

CITY OF ZAVALLA  
REGULAR SCHEDULED MEETING  
JANUARY 9, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, January 9, 2023 at 6:00 p.m. at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980.

Anyone may address the city council regarding an agenda item or otherwise. All comments shall be limited to 3 minutes in duration each.

ORDER OF BUSINESS

1. Call meeting to order
  2. Establish a quorum
  3. Welcome guest
  4. Invocation
  5. Zavalla Volunteer Fire Department
  6. Discuss and consider awarding the construction of the TxCDBG 7220530-Water System Improvements Project to the lowest bidder Simply Aquatics, Inc. for \$196,000.00
  7. Discuss and possibly approve Contract with Iribarren Inc. for emergency work for the Sewer and Water Department.
  8. Discuss and possibly approve extending water out to Keith Wright's property on Hwy 63.
  9. Phillip Morrell wants to discuss water and sewer bill and about replacing water meter.
  10. Sue Morrell would like to get permission to look about 5 years back copies of water and sewer bills and replace water meter.
  11. Discuss and possibly approve some type of action on fixing the Water Department black truck's transmission.
  12. Discuss and possibly approve special called meeting September 27, 2022 minutes.
  13. Discuss and possibly approve regular meeting October 11, 2022 minutes.
  14. Discuss and possibly approve hiring Donna Marshall Fitzgerald, short term, to read meters monthly.
  15. Discuss and possibly approve listing city tractor for sell.
  16. Discuss and possibly approve the resolution to order a General Election for May 6, 2023.
  17. Discuss and possibly approve the resolution to order a Special Election on May 6, 2023.
  18. Discuss and possibly approve December 13, 2022 minutes
  19. Discuss and possibly approve January 2023 bills
  20. STAFF REPORTS
- EXECUTIVE SESSION

21. To consider and interview applicants for the position of a Public Works Director.
22. Discuss and possibly take action on hiring a Public Works Director.
23. Meeting Adjourn

#### EXECUTIVE

The City of Zavalla Council reserves the right to adjourn into executive session at anytime during the course of this meeting to discuss any of the matters listed below, as authorized by the Texas Government Code Sections:

- a. 551.071 Consultation with City Attorney
- b. 551.072 Deliberation about Real Property
- c. 551.073 Deliberation about Gifts and Donations
- d. 551.074 Personnel Matters
- e. 551.075 Economic Development Matters

NOTE: Mayor and Council Reports on Items of Community Interest-Pursuant to Texas Government Code Sections 551.415. The City Council may report on the following items: (1) expression of thanks, congratulation or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming City Council Events; (5) information on community events; (6) announcement involving imminent threat to public health and safety.

I certify that this Notice of Meeting was posted in a glass-enclosed case in front of City Hall located at 242 E. Main Street, Zavalla, Texas available for viewing by the public on the City Website at [cityofzavalla.com](http://cityofzavalla.com) on January 6, 2023 at 1:30 p.m.



Carlos Guzman  
Mayor

CITY OF ZAVALLA  
REGULAR CALLED MEETING  
JANUARY 9, 2023

Mayor Guzman called the meeting to order at 6:00 p.m. on Monday, January 9, 2023 at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. The mayor established a quorum and welcome the guest.

J. P. Hopkins gave the invocation

Council present was Pam Hooks, Mayor Carlos Guzman, Hulon Miller, Kim Retherford and Erika Ponder. Amber Reppond was absent. Employees present were Waunesa Herrington, Sue Hough, Joy Yarbrough, Chris Wade and Cody Day.

Guests: Tom Bailey, Jacob Bailey, Cindy Bailey, Carolyn Guzman, Brenda Cox, Ralph Iribarran, Chance Iribarran, Donna Hough, Micah & Dianne Jones, JP Hopkins, Loyce Lawrence, Cindy Denby, Nigel Boyles, Sue Morrell, Jeff Mann, Jamie Denby, Charlotte Boyles, Angie Harris and Mark Bailey.

Open Forum:

Cindy Bailey – Pass to Nigel Boyles

Brenda Cox – Pass to Nigel Boyles

Nigel Boyles – The public are wanting transparency with the finances. (Cindy passed out copies of the audit.)

Waunesa stated that Nigel was out of order in which Nigel stated that she was out of order. Nigel proceeded to say that it has been said that there are claims that the city has been shady. She said she has requested to be added to the agenda and was denied. According to the last completed 2019 audit, there are 5 red flags. She took to a professional accountant that advised her that this was unacceptable. Nigel continued that she feels there are several reasons for failure:

1. Accurate data from the Mayor and City Secretary.
2. Employee evaluations and documentation have not been performed.
3. According to the 2019 audit, the budget was exceeded by expenses by over \$100,000.
4. Having only one person responsible for deposits and receipts is not secure or fair to that person.
5. Backing up critical data is not being performed. Reports requested were not received due to this problem.
6. Budget does not have a 25% contingency plan in place for emergencies. We were out of water for 11 days. Where did the money come from?
7. 2023 Budget does not show revenues. It looks like we are running on tax dollars.
8. Requests to be added to the agenda have been denied.

Nigel expressed a complaint about the City pay scale for employees in comparison with teachers that have a degree.

Sue Morrell – Shared her concerns about the city police setting up beyond a hill in traffic has caused wrecks.

#### Agenda Items Discussed

5. ZVFD – Pump burst during freeze. Look at road where the creek is washing it away.
6. Discuss and consider awarding the construction of the TxCDBG 7220530-Water System Improvements Project to the lowest bidder, Simply Aquatics, Inc. for \$196,000. Brenda – Asked about how grant programs are received and when they are approved. Mayor Guzman explained it is from the 2020 Audit.
7. Discuss and possibly approve extending contract with Iribarren Inc. for emergency work for the sewer and water department. Kim made a motion to approve, Pam second the motion, all approve, motion passed.
8. Discuss and possibly approve extending water our to Keith Wright’s property on Hwy 63. The distance may be greater than what can be feasibly possible. No action taken.
9. Phillip Morrell wants to discuss water and sewer bill and about replacing the water meter. Sue requested new water meters that are visible from the top of the ground because she felt they were not being read correctly.
10. Sue Morrell requested prior 5 years of water/sewer bills to review. Copies given.
11. Discuss and possibly approve some type of action on fixing the Water Department’s black truck that needs a transmission. Chris suggested that 3 bids for the maintenance was not necessary but suggested to wait until the water department is ready to fill another position that would need it. Kim asked to table the vote, Hulon second the motion.
12. Discuss and possibly approve special called meeting notes for September 27, 2022. Pam voted to approve, Erika and Hulon second the motion. Motion passed.
13. Discuss and possibly approve regular meeting notes for October 11, 2022. Erika voted to approve. Kim second the motion. Motion passed.
14. Discuss and possibly approve hiring Donna Marshall Fitzgerald, short term, to read meters monthly. Charlotte Boyles – Suggested the city hire Donna Hough to read water meters. If hired, want transparency in pay. Nothing in handbook on rehire of employees. No action taken.
15. Discuss and possibly approve listing the city tractor for sell. Waunesa stated that the fair market value is listed at \$93,000. Payoff is at \$54,000. Kim suggested to table the action until they hire a PWD. Pam second the motion. All approve.

