

CITY OF CUMBY
CITY COUNCIL MEETING
MARCH 6, 2012

THE CITY OF CUMBY, TEXAS, MET IN REGULAR SESSION ON TUESDAY, MARCH 6, 2012, AT 6:00 PM, 100 E. MAIN STREET, CUMBY TEXAS.

THE FOLLOWING WERE PRESENT: MAYOR JEFF STRICKLAND, ALDERMAN CHUCK TUGGLE, ALDERMAN BILL JENKINS, ALDERMAN CODY TALLEY, ALDERMAN KATHY HALL CARTER, CHIEF SCOTT SEWELL, ANGIE ALLEN, ROGER PETTY, JOHNNY CARTER, RICKY DENSON, AND JERRY PARKER.

1) MAYOR STRICKLAND CALLED THE MEETING TO ORDER AT 6:00 PM.

2) ALDERMAN TUGGLE MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS MONTH MEETING. ALDERMAN TALLEY SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

3) PRESENTATION FROM THE CITIZENS: TRAVIS BAXLEY NOT PRESENT. ANGIE ALLEN STATED THAT MR. BAXLEY WANTED TO COMMENT ON THE TRASH AROUND TOWN ON STREETS AND DITCHES. ALDERMAN TUGGLE SUGGESTED THAT THE CITY LOOK INTO ADOPTING CITY STREETS FOR CLEAN UP. JERRY PARKER STATED THAT SOMEONE WAS INTERESTED IN RENTING HIS BUILDING TO OPEN A GAME ROOM. CHIEF SEWELL STATED THAT AFTER TALKING WITH THE COUNTY ATTORNEY A GAME ROOM WITH 8 LINE MACHINES IS ILLEGAL AND NOT ALLOWED TO OPEN IN THE STATE OF TEXAS. MAYOR STRICKLAND SUGGESTED THAT MR. PARKER TALK TO THE COUNTY ATTORNEY.

4) OLD BUSINESS:

A) STREETS: STREETS IN FAIR CONDITION, WILL PATCH AS NEEDED.

B) WATER FACILITIES: WELLS PUMPED 2,263,800, WATER SOLD 1,966,800, THE WWTP & CHURCHES USED 157,700. LEAKS & MAINS FLUSHED 126,500. THERE WAS A LOSS OF 12,000 GALLONS. 168 POUNDS OF CHLORINE WERE USED.

C) SEWER PLANT: ROGER PETTY STATED THAT THE WWTP IS STILL HAVING PROBLEMS WITH THE SUSPENDED SOLIDS. MAYOR STRICKLAND STATED FOR ROGER PETTY TO GET THE ENZYMES TESTED.

ALDERMAN JENKINS STATED THAT ON FEB 23RD THE MAINTENANCE DEPARTMENT HAS BEEN CONDUCTING SMOKE TESTS ON THE SEWER LINES. ALDERMAN JENKINS STATED THAT 600 FT OF SEWER LINE NEEDS TO BE REPLACED FROM THE DOLLAR STORE TO THE OVERPASS. THE PIPE IS \$1.93 PER FT. ALDERMAN TUGGLE MADE A MOTION TO PURCHASE THE PIPE. ALDERMAN TALLEY SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

D) WELL SITUATION: WELLS RUNNING GOOD. ALDERMAN JENKINS SUGGESTED THAT THE CITY LIFT THE WATER RESTRICTIONS. ALDERMAN

WHITE MADE A MOTION TO REMOVE THE WATER RESTRICTIONS AND REEVALUATE ON A MONTHLY BASIS. ALDERMAN JENKINS SECONDED THE MOTION. ALL APPROVE. MOTION PASSED. ALDERMAN JENKINS WILL LET TCEQ KNOW OF THE CHANGE. ANGIE ALLEN WILL POST IT ONLINE AND IN BUSINESSES.

E) LEAK SITUATION: ONE LEAK REPORTED IN FRONT OF FIRE DEPARTMENT.

5) NEW BUSINESS:

**A) DISCUSS / ACTION AMENDING REIMBURSEMENT RESOLUTION 4-2011:
SECTION 4 IS THE AMENDED SECTION. THIS RESOLUTION STATES:**

WHEREAS, the CITY OF CUMBY, TEXAS, (the "Issuer"), operates and exists under the Constitution of the State of Texas and the laws of the State of Texas , and is in the process of selling bonds to finance certain utility system improvements in the City (the "Project"), and

WHEREAS, at this time it is anticipated that the bonds will be sold to the Texas Water Development Board (the "TWDB"), and

WHEREAS, the Issuer will pay, on and after the date hereof, certain expenditures (the "Expenditures") in connection with the Project prior to closing on the sale of the proposed bonds to the TWDB, so that the Project can move forward prior to the closing on the bond sale, and

WHEREAS, the Issuer has determined that it should fund the Expenditures prior to receipt of the bond sale proceeds with money from the Issuer's reserves, provided, however, that the money advanced to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer's reserves for the Expenditures from the proceeds of the pending bond issue (the "Bonds");

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CUMBY AS FOLLOWS:

SECTION 1: This declaration is made for the purposes of complying with the Internal Revenue Code Sections 103 and 150 and IRS Regulations 1.150-2 relating to such reimbursements, and the City Secretary shall keep an original copy of this Resolution on file with the City's records available for public inspection during regular office hours as provided in the Texas Open Records Act.

