

CITY OF CUMBY  
CITY COUNCIL MEETING  
NOVEMBER 10, 2009

THE CITY OF CUMBY, TEXAS MET IN REGULAR SESSION ON TUESDAY,  
NOVEMBER 10, 2009, AT 7:00 PM AT 100 E. MAIN STREET CUMBY, TEXAS.

THE FOLLOWING WERE PRESENT: MAYOR JEFF STRICKLAND, COMMISSIONER  
TRAVIS BAXLEY, COMMISSIONER LEON HIGGINBOTHAM, LA NORA POWELL,  
CHIEF SEWELL, DAVID WEATHERBEE.

1) MAYOR STRICKLAND CALLED THE MEETING TO ORDER.

2) COMMISSIONER BAXLEY MADE A MOTION TO APPROVE THE MINUTES FROM  
THE PREVIOUS MEETING. COMMISSIONER HIGGINBOTHAM SECONDED THE  
MOTION. ALL APPROVE. MOTION PASSED.

3) PRESENTATION FROM THE CITIZENS: DAVID WEATHERBEE LET THE COUNCIL  
KNOW THAT THEIR IS A WATER LEAK ON MILL STREET IN FRONT OF RICHARD  
PICKENS HOUSE.

4) OLD BUSINESS:

A) STREETS: COMMISSIONER BAXLEY STATED THAT DANNY EVANS  
CALLED ABOUT SOUTH DONELTON. THE COUNTY IS GOING TO GRAVEL THE  
STREET THIS WEEK. THE TOTAL COST TO OVERLAY THE ROAD IS \$12,000.00. THE  
COST WOULD BE ABOUT \$3,000 - \$4,000 PER ENTITY (COUNTY, CITY, SCHOOL).

B) WATER: WELLS PUMPER 3,012,500. WATER SOLD 2,676,300. THE WWTP &  
CHURCHES USED 398,900. THERE WAS A LOSS OF 336,200. 223 POUNDS OF  
CHLORINE WERE USED.

C) SEWER PLANT: 2 NEW VALVES AND NEW WATER METER WERE  
INSTALLED. THE CITY INSPECTION FROM TCEQ LOOKED GOOD, THERE WERE 4  
MINOR ITEMS THAT NEED TO BE FIXED. COMMISSIONER BAXLEY STATED THAT  
ROGER PETTY HAS FIXED THE PROBLEMS.

D) FIREPLUGS: NO PLUGS ARE LEAKING AT THIS TIME. THE FIREPLUG ON  
DEPOT STREET IN FRONT OF DORA SMITH'S HOUSE NEEDS TO BE REPLACED.

E) WELL SITUATION: # 2 WELL NOT PUMPING BUT 34 GALLONS PER MIN.  
WELL # 4 HAD SOME ELECTRICAL PROBLEMS, THEY HAVE BEEN REPAIRED.

F) LEAK SITUATION: MILL STREET WILL BE REPORTED AND FIXED.

5) NEW BUSINESS: **RESOLUTION/ENERGY EFFICIENCY & CONSERVATION**

**BLOCK GRANT-** Whereas, Congress passed the American Recovery and Reinvestment Act (ARRA) of 2009 and the President signed into law on February 17<sup>th</sup>, 2009, to stimulate the economy and create jobs; and,  
Whereas, ARRA included \$3.2 billion in funding for the Energy Efficiency and Conservation Block Grant (EECBG) Program authorized in Title V, Subtitle E of the Energy Independence and Security Act (EISA) and signed into law on December 19, 2007; and,  
Whereas, the purpose of the EECBG program is to , 1) reduce fossil fuel emissions in a manner that is environmentally sustainable, and to the maximum extent practicable, maximizes benefits for local and regional communities; 2) to reduce the total energy use of eligible entities; and, 3) to improve the energy efficiency in the building sector, the transportation sector and other appropriate sectors; and,  
Whereas, the City of Cumby is a city with limited financial resources and desires to support the development of energy efficiency programs; and

Whereas, the City of Cumby accepts its allocation and may also accept additional funds that may become available at a later date; and, Whereas, the City of Cumby is interested in developing a EECBG project, which is sustainable and has measurable energy savings, job creation and economic stimulus effects into the city; and,

Whereas, the City of Cumby is determined to support energy efficiency projects that leverage federal funds with other public and private resources, including coordinated efforts involving other Federal programs targeting community development; and, Whereas, the City of Cumby intends to comply with all agreed upon contractual requirements of ARRA, the EECBG program and other federal and state law; NOW,

Therefore be it resolved by the City of Cumby, THAT

1. The City of Cumby, through the City Administrator, pursue all EECBG funding made available through ARRA and being allocated by the State Energy Conservation Office to be used to assist in reaching the City's goals of energy efficiency.
2. The City continue its commitment toward energy efficiency for the citizens of Cumby and all of Texas.