16. Discuss and possibly approve the resolution to order a General Election for May 6, 2023. Waunesa three council member positions open for two year terms. Hulon made the motion to pass, Kim second and all approve.

17. Discuss and possibly approve the resolution to order a General Election for May 6, 2023. Waunesa read the special election rules. One city council position available for a one year term. Kim made the motion to approve, Hulon second the motion, all approved. Motion passed.

18. Discuss and possibly approve December 13, 2022 minutes. Kim made the motion to approve, Pam second the motion, motion passed.

19. Discuss and possibly approve January 2023 bills. The bills totaled \$45,000. Kim asked if Cody Day would be hired. He is currently contract labor. The answer was yes. The Public Works Director has the authority to hire him. Kim asked how Mayor Carlos Guzman approved to purchase the pallets of water from Brookshire Brothers in December and also to buy signs when the money was not available. Kim read aloud the quote from Iribbarian for the sewer which they are reducing the cost by \$25,000 as a donation to the city. R Iribbarian explained how the bypass system will work for the Marshall lift station. This will eliminate the need for a vacuum truck. Council approved to withdraw \$66,000 from a CD to pay the bills. Pam made the motion to pass and Hulon seconded the motion. All approve. Motion passed.

#### Staff Reports

Chief Chris Wade gave stats and will provide the racial profiling report next month for approval. Cody Day reported that the GUI pump was pumped dry.

Waunesa worked through Christmas. Why not call when red light on Hwy 69 LS. Manual turn on lift station 69.

Bids LS – Have not been working at all.

3 pumps at the lift station. Only one pump is not working correctly.

Kevin with Pensa needs a monthly update on LS.

Iribbarian Inc. – Installed bypass on LS. Vacuum truck no longer needed.

City council 1/18-2/17

Special 1/18-5/6

Application TWDB 2/1 time to work; Class in Raymondville.

Kim worked vacation

Joy-Hand out TCEQ findings.

21. Executive Session called at 8:00pm to consider and interview applicants for the position of Public Works Director.

8:57pm Council returned from Executive Session

22. Discuss and possibly approve hiring a Public Works Director. Pam made the motion to pass, Kim second the motion, all approve, motion passed. Meeting adjourned at 8:58pm.

CITY OF ZAVALLA  
SPECIAL CALLED MEETING  
JANUARY 23, 2023

The Zavalla City Council will conduct a special called meeting on Monday, January 23, 2023 at 6:00 p.m. at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

1. Call meeting to order
2. Establish a quorum
3. Welcome guest
4. Invocation
5. Discuss and possibly accept resignation from Hulon Miller to resign from City Council.
6. Discuss and possibly appoint someone to take Hulon Miller's position on City Council.
7. Swear new City Council Member in.
8. Discuss and possibly appoint someone for Mayor Pro-Tem.

EXECUTIVE SESSION

The City of Zavalla Council reserves the right to adjourn into executive session at anytime during the course of this meeting to discuss any of the matters listed below, as authorized by the Texas Government Code Sections:

- a. 551.071 Consultation with City Attorney
- b. 551.072 Deliberation about Real Property
- c. 551.073 Deliberation about gifts and donations
- d. 551.074 Personnel Matters
- e. 551.075 economic Development Matters

I certify that this Notice of Meeting was posted in a glass-enclosed case in front of City Hall at 242 E. Main Street, Zavalla, Texas and available for viewing by the public on the City's website at [cityofzavalla.com](http://cityofzavalla.com) on January 19, 2023 at 5:00 p.m.



Carlos Guzman  
Mayor

CITY OF ZAVALLA  
SPECIAL CALLED MEETING  
January 23, 2023

1. Hulon Miller called the meeting to order at 6:00 p.m. on Monday, January 23, 2023 at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980.

2. 3. The Pro Tem Mayor Hulon Miller established a quorum and welcomed the guests.

Council members present were: Pam Hooks, Hulon Miller, Kim Retherford and Erika Ponder.  
Employees present were: Waunesa Herrington, Joy Yarbrough, Sue Hough, James Denby and Tom Bailey

Guests present: Jeff Mann, Marjorie Mann, Shannon Yarbrough, Denita Ross, Donna Hough, Sue Morrell, Nigel Boyles, Brenda Cox, Charlotte Boyles, Eunice Ditterlene, Melissa Lowery and Loyce Lawrence.

4. Kim Retherford gave the invocation.

5. Discuss and possibly accept resignation from Hulon Miller to resign from the city council. Resignation submitted, Kim made a motion to accept, Pam second the motion, motion passed.

6. Discuss and possibly appoint someone to take Hulon Millers position on the council. Kim read the law concerning replacing a vacant council seat. Kim made the motion to appoint Jeff Mann. Pam second the motion, motion passed.

7. Swear in new council member. Waunesa performed the swearing in of Jeff Mann at 6:04pm.

8. Discuss and appoint a sitting council member to Pro Tem Mayor position. Pam made the motion to appoint Kim Retherford as Mayor Pro Tem. Erika second the motion, motion passed.

Meeting adjourned 6:05pm.

CITY OF ZAVALLA  
SPECIAL CALLED MEETING  
FEBRUARY 2, 2023

The Zavalla City Council will conduct a Special Called Meeting on Thursday, February 2, 2023 at 6:00 p.m. at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

1. Call meeting to order
2. Establish a quorum
3. Welcome Guest
4. Invocation
5. Discuss and possibly approve replacing Earl Norrod with Daryl Cheney.

EXECUTIVE SESSION

6. Interviewing candidates for City Secretary Position.
7. Discuss and possibly approve hiring a City Secretary.
8. Meeting Adjourned

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at anytime during the meeting to discuss any of the matters listed below under the authorized article of the meeting act. Texas Government Code

- a. 551.071 Consultation with Attorney
- b. 551.072 Deliberation about Real Property
- c. 551.073 Deliberation about Gifts and Donations
- d. 551.074 Personnel Matters
- e. 551.075 Economic Development Matters

I certify that this Notice of Meeting was posted a glass-enclosed case in front of City Hall at 242 E. Main Street, Zavalla, Texas and available for viewing by the public on the City's Webpage at [cityofzavalla.com](http://cityofzavalla.com) on January 30, 2023 at

10:10 AM.