SECTION 2: The Issuer hereby declares that it satisfies the small issuer exception to rebate under IRC section 148(f)(4)(D)(f), and that it expects to reimburse its reserves from the bond sale proceeds not later than three years from the date of the original expenditure or the date the Project is either placed in service or abandoned, and at the time of any such reimbursement the Issuer will document same in its written financial records.

SECTION 3: Each Expenditure will be of the type allowed for reimbursement under Treas. Reg. Section 1.150-2(d)(3), and of a type not exempted from the Reimbursement Resolution Requirements.

SECTION 4: The original maximum cost of the Project that was passed on September 19, 2011 is expected to be \$ 675,000.00. The amended maximum cost of the Project is expected to be \$ 695,000.00.

PASSED this the 6th day of March, 2012.

ALDERMAN JENKINS MADE A MOTION TO ACCEPT THE AMENDED RESOLUTION. ALDERMAN WHITE SECONDED THE MOTION. ALL APPROVE. MOTION PASSED. THIS RESOLUTION WILL BE NUMBERED 3-2012.

B) DISCUSS/ACTION AMENDING APPLICATION FILING AND AUTHORIZED REPRESENTATIVE RESOLUTION – TWDB 3-2011:

SECTION 1 IS THE AMENDED SECTION. THIS RESOLUTION STATES:

A RESOLUTION by the City Council of the City of Cumby requesting financial assistance from the Texas Water Development Board; authorizing the filing of an application for assistance; and making certain findings in connection therewith.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CUMBY:

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$695,000.00 to provide for the costs of the FM 275 Water and Wastewater Improvements Project.

SECTION 2: That Jeff Strickland is hereby designated the authorized representative of the City of Cumby for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the Texas Water Development Board.

SECTION 3: That the following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the City of Cumby before any hearing held by the Texas Water Development Board on such application, to wit:

Financial Advisor: Blitch Associates, Inc.
Bill Blitch
11111 Katy Freeway, Suite 820
Houston, Texas 77079-2118

Engineer: Southwest Engineers
John Littlefield
307 Saint Lawrence Street
Gonzales, Texas 78629

Bond Council: Bill Corsbie, P.C.
Attorney and Counselor at Law
3708 Clawson Road
Austin, Texas 78704-7802

PASSED AND APPROVED, this the 6th day of March, 2012.

ALDERMAN JENKINS MADE A MOTION TO ACCEPT THE AMENDED RESOLUTION. ALDERMAN TALLEY SECONDED THE MOTION. ALL APPROVE. MOTION PASSED. THIS RESOLUTION WILL BE NUMBERED 4-2012.

C) DISCUSS/ACTION GENERATOR MAINTENANCE AGREEMENT- CLIFFORD COMPANY:

ALDERMAN JENKINS STATED THAT THE GENERATORS AT THE WATER PLANT AND THE WWTP ARE NEEDING MAINTENANCE. THE CLIFFORD COMPANY PROPOSED AN ANNUAL MAINTENANCE AGREEMENT IN THE AMOUNT OF \$828.00. ALDERMAN WHITE MADE A MOTION TO ACCEPT THE ANNUAL MAINTENANCE AGREEMENT FROM CLIFFORD COMPANY. ALDERMAN TALLEY SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

D) 2012 BLACKJACK GROVE DAY: ANGIE ALLEN STATED THE BID FROM NABORS CONCRETE WAS \$8,500 FOR THE BASKETBALL COURT AT THE PARK. MAYOR STRICKLAND STATED THAT THE CITY NEEDED TO GET 2 MORE CONCRETE BIDS.

6) POLICE DEPT. – CHIEF SEWELL: FOR THE MONTH OF FEBRUARY THERE WERE A TOTAL OF 296 CITATIONS ISSUED, 1 FELONY ARREST, 3 MISD. ARRESTS, 2 CASES FILED WITH THE COUNTY ATTORNEY, 2 CASES FILED WITH THE DISTRICT ATTORNEY, AND 1 ACCIDENT.

7) PAY MONTHLY BILLS: ALDERMAN JENKINS MADE A MOTION TO PAY THE MONTHLY BILLS. ALDERMAN WHITE SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

8) ITEMS FROM COUNCIL: ALDERMAN CARTER PRESENTED ROGER PETTY WITH A CERTIFICATE OF APPRECIATION FOR ALL THE WORK HE HAS PUT INTO THE CITY. ALDERMEN TUGGLE AND WHITE STATED THAT THE MAINTENANCE DEPARTMENT WAS DOING A GOOD JOB.

9) THE CITY COUNCIL WILL NOW GO INTO EXECUTIVE SESSION – UNDER ARTICLE 6252-17 OF THE OPEN MEETINGS LAW. ALDERMAN JENKINS MADE A MOTION TO GO INTO EXECUTIVE SESSION UNDER ARTICLE 6252-17 OF THE OPEN MEETINGS LAW TO DISCUSS PERSONNEL. THE MAYOR STATED THE TIME AS 6:50 PM. ALDERMAN HALL-CARTER SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

OPEN SESSION: THE MAYOR RECONVENED THE MEETING AT 7:25PM.

WITH ALL BUSINESS COMPLETE THE MEETING WAS ADJORNED.


MAYOR JEFF STRICKLAND

ATTEST:



