duties Thereof.

On the 3rd day of May, 2010 a motion was made by Councilmember Doug Smith and seconded by Councilmember Erroll Tatum to remove employee Donna Surber off of probation and increase her hourly wage by three percent (3%). Motion Carried.

Agenda Item No. Seven – Consider Approving Public Funds Investment Officers to attend Seminar on the public Funds Investment Act.

On the 3rd day of May, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith approving for Financial Secretary Vicki Frederick and City Secretary Margie Crawford to attend a seminar on the Public Funds Investment Act at a location in the city of Galveston, Texas. Motion Carried.

Agenda Item No. Eight – Consider Placing Speed Humps (bumps) on Hatten and Edward Streets.

On the 3rd day of May, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges that as funds become available Speed Bumps be placed at referenced locations on Hatten Street and in the curve of Edwards and Hatten Streets even if its two (2) at a time. Motion Carried.

Delete per Council me

Agenda Item No. Nine – Consider Criteria for the Posting of Payables in the Fire Department Fund.

On the 3rd day of May, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges that any invoices for payment of purchased Fire Hydrant (s) be posted in the Water Fund, not Fire Fund. Motion Carried.

Agenda Item No Ten – Consider Financial Report.

On the 3rd day of May, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Karen Bridges to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. 11 – Reports to Be Given; Mayor, City Secretary, Public Works Supervisor, City of Elkhart Emergency Mgmt. Coordinator And Code Enforcement Official.

All reports having been given, a motion to adjourn was asked for by Mayor Dunlap.

Agenda Item No. 12 – Adjournment.

On the 3rd day of May, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to adjourn the meeting. Motion Carried.

This regular session of the City of Elkhart Council adjourned at 9:15 p.m.



Raymond Dunlap, Mayor

ATTEST:



Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 17th day of May, 2010, the City of Elkhart Council convened to canvass the City of Elkhart's Special Election of May 08, 2010. Council Members present are as follows:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Others present were Financial Secretary Vicki Frederick and Court Clerk Donna Surber and elected candidate Lucia Butler.

Mayor Dunlap called the canvass of election returns to order and proceeded with the count of votes for the "reauthorization of the local sales and use tax in the City of Elkhart, Texas at the rate of ¼ of one percent (1%) to continue providing revenue for maintenance and repair of municipal streets."

The Canvass of Votes is as follows:

36 Votes For the proposition.

03 Votes Against proposition.

Proposition passed by majority of 36 votes for the proposition.

Canvassing of the votes was completed and Mayor Dunlap called for a motion to approve and accept the vote as presented.

On this 17th day of May, 2010, a motion was made by Councilmember Doug Smith and Councilmember Karen Bridges that the City of Elkhart Council approves and accepts the votes of the City's Special Election of May 08, 2010 as presented. Motion Carried.

Following a motion to adjourn was asked for by the mayor.

On this 17th day of May, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Erroll Tatum to adjourn the canvassing meeting. Motion Carried.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Seventh day of June, 2010, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Lucia Butler	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Absent was Randy McCoy, Mayor Pro-tem.

A quorum being present Mayor Dunlap called the meeting to order at 6:00 p.m. and proceeded with the Pledge of Allegiance being said and following was recognition of citizens. Citizens present was Beaver Franklin and Lana Franklin. Also present was City Employees Kenneth White and Joseph Branson of the Public Works Department and Virgil Simpson, Supervisor of the Public Works Department; Howard Calloway, Code Enforcement Official and Court Clerk Donna Surber were present and Vicki Frederick, City Financial Secretary.

Preliminary procedures having been completed agenda items were addressed as follows:

OLD BUSINESS:

Tabled Item No. One - Consider Evaluation of Public Works Supervisor and Duties Thereof.

On the Seventh day of June, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Lucia Butler to take no action on Tabled Item No. One listed under Old Business. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Consider Approving Minutes of May 03 and May 17, 2010.

On the Seventh day of June, 2010 a motion was made by Councilmember Lucia Butler and seconded by Councilmember Doug Smith to approve and accept the minutes of May 03, 2010 with a correction being made to Agenda Item No. Eight which deletes placing speed bumps on Edward Street and approve and accept minutes of May 17, 2010 as presented. Motion Carried.

Agenda Item No. Two – Consider Appointment of Mayor Pro-tem for a Term of One Year.

On the Seventh day of June, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to appoint Councilmember Randy McCoy Mayor Pro-tem for a term of one year. Motion Carried

Agenda Item No. Three – Consider Placing “Children at Play” signs on Gammage Street; J. Williams.

On the Seventh day of June, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Lucia Butler for City to place two "Children at Play" signs on Gammage Street and move one sign on Lewis Street past Church Street. Motion Carried.

Agenda Item No. Four – Consider Request from Elkhart Athletic Baseball Association to Utilize City Engineer's Service for For Improvements at Baseball Park: Beaver Franklin.

On the Seventh day of June, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to contact City Engineer Tracy Hicks for an estimated cost for his service to design the schematics and specifications for the Elkhart Athletic Baseball Association's Lighting Project and City to move forward depending on the cost factor. Motion Carried.

Agenda Item No. Five – Consider Renewal of City of Elkhart's Group Health Insurance Policy.

On the Seventh day of June, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Karen Bridges to renew the employees' group health insurance with Principal Financial Group. Motion Carried.

Agenda Item No. Six – For Information: Draft of Audit Report for Fiscal Year of 07/08.

Agenda Item No. Six is posted as Discussion Only; therefore, no action is required.

Agenda Item No. Seven – For Council Information and Consideration; Establish a Workshop for Amending and condensing the City of Elkhart's Administrative Policy and Guidelines.

On the Seventh day of June, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to table this issue until a future time. Motion Carried.

Agenda Item No. Eight – Consider Rental of Dozier to Clear City Owned Property.

On the Seventh day of June, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Doug Smith to go with Rucker's bid for rental of a dozier for 40 hours to clear city owned property. Motion Carried.

Agenda Item No. Nine – Consider Setting Date and Time for Budget Workshop.

On the Seventh day of June, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Doug Smith setting a date of July 19th at 6:00 p.m. for a council Budget Workshop. Motion Carried.

Agenda Item No. Ten – Consider Financial Report.

On the Seventh day of June, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Doug Smith to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. 11 – To Be Heard; Reports by Mayor, City Secretary, Public Works Supervisor, Code Enforcement Official and Emergency Mgmt. Coordinator.

All reports having been given Agenda Item No. 12 was addressed by council as follows:

Agenda Item No. 12 – Executive Session, Open Meetings Act, Section 551.074,
Personnel; Evaluation of Public Works Supervisor's
Performance, Duties, and Responsibilities.

Mayor Dunlap called for executive session at 7:03 p.m.

City Council exited executive session and reconvened into open meeting at 8:37 p.m.

Agenda Item No. 13 – Reconvene Into Open Meeting; Consider Evaluation of
Public Works Supervisor's Performance, Duties, and
Responsibilities.

On the Seventh day of June, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Erroll Tatum to lay off Mr. Virgil Simpson until further notice without pay due to poor job performance. Motion Carried.

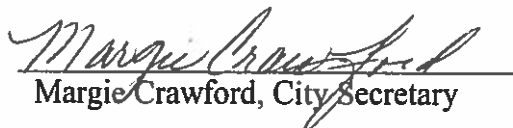
Agenda Item No. 14 – Adjournment.

On the Seventh day of June, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Doug Smith to adjourn this meeting of June 07, 2010. Motion Carried.

This meeting of June 07, 2010 adjourned as of 8:40 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 14th day of June, 2010, the City of Elkhart Council convened into a Special Called Meeting with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Karen Bridges	*	Councilmember
Lucia Butler	*	Councilmember
Erroll Tatum	*	Councilmember

Council member absent was Doug Smith.

Vicki Frederick, Financial Secretary, served in City Secretary's stead.

The Pledge of Allegiance was said by all in attendance and there being no citizens to be heard the meeting proceeded by addressing agenda items.

Agenda Item No. One – Mayor Opens Meeting; Declare a Quorum as Present.

Mayor Dunlap called the meeting to order at 6:09 p.m. and declared a quorum as being present to address Agenda Items. No action required by council.

Agenda Item No. Two – Executive Session, Open Meetings Act, Section 551.074, Personnel: (A) Consider and Discuss Current and Future Employment Status of Virgil Simpson; (B) Consider and Evaluate Job Performance and Employment of city of Elkhart's Wastewater Operator.

Mayor Dunlap called for executive session and closed the open meeting at 6:10 p.m.

Agenda Item No. Three – Reconvene Into Open Meeting

City Council reconvened into open meeting at 6:25 p.m.

Agenda Item No. Four (A) Consider and Discuss Current and Future Employment Status of Virgil Simpson.

On the 14th day of June, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Karen Bridges to terminate Virgil Simpson's employment and to have pager, keys, and uniforms returned within three days after his receipt of notice of termination. Motion Carried.

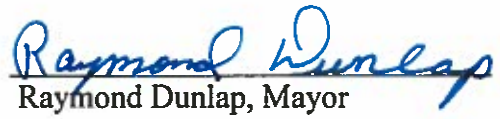
Agenda Item No. Five (B) Consider and Evaluate Job Performance and Employment of City of Elkhart's Wastewater Operator.

On the 14th day of June, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Lucia Butler to take no action on Agenda Item No. Five B. Motion Carried.

Agenda Item No. Six – Adjournment.

On the 14th day of June, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Erroll Tatum to adjourn the meeting. Motion Carried.

This Special Called Meeting adjourned at 6:50 p.m.


Raymond Dunlap, Mayor

ATTEST:


Vicki Frederick, Financial Secretary

THE STATE OF TEXAS *

ANDERSON COUNTY *

CITY OF ELKHART *

On the 12th day of July, 2010, the City of Elkhart Council convened into an open meeting with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Karen Bridges	*	Councilmember
Lucia Butler	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Absent from meeting was City Secretary Margie Crawford and acting in her stead was Court Clerk Donna Surber.

A quorum being present, Mayor Dunlap called the meeting to order and proceeded with all present saying the Pledge of Allegiance. There were no citizens to be recognized in attendance of this meeting.

OLD BUSINESS:

Tabled Item No. One – Consider Establishing a Workshop for Amending and Condensing the City of Elkhart Administrative Policy And Guidelines.

On this 12th day of July, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Lucia Butler to take no action and this item remains on the Tabled Item List. Motion Carried.

NEW BUSINESS:

Agenda Item No One – Consider Approving Minutes of June 07 and June 14, 2010.

On this 12th day of July, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Karen Bridges to approve and accept the minutes of June 07 and June 14, 2010 as presented. Motion Carried.

Agenda Item No. Two – Consider Proposals for Exterminator.

On this 12th day of July, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Doug Smith to table Item No. Two until other resources could be tested in lieu of using a professional exterminator. Motion Carried.

Agenda Item No. Three – Approve Financial Report.

On this 12th day of July, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Four – Executive Session, Open Meetings Act, Section 551.074, Personnel; Consider Appointing Outside Supervisor and Contracting Person with a Wastewater License and

Consider Hiring Person for Public Works Department.

Mayor Dunlap called for executive session under the Open Meetings Act, Section 551.074 at 7:00 p.m. Council exited open meeting and convened into closed session.

City Council re-convened into open meeting at 9:00 p.m.

Agenda Item No. Five – Consider Appointing Outside Supervisor and Contracting Person with a Wastewater License; Consider Hiring Person for Public Works Department.

On this 12th day of July, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to make Howard Calloway, Code Enforcement Official, temporary Public Works Supervisor with a wage increase of SIX HUNDRED ELEVEN DOLLARS (\$ 611) per month. Motion Carried.

On this 12th day of July, 2010, a motion was made by Councilmember Doug Smith and Seconded by Councilmember Karen Bridges to contract with Darrell Morgan for use of his Wastewater license on behalf of the City of Elkhart's Wastewater Plant Operations for a monthly fee of SIX HUNDRED DOLLARS (\$ 600). Motion Carried.

On this 12th day of July, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Erroll Tatum to table the part of Item No. Five listed as hiring person for Public Works Department. Motion Carried.

Agenda Item No. Six – Reports; Mayor, Public Works Dept., Code Enforcement Official, and Emergency Mgmt. Coordinator.

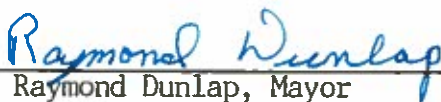
All reports require no action; discussion only.

Agenda Item No. Seven – Adjourn.

All reports having been given, Mayor Dunlap asked for a motion to adjourn the meeting.

On this 12th day of July, 2010, a motion was made by Councilmember Doug Smith and seconded by Councilmember Karen Bridges to adjourn the meeting. Motion Carried.