Carlos Guzman  
Mayor



CITY OF ZAVALLA  
SPECIAL CALLED MEETING  
February 2, 2023

1. Kim Retherford called the meeting to order at 6:00 p.m. on Monday, January 23, 2023 at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980.

2. 3. The Pro Tem Mayor Kim Retherford established a quorum and welcomed the guests.

Council members present were: Pam Hooks, Kim Retherford, Amber Reppond, Jeff Mann and Erika Ponder.

Employees present were: Joy Yarbrough, James Denby, Cody Day and Tom Bailey

Guests present: Marjorie Mann, Sue Morrell, Cindy Baily, Leslie Wills, Jennifer Moore, Katy Chambers, Richard Brunk and Jonny Ringo.

4. Tom Baily gave the invocation.

5. Discuss and possibly approve replacing Daryl Cheney with Earl Norrod. Erika asked to take no action. Jeff Mann wanted to open for discussion. Kim asked Tom Baily to address the council. Tom explained the financial issues concerning holding the license. The payroll budget is set and the fee Earl is charging fluctuates causing overages. Earl was paid \$3400 in January. Earl was here quite a bit. It should come down. Jeff asked if it would be the same amount for Daryl as Earl. Erika said Earl would take a lower amount to match Daryl. Earl wanted the same hourly rate. Pam made a motion to take no action at this time. Amber second the motion.

EXECUTIVE SESSION Time 6:07pm

6. Interview candidates for City Secretary position.

Members returned to meeting at 7:12pm.

7. Discuss and possibly approve hiring a City Secretary. Jeff Mann made a motion to hire Leslie Wills. All were in favor and the motion passed.

Meeting adjourned 7:13pm.

CITY OF ZAVALLA  
REGULAR SCHEDULED MEETING  
FEBRUARY 13, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, February 13, 2023 at 6:00 p.m. at the Zavalla City Hall/Police Station located at 838 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

1. Call meeting to order
2. Establish a quorum
3. Welcome Guest
4. Invocation
5. Public Comment Session
6. Discuss and possibly approve January 9, 2023 minutes.
7. Discuss and possibly approve January 23, 2023 special called meeting minutes.
8. Discuss and possibly approve February 2, 2023 special called meeting minutes.
9. Discuss and possibly approve tabled item from January 9, 2023 meeting to sell the tractor.
10. Discuss and possibly approve the Zavalla Family Medical Clinic adding a portable building for storage use.
11. Discuss for possible action concerning the customer complaint for water damage at 442 Broadus Street.
12. Consideration and possible action of a resolution implementing a public comment session at city council meetings parameters regarding same.
13. Discuss and possibly Repairing the transmission for the black truck.
14. Discuss and possibly Increasing water and sewer rates.
15. Discuss and possibly approve having the Iribarrians bore the creek and make a water connection on N 2<sup>nd</sup> Street.
16. Discuss and possibly approve culvert installation for city residents.
17. Discuss and possibly approve the Racial Profiling Report for 2022.
18. Discuss and possibly approve the following positions of Mayor and Alderman seat to be included on the special election at May 6, 2023.
19. Discuss and possibly approve February bills.

EXECUTIVE SESSION

19. Discuss and possibly approve a pay increase for Sue Hough.
20. Meeting Adjourned

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 8<sup>th</sup> day of February at 5:11 pm

Kim Retherford  
Mayor Pro Tem



CITY OF ZAVALLA  
REGULAR CALLED MEETING  
FEBRUARY 13, 2023

Mayor Pro Tem, Kim Retherford called the meeting to order at 6:00 p.m. on Monday, February 13, 2023 at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. The Mayor Pro Tem, Kim Retherford established a quorum and welcomed the guests.

J. P. Hopkins gave the invocation

Council present were Mayor Pro Tem Kim Retherford, Pam Hooks, Jeff Mann Erika Ponder and Amber Reppond. Employees present were City Attorney, Seth Elmore, Leslie Wills, Sue Hough, Tom Bailey, James Denby, Chris Wade and Cody Day.

Guests: Cindy Bailey, Jacob Bailey, Brenda Cox, Donna Hough, Micah & Dianne Jones, JP Hopkins, Loyce Lawrence, Cindy Denby, Sharon Cagle, Sue Morrell, Charlotte Boyles, Angie Harris and Mark Bailey.

Open Forum:

Cindy Bailey – Voiced her concerns about the previous meetings when the council approved repairs to the lift station with Covid relief funds and then in April voted to purchase a vacuum truck for the sewer system with the same funds, yet it was never purchased. She wanted to know why weren't the repairs made on the lift station and why the vacuum truck wasn't purchased? What was that money used for? She is concerned that there is not enough transparency about the financial issues the city is facing and she feels her voice is not being heard or questions answered. She has asked several times to be added to the agenda to discuss issues but was ignored.

Sue Morrell – She too complained about not being added to the agenda to discuss issues. She has had many of her diner customers complain of the speed change at the over pass on Hwy 69 S to 55mph that resulted in tickets. She felt an ordinance should be implemented to keep that section at 70mph to avoid violations.

Pam Hooks – Made an apology to J.P. Hopkins from the last meeting when negative comments were made after the invocation.

#### Agenda Items Discussed

1. Discuss and possibly approve January 9, 2023 minutes. Jeff made a motion to pass, Erika second the motion, four approved and one abstained.
2. Discuss and possibly approve January 23, 2023 special called meeting minutes. Pam Hooks made a motion to pass, Jeff second the motion, four approved and one abstained.
3. Discuss and possibly approve February 2, 2023 special called meeting minutes. Erika made a motion to pass, Amber second the motion, unanimous approval.

4. Discuss and possibly approve tabled item from January 9, 2023 meeting to sell the tractor. Tom addressed the council and explained that the equity in the tractor as well as the upgrades outweigh selling and buying a new tractor that will equal the same purchase price/note. He asked not to sell the tractor. Pam made the motion to let it die, Erika second the motion, unanimous vote.
5. Discuss and possibly approve the Zavalla Family Medical Clinic adding a portable building for storage use. A representative of the clinic, shared with the council the need for more storage and office space. Since utilities would apply if it were to be used for an office, Kim Retherford said that more information would be needed in order for the council to make a decision. The item was tabled until the next regular meeting in March. Table for lack of motion.
6. Discuss for possible action concerning the customer complaint for water damage at 442 Broaddus Street. It was determined that a valve on the resident side should have eliminated the water damage. The city is not responsible for the damage incurred. Let it die for lack of motion.
7. Consideration and possible action of a resolution implementing a public comment session at city council meetings parameters regarding same. City Attorney, Seth Elmore read aloud Resolution 2023-3. Amber made a motion to pass, Jeff second the motion, unanimous approval.
8. Discuss and possibly Repairing the transmission for the black truck. Tom shared the quotes and the need for repairing the vehicle since the water department only has one vehicle. Jeff made the motion to table the item, Amber second the motion, Pam opposed, the motion was tabled.
9. Discuss and possibly Increase water and sewer rates. Tom spoke to the council on the necessity to increase the water rates due to continued maintenance , repairs, and much needed upgrades to avoid fines that the upcoming inspections could result in and the lack of a contingency fund. A rate increase of \$4 each for water and sewer would make a difference. Jeff made a motion to pass, Amber second the motion, unanimous approval. Motion passed. New rate increase will begin March 2023.
10. Discuss and possibly approve having the Iribarrians bore the creek and make a water connection on N 2<sup>nd</sup> Street. Tom spoke about the first major water outage at Thanksgiving when Texas A & M came to assist them to restore service. On North 2<sup>nd</sup> Street a waterline broke at the creek, Teex made a temporary patch but a permanent connection needs to be made under the creek which also affects one of the three test sites near that connection. A repair is required not only to make a permanent connection but to pass the upcoming state inspection. Pam made a motion to pass, Erika second the motion. Unanimous approval.
11. Discuss and possibly approve culvert installation for city residents. Tom shared that historically, the resident pays for the culvert but the installation has been completed by the city. The cost of materials (dirt) and the necessary equipment needed for this work has been paid for by the city since they do not have either in the water department. This is a loss to the water department and is having a negative effect on the budget. Tom gave two options: 1. Hire Cryer Construction or another company to install and add a fee for the water department to coordinate completion and do a final inspection. 2. Discontinue altogether. Jeff made the motion to let it die, Erika second the motion. Unanimous vote to let it die.
12. Discuss and possibly approve the Racial Profiling Report for 2022. Chris shared the report with the council that must be submitted to the state by March 1<sup>st</sup>. Jeff made a motion to pass, Amber second the motion. Unanimous approval.
13. Discuss and possibly approve the following positions of Mayor and Alderman seat to be included in the special election on May 6, 2023. Leslie read the special election notice. Jeff made a motion to pass, Erika second the motion. Unanimous approval.
14. Discuss and possibly approve February bills. Kim discussed that there are two balloon notes that are maturing soon and that the city did not have the funds to pay them. She suggested to

consolidate the two loans and continue to pay them monthly. Erika made the motion to approve, Jeff second the motion. Unanimous approval.

EXECUTIVE SESSION BEGAN AT 7:55 P.M.

15. Discuss and possibly approve a pay increase for Sue Hough.

BACK IN SESSION AT 8:07 P.M.

Jeff made the motion not to approve, Erika second the motion, unanimously denied.

16. Meeting Adjourned at 8:09 P.M.

EXECUTIVE SESSION

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- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 8<sup>th</sup> day of March at

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Kim Retherford  
Mayor Pro Tem



CITY OF ZAVALLA  
REGULAR SCHEDULED MEETING  
March 13, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, March 13, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

1. Call meeting to order
2. Establish a quorum
3. Welcome Guest
4. Invocation
5. Public Comment Session
6. Zavalla Volunteer Fire Department
7. Discuss and possibly approve February 13, 2023 minutes.
8. Discuss and possibly approve acquiring a loan for repairing the water department's black truck's transmission.
9. Discuss and possibly approve the Zavalla Family Medical Clinic adding a portable building for storage use.
10. Discuss and possibly approve a volunteer policy.
11. Discuss and possibly approve having Sharon Cagle as an internal audit consultant.
12. Discuss and possibly approve policy for out of city limits customers for water and sewer.
13. Discuss and possibly approve Joel Hitchcock (county resident) disconnecting from city water and keeping city sewer.
14. Discuss and possibly approve discontinuing car registration service.
15. Discuss and possibly approve cancellation of the general and special election.
16. Discuss and possibly approve new policies concerning employee sick time use and pay out.
17. Discuss and possibly approve an amendment to the truck weight limit ordinance for our city streets.
18. Discuss and possibly approve March bills.
19. Meeting Adjourned

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 9<sup>th</sup> day of March at \_\_\_\_\_.

  
Kim Retherford  
Mayor Pro Tem

CITY OF ZAVALLA  
REGULAR CALLED MEETING MINUTES  
MARCH 13, 2023

Mayor Pro Tem, Kim Retherford called the meeting to order at 6:00 p.m. on Monday March 13, 2023, at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. The Mayor Pro Tem, Kim Retherford established a quorum and welcomed the guests.

Joel Hitchcock gave the invocation.

Council present were Mayor Pro Tem Kim Retherford, Pam Hooks, Jeff Mann, Erika Ponder and Amber Reppond. Employees present were Leslie Wills, Tom Bailey, Chris Wade, James Denby and Cody Day.

Guests: Marjorie Mann, Cindy Bailey, Debbie Denby, Richard Brunk, Nigel Boyles, Angela Thompson, and Sharon Cagle,

Open Forum:

Richard Brunk shared his concerns for the ambulance service not abiding to their agreed upon service schedule and how it is affecting the residents of Zavalla. He contacted the judge to review the matter.

#### Agenda Items Discussed

1. Discuss and possibly approve February 13, 2023 minutes. Jeff Mann made a motion to pass, Amber second the motion, four approved and Pam Hooks voted no. The motion carried.
2. Discuss and possibly approve acquiring a loan for the repair of the black water department trucks transmission. Tom spoke to the council about the only truck (white truck) they have in service is having starter problems. He said the part would cost \$500 and he would replace the starter himself. He shared that it is imperative for him and Cody to have transportation of their own to maintain the pace of work in the water department. Since the money was not readily available in the water account, he suggested a 12 month loan in which, could potentially be paid in full before the 12 months. He has made great efforts to reduce expenses and save money in his department which was reflected in March bills. He made it very clear that the recent rate increase for water and sewer will only be used for a contingency plan as presented and the loan would be the only way to repair the truck at this time. Erika made the motion to pass, Jeff second the motion, unanimous approval.
3. Discuss and possibly approve the Zavalla Family Medical Clinic adding a portable building for storage use. A representative of the clinic, shared with the council the revised lease that covered all utility installation and beautification requirements asked for by the city and paid by the clinic. This lease agreement is for administration storage only. The clinic will address the council again in the

future if and when they want to utilize it for an administration office. Pam made the motion to pass, Erika second the motion, unanimous approval.

