

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS
MEETING ON MONDAY, FEBRUARY 8, 2010, AT 5:22 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor Bill Brown, Councilmember's Don Hendrick, Fred Mitchell, Daniel Lopez, Larry Cook, Ricky Conner and Robert E. Lewis Jr.

ABSENT

None

STAFF PRESENT

City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Police Chief Kent Havard, Public Works, Dee Scarborough, Steve Haire

Bill Brown called the meeting to order and Fred Mitchell gave the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1. CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON JANUARY 11, 2010.

2. CONSIDER CALLING FOR THE REGULAR ELECTION OF DIBOLL CITY COUNCIL MEMBERS FOR DISTRICT 4 AND DISTRICT 6 AT LARGE TO BE HELD MAY 8, 2010 AND AUTHORIZING THE MAYOR AND COUNCIL MEMBERS TO SIGN THE ORDER OF ELECTION.

3. RECEIVE DIBOLL POLICE DEPARTMENT'S 2009 RACIAL PROFILING REPORT.

4. CONSIDER APPROVING A RESOLUTION INCREASING COURT FINES IN ACCORDANCE WITH STATE LAW AND ROUNDING UP TO THE NEXT DOLLAR.

Ricky Conner made the motion and Daniel Lopez seconded.

All in Favor

None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

5. CONSIDER APPROVING A RESOLUTION CONSENTING THAT ANGELINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 CAN PLEDGE AND ASSIGN THE INTERLOCAL CONTRACT FOR WASTEWATER TREATMENT SERVICE BETWEEN THE CITY OF DIBOLL AND THE ANGELINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO.4 TO THE RURAL UTILITES SERVICE AS SECURITY.

Mr. McDuffie said in order for the district to secure the necessary loans from the Rural Utilities Service (USDA) the City of Diboll must consent to the district so it can pledge and assign the Interlocal Contract for Wastewater Treatment Service. Mr. McDuffie said this put the City at no risk.

Don Hendrick made the motion and Larry Cook seconded.

All in favor

None opposed

6. CONSIDER APPROVING A RESOLUTION SURPLUSING THE C.H. SHEPHERD, JR. SCOUT HOUSE AND AUTHORIZE THE CITY MANAGER TO DISPOSE OF SAID PROPERTY IN ACCORDANCE WITH LAW.

Mr. McDuffie said that the Shepherd family and Temple Inland both had been notified and were ok with the decision. Mr. McDuffie said he hope's to replace it with a Pavilion name after the Mayor Shepherd. Don Hendrick said he would like to see the Pavilion replace this year.

Ricky Conner made the motion to approve resolution surplus the C.H. Shepherd Scout House and Fred Mitchell seconded.

All in favor

None opposed

7. CONSIDER AUTHORIZING THE CITY MANAGER TO AMEND THE AMORTIZATION SCHEDULE FOR THE DIBOLL-LUFKIN WATER PROJECT FOR A FIFTEEN TO TWENTY YEAR ISSUE.

Mr. McDuffie said the main reason is that institutions will be more competitive and the interest rates lower on a 15 year issue versus a 20 year issue.

Don Hendrick made the motion to authorize the City Manager to amend the amortization schedule for the Diboll-Lufkin Water Project for a fifteen to twenty year and Robert Lewis seconded.

All in favor

None opposed

8. CONSIDER APPOINTING TWO TO THREE COUNCIL MEMBERS TO AN AD HOC SUBDIVISION ORDINANCE REVIEW COMMITTEE.

Mayor Brown asked for volunteers and Don Hendrick and Robert Lewis said they would volunteer.

Bill Brown made the motion to approve Don Hendrick and Robert Lewis to be on The Review Committee for HOC Subdivision Ordinance and Ricky Conner seconded.

All in favor

None opposed.

CITY MANAGER REPORTS:

9.FEBRUARY 22, 2010 MEETING

Mr. McDuffie said we will have a workshop on February 22, 2010 at 5:15 p.m.

CLOSED MEETING

A. LEGAL-UNDER TEXAS GOVERNMENT CODE, SECTION '551.071 AND RULE 1.05 PROFESSIONAL RULES OF CONDUCT.

1.CONSULTATION AND DELIBERATION WITH THE CITY ATTORNEY REGARDING CONFIDENTIAL LEGAL MATTERS.

A.PERSONNEL-UNDER TEXAS GOVERNMENT CODE, SECTION '551.074.

Mayor Brown called the council into executive session for consultation and deliberation with the City Attorney regarding confidential legal matter.

Mayor Brown called the council back into open session, no decision were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

ADJOURN

Daniel Lopez made a motion to adjourn at 6:09 p.m. and Don Hendrick seconded.



Bill Brown, Mayor

ATTEST:



Tina Cavazos, City Secretary