This meeting of July 12, 2010 adjourned as of 9:14 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Second day of August, 2010, the City of Elkhart Council held a Public Budget Hearing for the city's 2010/2011 Budget with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Lucia Butler	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

Also in attendance was Citizen Ronald Burke as well as employees of the City. Kim Johnson of Todd, Hamaker & Johnson, LLP, Certified Public Accountants, was in attendance of the budget hearing.

Mayor Dunlap opened the public budget hearing at 5:45 p.m. with a full council present to discuss the budget and to ask questions and to answer any questions that may be forthcoming from persons in attendance of the public budget hearing.

Purpose of this public budget hearing was to provide citizens of Elkhart an opportunity to view the budget if they wanted to do so as well as ask questions about the budget.

After a brief discussion on the budget, Mayor Dunlap closed the hearing at 6:02 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Second day of August, 2010, the City of Elkhart Council convened into a regular session with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Lucia Butler	*	Councilmember
Doug Smith	*	Councilmember
Erroll Tatum	*	Councilmember

A quorum being present, Mayor Dunlap called the meeting to order at 6:03 p.m.

The Pledge of Allegiance was said by all in attendance of the meeting and following citizens were recognized. Mayor Dunlap recognized Ronald Burke to speak with the council. There being no others to be heard as of this time the agenda items were addressed by council as follows:

OLD BUSINESS:

Tabled Item No. One - Consider Establishing Workshop for Amending and Condensing City Of Elkhart Administrative Policy Guidelines.

On this Second day of August, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Doug Smith to take no action and that this item remains on the Tabled Item List. Motion Carried.

Tabled Item No. Two - Consider Proposals for Exterminator.

On this Second day of August, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to take no action and that Tabled Item No. Two be removed from the Tabled Item List. Motion Carried.

Tabled Item No. Three – Consider Hiring Person for Public Works Department.

On this Second day of August, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to take no action and remove as this item is listed in Executive Session. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Consider Approving Minutes of July 12, 2010.

On this Second day of August, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Lucia Butler to approve and accept the minutes as presented. Motion Carried.

Agenda Item No. Two – Consider City of Elkhart Financial Statements Presented By Kim Johnson of Todd, Hamaker & Johnson, LLLP.

On this Second day of August, 2010, a motion was presented by Councilmember Errol Tatum and seconded by Councilmember Doug Smith to accept the Financial Statement with recommendations as presented. Motion Carried.

Agenda Item No. Three – To Be Heard, Joan Strominger of Anderson County Champions of Children.

On this Second day of August, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Karen Bridges to take no action on Agenda Item no. Three. Motion Carried.

Agenda Item No. Four – Consider Water Service for Proposed Sub-Division at Location of ACR 166 & 167.

On this Second day of August, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Doug Smith that the City can provide water to location of ACR 166 & 167 with a written agreement that the investors will pay for all expenses for upgrading of water line as well as having an engineer on the project. The vote was as follows: Karen Bridges, Aye; Lucia Butler, Aye; Doug Smith, Aye; Randy McCoy, Aye; Erroll Tatum, Abstained. Vote is 4 Ayes and 1 Abstained. Ayes having the majority vote, motion carried.

Agenda Item No. Five – Consider Anderson County Central Appraisal District's Proposed Budget For Year of 2011.

On this Second day of August, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Karen Bridges table Agenda Item No. Five. Motion Carried.

Agenda Item No. Six -- Consider Approving City of Elkhart's Budget for Fiscal year of 2010/2011.

On this Second day of August, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Lucia Butler to approve and accept the City's Budget for fiscal year 2010/2011 as presented. Motion Carried.

Agenda Item No. Seven – Consider Financial Report.

On this Second day of August, 2010, a motion was made by Councilmember Karen Bridges and seconded by Councilmember Doug Smith to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Eight – Executive Session, Open Meetings Act, Section 551.074, Personnel; (1) Consider and Evaluate Work Performance And Related Attributes of Wastewater Operator. Consider Hiring Person for Public Works Dept.

Mayor Dunlap called for executive session under the Open Meetings Act, Section 551.074 and closed the open meeting at 7:50 p.m.

Council exited closed session and convened back into open session at 9:02 p.m.

Agenda Item No. Nine – Re-convene Into Open Meeting; Consider and Evaluate Work Performance and Related Attributes of Wastewater Operator. (2) Consider Hiring Person for Public Works Department.

On this Second day of August, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Doug Smith to take no action on either issue; No. 1 and No. 2. Motion Carried.

Agenda Item No. 10 – Reports to Be Heard; Mayor, City Secretary, Public Works
Supervisor/Code Enforcement Official and Emergency
Mgmt. Coordinator.

All reports having been given the Mayor proceeded to Agenda Item No. 11; Adjournment.

On this Second day of August, 2010, a motion was made by Councilmember Lucia Butler
and seconded by Councilmember Karen Bridges to adjourn the meeting. Motion Carried.

This City of Elkhart Council meeting of August 02, 2010 adjourned as of 9:45 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

The State of Texas *
County of Anderson *
City of Elkhart *


On this 23rd day of August, 2010, the City of Elkhart Council convened into a Public Hearing at 6:00 p.m. with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Lucia Butler	*	Councilmember
Erroll Tatum	*	Councilmember

Council member absent was Doug Smith.

Purpose of this public hearing was to provide citizens the opportunity to participate in a discussion of the City's plan, local housing and community development needs, available funding, eligible activities, past use of funds, development of TX Community Development Block Grant (TCDBG) application, and local efforts to affirmatively further fair housing. Primarily to have citizens input on any of the fore mentioned aspects of making application for a Texas Community Development Block Grant.

There being no further discussion, Mayor Dunlap closed the public hearing at 6:20 p.m.



Raymond Dunlap, Mayor

Attest:



Margie Crawford, City Secretary

The State of Texas *

County of Anderson *

City of Elkhart *

On this 23rd day of August, 2010, the City of Elkhart Council convened into a Special Called Meeting with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Lucia Butler	*	Councilmember
Erroll Tatum	*	Councilmember

Council member absent was Doug Smith.

A quorum being present, Mayor Dunlap called the meeting to order at 6:20 p.m.

Agenda Item No. Two – Executive Session, Open Meetings Act, Section 551.074, Personnel; a) Consider Resignation of Wastewater Operator; b) Consider Hiring Person for Public Works Department.

After convening in open session, Mayor Dunlap called for Executive Session and closed the open meeting at 6:21 p.m.

Council entered back into open meeting at 7:34 p.m.

Agenda Item No. Three – Reconvene into Open Meeting and Act upon the Following:

- a) Consider Resignation of Wastewater Operator.
- b) Consider Hiring Person for Public Works Dept.

On this 23rd day of August, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Karen Bridges to accept Wastewater Operator Brian Simpson's letter of resignation effective August 26, 2010. Motion Carried.

On this 23rd day of August, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Erroll Tatum to take no action on hiring person for Public Works Department as of this meeting and set up a interview meeting for Friday, August 27, 2010, at 4:30 p.m. to interview Wm. Perry and David Duff. Motion Carried.

All agenda items having been addressed Mayor Dunlap asked for a motion to adjourn.

On this 23rd day of August, 2010, a motion was made by Councilmember Erroll Tatum and seconded by Councilmember Lucia Butler to adjourn this Special Called Meeting of August 23, 2010. Motion Carried.

Special Called Meeting adjourned at 7:38 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 27th day of August, 2010, the City of Elkhart Council convened into a Special Called meeting with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Karen Bridges	*	Councilmember
Lucia Butler	*	Councilmember
Erroll Tatum	*	Councilmember

Absent was Councilmember Doug Smith.

Agenda Item No. One – Convene Into Open Session; Call to Order.

Mayor Dunlap called the meeting to order at 4:32 p.m. and declared a quorum as being present. The purpose of this meeting was to interview applicants for the Public Works Department.

Agenda Item No. Two – Executive Session, Open Meetings Act, Section 551.074, Personnel; Interviews of Applicants for Public Works Department.

Mayor Dunlap closed the open meeting as of 4:34 p.m. and council convened into closed session.

Council exited executive session and convened back into open session at 5:27 p.m.

Agenda Item No. Three – Consider Applicant for Public Works Department.

On this 27th day of August, 2010, a motion was made by Councilmember Randy McCoy and seconded by Councilmember Lucia Butler that after considering all applicants, the City hire William Perry pending all City required processing for employment Motion Carried.

Agenda Item No. Four – Adjournment.

On this 27th day of August, 2010, a motion was made by Councilmember Lucia Butler and seconded by Councilmember Randy McCoy to adjourn this Special Called Meeting. Motion Carried.

Special Called Meeting adjourned as of 5:34 p.m.


Raymond Dunlap, Mayor

ATTEST:


Margie Crawford, City Secretary