4. Discuss and possibly approve a volunteer program for the city. Kim shared with the council that we have had citizens offer their help to the city in several ways. Kim would like a policy implemented that requires documents covering basic individual information, approval for background clearance and scope of work to satisfy any city liabilities. Amber made the motion to table until such documents could be drafted. Jeff second the motion, unanimously passed.
5. Discuss and possibly approve having Sharon Cagle as an internal audit consultant. Leslie shared that at the last council meeting, Sharon Cagle had offered her assistance with compliance in the cities bookkeeping. Sharon has 32 years of experience in internal auditing and serving as a finance director for large companies. She has since retired and resides with her husband in Zavalla. She learned of the cities past auditing problems and wanted to offer her assistance as a volunteer. Since that time she completed all paperwork to prove her work history and passed a background check. She has assisted in several areas in the past couple of weeks that have proven to be invaluable to the city. Amber made a motion to pass, Jeff second the motion, unanimous approval.
6. Discuss and possibly approve policy for out of city limits customers for water and sewer. Tom shared that we currently have three residents that have been approved in the past at three different standards at three different times in the past. Tom explained that the sewer approval through TCEQ is based on the intake of water to sewer ratio at 80%. Without metering the water intake of residents installing a water well, it is unclear if a violation with TCEQ would result with an unjustified increase in sewer use. This would require residents requesting to discontinue water service while maintaining sewer service to install a flow meter and authorize city employees to monitor water use. This could pose a hardship for the city if residents do not comply. Tom proposed that a base rate of water and sewer be set with an upcharge for out of city limits residents as the standard moving forward. Pam made the motion to pass, Jeff second the motion, Kim voted to pass the motion while Erika and Amber voted no. The motion carried.
7. Discuss and possibly approve Joel Hitchcock (county resident) disconnecting from city water and keeping city sewer. In light of the council's decision to implement a policy standard for residents outside the city to only have one service (water or sewer), at a base out of city rate charge for both would apply, Mr. Hitchcock opted not to continue with his request. The request died for lack of motion.
8. Discuss and possibly approve discontinuing car registration service. The city has incurred expenses to offer this service and can no longer afford to do so. The Zavalla sub-courthouse offers this service to the residents of Zavalla on Tuesday's. Jeff made the motion to pass, Amber second with Kim passing the motion while Erika and Pam opposed the motion. The motion carried.
9. Discuss and possibly approve cancellation of the general and special election. Kim explained that the May election has all unopposed candidates for the available seats, therefore resulting in a cancelation of the election. A notice of cancelation will be signed by council and posted at all necessary sites for public record. Jeff made the motion to pass, Amber second the motion. Unanimous approval.
10. Discuss and possibly approve new policies concerning employee sick time use and pay out. Kim explained to the council that the city currently does not have a policy in place concerning sick leave and historically it has been paid to employees upon their leaving the cities employ. This has been quite costly to the city and not the norm for industry practice. Kim would like a policy implemented



concerning this issue. Amber made the motion to table until a policy is drafted, Jeff second the motion. Unanimous approval.

11. Discuss and possibly approve an amendment to the truck weight limit ordinance for our city streets. Tom spoke on the growing concerns of overweight vehicles causing extensive damage to our city streets. An ordinance was implemented on October 9, 2006 to establish a weight limit of 50,000 lbs. A vehicle exceeding the weight limit without a city issued permit would be liable for damages incurred. Although this was great in theory, the ability to enforce it has failed in the past because the city does not have certified scales to prove the vehicles violation. After great debate and input from several including Chief Wade and Officer Denby, it was determined that amending the ordinance to include a truck axle limit would be more enforceable. Amber made the motion to table until more research was conducted to determine if this was possible. Jeff second with unanimous approval.
12. Discuss and possibly approve March bills. Kim shared with the council that she noticed an improvement with the March expenses. Department heads have made a great effort to reduce spending. All past due accounts will be made current with the March payments. Jeff made a motion to pass, Erika second with unanimous approval.
13. Meeting Adjourned at 8:11 p.m.

#### EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.
- d. 551.82 Economic Development

Minutes approved this 13 day of March, 2023.



Kim Retherford, Mayor Pro Tem

#### ATTEST BY:



Leslie Wills, City Secretary

STATE OF TEXAS

ANGELINA COUNTY

CITY OF ZAVALLA



CITY OF ZAVALLA  
SPECIAL CALLED MEETING  
March 20, 2023

The Zavalla City Council will conduct a Special Called Meeting on Monday, March 20, 2023 at 6:00 p.m. at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

1. Call meeting to order
2. Establish a quorum
3. Welcome Guest
4. Invocation
5. Discuss and possibly approve acceptance of the resignation for Chief Chris Wade.
6. Discuss and possibly approve discussing the appointing interim police chief.
7. Discuss and possibly approve post the Chief of Police position.
8. Discuss and possibly approve the funding of the repairs to the black truck.
9. Meeting Adjourned

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at anytime during the meeting to discuss any of the matters listed below under the authorized article of the meeting act. Texas Government Code

- a. 551.071 Consultation with Attorney
- b. 551.072 Deliberation about Real Property
- c. 551.073 Deliberation about Gifts and Donations
- d. 551.074 Personnel Matters
- e. 551.075 Economic Development Matters

I certify that this Notice of Meeting was posted a glass-enclosed case in front of City Hall at 242 E. Main Street, Zavalla, Texas and available for viewing by the public on the City's Webpage at [cityofzavalla.com](http://cityofzavalla.com) on March 16, 2023 at 10:21 Am.



Kim Retherford  
Mayor Pro Tem

CITY OF ZAVALLA  
SPECIAL CALLED MEETING MINUTES  
MARCH 20, 2023

Mayor Pro Tem, Kim Retherford called the meeting to order at 6:00 p.m. on Monday March 20, 2023 at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. The Mayor Pro Tem, Kim Retherford established a quorum and welcomed the guests.

James Denby gave the invocation.

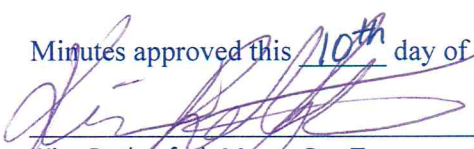
Council present were Mayor Pro Tem Kim Retherford, Pam Hooks, Jeff Mann Erika Ponder and Amber Reppond. Employees present were Leslie Wills, Tom Bailey, Chris Wade, James Denby and Cody Day.

Guests: Marjorie Mann, Cindy Bailey, Debbie Denby, Richard Brunk, Angie Cheney, Sue Morrell, Bill Seabourne, Marissa Cantrell, Maria Sonnier and Daniel Sonnier.