COMMISSIONER HIGGINBOTHAM MADE A MOTION TO ACCEPT THE EECBG RESOLUTION. COMMISSIONER BAXLEY SECONDED THE MOTION. ALL APPROVE. MOTION PASSED. THIS RESOLUTION WILL BE NUMBERED 4-2009.

**B) BERRYMAN INVESTMENTS-** COMMISSIONER HIGGINBOTHAM TALKED TO BERRYMAN INVESTMENTS THEY ARE READY TO PROCEED WITH THE BORE AND LAY THE WATER LINES. COMMISSIONER HIGGINBOTHAM STATED THAT THE PROBLEM IS ANNEXATION. THE RIGHT-OF-WAY IS THE ONLY CONNECTION THE CITY HAS TO THE BERRYMAN PROPERTY. COMMISSIONER HIGGINBOTHAM ASKED THE COUNCIL IF THE CITY WOULD LIKE TO PROCEED WITH SELLING WATER TO THE PROPERTY WITH OUTSIDE WATER RATES. COMMISSIONER BAXLEY STATED THAT HE THOUGHT INTERSTATE 30 WOULD TIE THE CITY LIMITS TO THE SOUTH SERVICE ROAD. THE CITY WILL GET A LEGAL OPINION FROM THE CITY ATTORNEY TO FIND OUT THE LEGAL ASPECTS OF ANNEXING. THE CITY HAS A PROPOSAL FOR BERRYMAN INVESTMENTS INC. IT IS AS FOLLOWS:

To: Berryman Properties Inc.  
From: City of Cumby  
Cumby, Texas

Date: November 10, 2009

The City of Cumby agrees to provide water taps, as needed,(no more than sixteen) unless negotiated, for the Berryman Properties Inc. This agreement relates to the property located along FM 275 South and CR 4129, containing "approximately 168 acres".

**CONDITIONS**

- 1) A bore under FM 275 to provide for a 6" (six inch) water line will be the responsibility of Berryman Investments Inc. The line must also be connected to the "existing 4" (four inch) line".
- 2) 4" (four inch) main water lines will be routed to the 16 (sixteen) proposed 10 (ten) acre building sites.
- 3) If possible, the taps and pipe to the meter location should be installed at each building site as the main lines are being installed.
- 4) The City will provide the (tap, pipe, and cutoff valve) for each location.
- 5) The City will provide the (meter), (box), and installation of the meters.
- 6) The property owner will be responsible for the plumbing from the meter to the building site.
- 7) The charge for each water tap will be \$1,000.00 ( one thousand) dollars, paid in advance.
- 8) The monthly (minimum charge):

Water	\$25.00 (twenty five dollars)
Fire Truck	\$ 3.00 (three dollars)
- 9) Annexation is not an option at this time.
- 10) Trash pickup depends upon arrangements with provider.

COMMISSIONER MADE A MOTION TO OMIT LINE NUMBER 9 AND THEN TO ACCEPT THE PROPOSAL LETTER TO BERRYMAN INVESTMENTS INC. COMMISSIONER HIGGINBOTHAM SECONDED THE OMITION AND THE MOTION. ALL APPROVE. MOTION PASSED.

**C) 50,000 GAL. GROUND TANK / PAINT BIDS-** THE CITY RECEIVED A BID FROM JOHN CAUFFMAN STORAGE TANK PAINTING. THE BID WAS FOR \$12,000.00 INSIDE AND OUT / 2 COATS APPROX 10-12 ML THICK. SIRS 1500 PIT FILLER NSFS APPROVED, EXTERIOR BLEACH POWERWASH & SPOT PRIMER. COMMISSIONER HIGGINBOTHAM MADE A MOTION TO APPROVE THIS BID AS IS. COMMISSIONER BAXLEY SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

D) **RELIANT ENERGY**- TABLE UNTIL NEXT MEETING.

6) FIRE DEPT. / DAVID WEATHERBEE- FOR THE MONTH OF OCTOBER THERE WERE A TOTAL OF 5 CITY, 17 COUNTY, 10.5 ACRES, 2 GRASS FIRES, 10 MEDICAL CALLS, 14 MVC, 1 INVESTIGATION. 343 TOTAL YEAR TO DATE CALLS.

7) POLICE DEPT. / CHIEF SEWELL – THERE WERE A TOTAL OF 253 CITATIONS ISSUED FOR THE MONTH OF OCTOBER. 2 FELONY ARRESTS, 6 MISD. ARRESTS, 2 CASES FILED WITH THE DA, 3 CASES FILED WITH THE COUNTY ATTORNEY. 2 NEW RESERVES WERE ADDED TO THE DEPARTMENT.

8) PAY MONTHLY BILLS: COMMISSIONER BAXLEY MADE A MOTION TO PAY THE MONTHLY BILLS. COMMISSIONER HIGGINBOTHAM SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

9) ITEMS FROM THE COUNCIL: NONE

MAYOR STRICKLAND CLOSED THE REGULAR MEETING.

  
MAYOR

ATTEST:

  
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