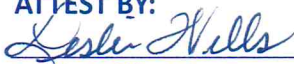
Agenda Items Discussed

1. Discuss and possibly approve the acceptance of Chief Wade's resignation. Jeff Mann made a motion to pass, Amber second the motion, unanimously approved.
2. Discuss and possibly approve appointing James Denby as interim police chief until one is hired. James accepted the interim position. Pam made the motion to appoint James as interim police chief, Jeff second the motion, unanimously approved.
3. Discuss and possibly approve posting the chief of police position for hire. Pam made a motion to approve, Jeff second the motion, unanimously approved.
4. Discuss and possibly approve the funding of the repairs for the black truck in the water department. Kim shared that U Bank was wanting to secure the loan for the repairs with \$5000 from the city CD fund while charging \$132 in interest and processing fees. She stated that withdrawing the funds from the CD and making payments would only cost \$8. After much discussion, Pam made the motion to use funds directly from the water department and avoid additional fees. Jeff second the motion with Amber and Kim voting to pass the motion. Erika voted no. Motion passed. Meeting Adjourned at 6:17 p.m.

Minutes approved this 10<sup>th</sup> day of April, 2023.

  
\_\_\_\_\_  
Kim Retherford, Mayor Pro Tem

**ATTEST BY:**

  
\_\_\_\_\_  
Leslie Wills, City Secretary  
STATE OF TEXAS  
ANGELINA COUNTY  
CITY OF ZAVALLA



CITY OF ZAVALLA  
REGULAR SCHEDULED MEETING  
April 10, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, April 10, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

1. Call meeting to order
2. Establish a quorum
3. Welcome Guest
4. Invocation
5. Public Comment Session
6. Zavalla Volunteer Fire Department
7. Discuss and possibly approve March 13, 2023 minutes.
8. Discuss and possibly approve March 20, 2023 special called meeting minutes.
9. Discuss and possibly approve opening engineering bids for planning phase for cities water capacity.
10. Discuss and possibly approve changes to the water departments extension and payment plan guidelines.
11. Discuss and possibly approve changes in managing the water departments Call Out System.
12. Discuss and possibly approve sending proposal requests for banking services.
13. Discuss and possibly approve policy for salary comp time and an ordinance adopting the employee handbook and ratifying the implementation thereof.
14. Discuss and possibly approve April bills.
15. Department Head Updates
16. Meeting Adjourned

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 6<sup>th</sup> day of April at 2:27 PM.

Kim Retherford  
Mayor Pro Tem

Authentisign  
*Kim Retherford*

04/06/23

CITY OF ZAVALLA  
REGULAR CALLED MEETING MINUTES  
APRIL 10, 2023

Mayor Pro Tem, Kim Retherford called the meeting to order at 6:00 p.m. on Monday April 10, 2023 at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. The Mayor Pro Tem, Kim Retherford established a quorum and welcomed the guests.

Cindy Bailey gave the invocation.

Council present were Mayor Pro Tem Kim Retherford, Pam Hooks, Jeff Mann Erika Ponder and Amber Reppond. Employees present were Leslie Wills, Tom Bailey, James Denby, Joy Yarbrough and Cody Day.

Guests: Loyce Lawuna, Cindy Bailey, Debbie Denby, Richard Brunk, Ray Vann Pooja Salhotra.

Open Forum: Ray Vann with Raymond K Vann & Associates LLC spoke of the two projects through approved grants that are currently active for the City of Zavalla. The water filtration system for the Marshall water plant, which is a smaller project that is getting underway and shouldn't take long to complete. The other project is the General Land Grant for street improvement in Zavalla, which was a \$3,600,000.00 grant with a 1% city match of funds. The process for completion has taken some time. The first phase involved environmental reviews engineer designs, front end paperwork involving civil rights and other approvals that come with the bureaucracy of a grant. The next phase is the bidding process. The engineers are opening bids in May with awards in June for work to start in July.

#### Agenda Items Discussed

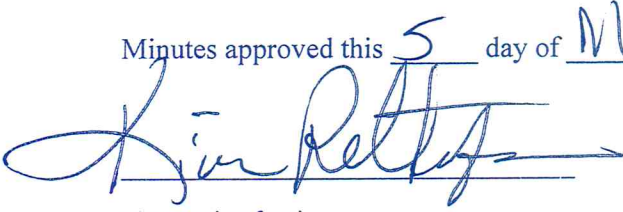
6. Zavalla VFD – No spokesman present.
7. Discuss and possibly approve the meeting minutes for March 13, 2023. Erika shared that she liked that more of an explanation was given in the minutes by the city secretary but that she would like to see specifics as to who said what. Amber made a motion to pass, Jeff second the motion, unanimously approved.
8. Discuss and possibly approve the meeting minutes for March 20, 2023 special called meeting. Pam made the motion approve the minutes, Jeff second the motion, unanimously approved.
9. Discuss and possibly approve opening engineering bids for planning phase for the cities water capacity. Tom spoke of the TCEQ citation issued to the city that the gallons per minute pump capacity was below the required amount. The requirement is 1418 GPM and we are currently at 920 GPM. We were advised to start the planning process of hiring an engineer to increase the pump size therefore increasing volume. Due to the wording of the agenda item as opening for bids, the council felt the motion should die until properly worded to "begin procurement". Council let motion die.
10. Discuss and possibly approve changes to the water department's extension and payment plan guidelines. Kim shared that our current installment payment plan is too vague allowing continued

delinquency on water bills. Erika suggested that the installment payment policy needs a specific start date and Joy suggested that 4 set installment amounts of 25% needed to be clearly stated on the form of the total owed, with the first installment paid at signing the agreement, then the resident will pay the 3 remaining 25% installment payments with their regular monthly bill until paid in full. Kim suggested that the extension policy limits would be best to table at a later council meeting. Amber made a motion to approve, Erika second the motion, Jeff abstained, all others approved.

11. Discuss and possibly approve changes in managing the water department's Call Out System. Currently, Erika a council member is managing the call out system and is leaving office in May. It was suggested that the city secretary manage the call out system to keep it consistent. Erika made the motion to pass, Amber second the motion and it was unanimously approved.
12. Discuss and possibly approve sending proposal requests for banking services for the city. Kim shared that our 5 year contract for banking services has recently expired and it is time to request proposals for these services from local providers. Jeff made the motion to approve, Amber second the motion, Pam voted no, all others approved, motion passed.
13. Discuss and possibly approve policy for salary comp time and an ordinance adopting the employee handbook and ratifying the implementation thereof. Kim explained that although we have an employee policy handbook, an ordinance has not been approved by council for the handbook. After a lengthy discussion concerning the salary comp time it was decided to let the motion die until more research could be done in order to make an informed decision.
14. Discuss and possibly approve April bills. Erika had questions on an invoice from our city attorney. The abbreviations he uses in his invoice are confusing. Kim asked that he make his statement more defined with his reason for the charges. Erika also questioned the Lufkin Daily News invoice that showed delinquent. It was determined that they had sent that by mistake. The account was paid in full last month. Pam questioned the charges on the Master Card. Leslie showed the council the receipts for the charges. A minimum payment was being paid this month due to other quarterly liabilities that the city paid. Amber made the motion to approve payment, Erika second the motion, motion passed unanimously.
15. Department head updates: Jaime Denby spoke for the police department and shared that he has changed the contact information on all critical accounts to him for submission of reporting. The activity report for the month of March shows 91 contacts, 12 calls for service, one arrest and 73 citations written.  
Tom spoke for the water department and shared that the black truck has been repaired and the bill paid in full. TCEQ spent two days with the water department for training on GUI reporting and had an on site review of the GUI system to determine steps for improvements. Mowing season has started and with just two workers to manage the water department and mowing, time is limited. Tom contacted TXDOT about mowing the highway frontage on HWY 69. TXDOT is revising the agreement and will submit for approval with the council. Tom is negotiating compensation for the mowing. The HWY 69 lift station is still having problems during heavy rains. Tom is getting quotes for a remedy. The starter at the Broaddus well is still having problems. Tom replaced. The ground storage tank on Marshall is needing to either be sandblasted or replaced. Quotes are being taken for the council to decide on replacement or repair depending on the costs involved. Tom also spoke to the county about borrowing equipment to maintain the city streets of overgrowth.  
Leslie spoke for the office administration and shared that they each have cleaned and organized files for each department and the city bills are current. Jennifer, Court Clerk has completed one training class for her new position and is scheduled for her second training in July. Joy, Water Compliance Coordinator, has been working hard on billing and collections records in the system as well as TCEQ reporting requirements. Pam asked about the prior year audits. Leslie said that at this

time, she has not. She is working on getting the financials for 2022 & 2023 ready for upcoming budgeting for 2024. Once they are ready, she will start working on prior years.  
16. Meeting Adjourned at 7:40 p.m.

Minutes approved this 5 day of May, 2023.

A handwritten signature in blue ink, appearing to read "Kim Retherford", written over a horizontal line.

Kim Retherford  
Mayor Pro Tem

A handwritten signature in blue ink, appearing to read "Leslie Wills", written over a horizontal line.

Leslie Wills, City Secretary

CITY OF ZAVALLA  
REGULAR SCHEDULED MEETING MINUTES  
May 15, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, May 15, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

1. Call meeting to order
2. Establish a quorum
3. Welcome Guest
4. Invocation
5. Public Comment Session
6. Discuss and possibly approve April 10, 2023 minutes.
7. Discuss and possibly approve Beginning procurement for the engineering bids planning phase for cities water capacity.
8. Discuss and possibly approve Opioid Abatement Resolution for receipt of state funding.
9. Discuss and possibly approve First Baptist Church Vacation Bible School Zavalla Park Cleanup Project. (Reagan Rash Presenter)
10. Discuss and possibly approve May bills.
11. Department Head Updates
12. Issue certification of election and administer the oath of office for Mayor and new council members.
13. Meeting Adjourned

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 15th day of May at 11:06 AM

↑  
12th



Kim Retherford  
Mayor Pro Tem



**MINUTES OF THE GOVERNING BODY OF THE CITY OF ZAVALLA, TX  
REGULAR SESSION MEETING ON MAY 15, 2023, AT 6:00 PM., IN THE CITY HALL**

**COUNCIL PRESENT:** Mayor Pro Tem Kim Retherford, Pam Hooks, Jeff Mann, Erika Ponder and Amber Reppond.

**COUNCIL ABSENT:** All present

**STAFF PRESENT:** Tom Bailey, Cody Day, Joy Yarbrough, James Denby and Leslie Wills

**GUESTS PRESENT:** Margie Mann, Brenda Cox, Angie Thompson, Richard Brunk, Carolyn Guzman, Nolan Smith, Nigel Boyles, Cindy Bailey, Denise Khames

**CALL TO ORDER:** Mayor Pro Tem, Kim Retherford called the meeting to order at 6:00 p.m. on Monday May 15, 2023, at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. The Mayor Pro Tem, Kim Retherford established a quorum and welcomed the guests.

Cindy Bailey gave the invocation.

**OPEN FORUM:** None requested.

**FIRST ITEM ON THE AGENDA: Discuss and possibly approve April 10, 2023, meeting minutes.**  
Council members read the minutes. Erika stated that they were very detailed and specific to whom said what. She was pleased. Erika made the motion to approve, Amber seconded the motion, unanimous approval and the motion passed.

**SECOND ITEM ON THE AGENDA: Discuss and possibly approve beginning procurement of the engineering bids planning phase for the city's water capacity increase.**  
Tom explained that we had received a TCEQ citation because the gallons per minute pump capacity was below the required amount. The requirement is 1418 GPM, and we are currently at 920 GPM. We were advised to start the planning process of hiring an engineer to increase the pump size therefore increasing volume. Amber made the motion to approve, Jeff seconded the motion, unanimously approved and the motion passed.

**THIRD ITEM ON THE AGENDA: Discuss and possibly approve the opioid abatement resolution for receipt of settlement funds to the city.**  
Kim explained that this settlement was made known to us the first of last year. Waunesa completed the necessary documents and now the resolution needed to be approved to receive \$2600.00 from the settlement. Erika made the motion to approve, Jeff seconded the motion, unanimously approved and the motion passed.

**FOURTH ITEM ON THE AGENDA: Discuss and possibly approve the FBC VBS groups Zavalla park cleanup project.**  
Reagan Rash spoke to the council and guests about the group wanting to paint equipment, bathrooms and spruce up the grounds. Pam made the motion to approve, Erika seconded the motion, unanimous approval and the motion passed.

**FIFTH ITEM ON THE AGENDA: Discuss and possibly approve May bills.**  
The council reviewed the bills. Pam asked about the Uline bill for \$1303.50. Kim explained that there are several stop signs throughout town that have gone missing and could cause accidents. The city is responsible

for safety on city streets; therefore, they must be replaced. Erika made the motion to approve the bills, Jeff seconded the motion, unanimous approval and the motion passed.

**NINTH ITEM ON THE AGENDA: The installation of the new council.**

The city secretary, Leslie Wills had each member read the Statement of Office and the Oath of Office as outlined by the Texas State Legislative Office and issued the certificate of election for each member. As they completed their oaths, they were welcomed with great applause.

**STAFF REPORTS:**

1. Tom Bailey reported one water leak by the High School that took a couple of days to repair. He is still having a couple of issues maintaining the wells, but they are small, and he is working through them. He also announced that Cody Day passed his sewer licensing test and is now the City's regulatory advisor concerning the sewer system.
2. James Denby reported 77 tickets he had written for the month of April. He also responded to 25 service calls, made 3 arrests and wrote 26 citations. Mayor Pro Tem, Kim Retherford thanked him for all he is doing considering the other two law enforcement positions have not been filled yet.
3. Leslie reported that both she and Jennifer had completed their 3-month probationary period. She shared that Jennifer is doing very well in her court clerk position. Pam asked her what the status is on prior year audit reviews. Leslie shared that her number one priority at this time is to have accurate financials from 2022 and 2023 ready for the council to prepare the 2024 Budget. Once this is complete, the focus will be on prior year audits.

**ADJOURNMENT:** Mayor Brenda Cox called the meeting adjourned at 7:22 p.m.

Minutes approved this 12<sup>th</sup> day of June, 2023.

*Brenda Cox, Mayor*

Brenda Cox, Mayor

**ATTEST BY:**

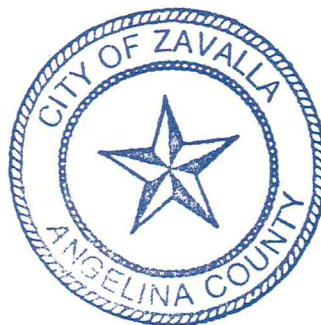
*Leslie Wills*

Leslie Wills, City Secretary

STATE OF TEXAS

ANGELINA COUNTY

CITY OF ZAVALLA



CITY OF ZAVALLA  
AGENDA FOR THE  
REGULAR SCHEDULED MEETING  
JUNE 12, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, June 12, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order  
Establish a quorum  
Welcome Guest  
Invocation  
Public Comment Session

1. Discuss and possibly approve May 15, 2023 minutes.
  2. Discuss possible action item on adjusting the speed limit for Highway 69 within the city limits.
  3. Discuss and possibly approve the budget calendar of events and scheduling a budget workshop for the last week of July.
  4. Discuss and possibly approve action to designate, by official action, the name of the Tax Assessor-Collector (Billie Page) or an employee of Angelina County Tax Assessor-Collector's office, who will calculate the City of Zavalla's tax rates.
  5. Discuss and possibly approve scheduling a workshop for the revision of the City of Zavalla's employee handbook.
  6. Discuss and possibly approve renewing the HACH service agreement for the equipment at the GUI plant.
  7. Discuss and possibly approve hiring a collection agency for collection of delinquent utility payments from the last 3 years.
  8. Discuss and possibly approve the in service potable tank inspection for the water tower.
  9. Discuss and possibly approve discontinuing the agreement with the City of Lufkin for animal surrender.
  10. Discuss and possibly approve accepting Amber Reppond's resignation from council.
  11. Discussion item: Requesting volunteers from the community for the open council seat.
  12. Discuss and possibly approve nomination for Mayor Pro Tem and term rotation for the seat.
  13. Discuss and possibly approve council member Richard Brunk to apply for grants on behalf of the city.
  14. Discuss and possibly approve June bills.
  15. Department Head Updates
  16. Executive Session to discuss Jaime Denby's application for the Chief of Police position.
- Meeting Adjourned

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 9th day of June at 10:30 A.M

  
Brenda Cox  
Mayor

**MINUTES OF THE GOVERNING BODY OF THE CITY OF ZAVALLA, TX  
REGULAR SESSION MEETING ON JUNE 12, 2023, AT 6:00 PM., IN THE CITY HALL**

**COUNCIL PRESENT:** Mayor Brenda Cox, Richard Brunk, Jeff Mann, Nigel Boyles, Amber Reppond and Angie Thompson.

**COUNCIL ABSENT:** All present

**STAFF PRESENT:** Tom Bailey, Cody Day, Joy Yarbrough, James Denby and Leslie Wills

**GUESTS PRESENT:** Debbie Denby, Shannon Yarbrough, Sue Morrell, Margie Mann, Loyce Lawrence, Sharon Cagle, Stewart Husband, Becky Husband, Cindy Bailey, Leslie Bridges, JP Hopkins, Jeremy Chaney, Jonny Ringo, Kenneth Jeffrey and Nicholas Young.

**CALL TO ORDER:** Mayor Brenda Cox called the meeting to order at 6:00 p.m. on Monday June 12, 2023, at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. Mayor Brenda Cox established a quorum and welcomed the guests.

JP Hopkins gave the invocation.

**OPEN FORUM:** None requested.

**FIRST ITEM ON THE AGENDA:** Discuss and possibly approve May 15, 2023, meeting minutes.

Council members reviewed the minutes. Richard Brunk made the motion to approve the meeting minutes for May 15, 2023 minutes, Jeff Mann second the motion, unanimous approval and the motion passed.

**SECOND ITEM ON THE AGENDA:** Discuss possible action item on adjusting the speed limit for highway 69 within the city limits.

Mayor Cox read the authority of the municipality and the governing body to alter the speed limit within the municipality on officially designated highways and opened the topic for discussion. Richard stated that he had concerns for the residents at the South end of city limits on Hwy 69 that the higher rate of speed of 70 mph suggested by TXDOT would be detrimental to them. Mayor Cox then shared the letter of petition for these residents. All 12 residents signed to oppose the increase. They want to keep the speed limit at 55 mph. Mayor Cox also shared that we have an ordinance, Ordinance #22, established on November 27, 1979, for a speed limit within the city limits of 55 mph for the safety of the residents. Interim Chief of Police, James Denby shared photos of the resident's driveways entering the highway showing the reduced visibility due to a hill in this area. He also stated that a new church and rodeo arena will increase the traffic entering and exiting in this as a safety hazard. Jeff Mann agreed and expressed the same concerns and shared that other small cities South Hwy 69 are also at a speed of 55 mph within the city limits. Nigel shared that she drove this section at 55 mph and the time it took her to drive within the city limits at 55 mph was 23 seconds. She showed that 23 seconds is not enough time loss to justify raising the speed and with many new teenage drivers on FM 1270 entering Hwy 69, it was more important to be concerned with their safety rather than saving a few seconds of a passerby's time. The Mayor asked for a motion, Nigel made the motion to keep the speed limit at 55 mph, Richard Brunk second the motion. The motion passed unanimously.

**THIRD ITEM ON THE AGENDA: Discuss and possibly approve the budget calendar of events and schedule a budget workshop for the last week of July.**

Leslie explained that Sam Durham, Financial Director for the City of Diboll has graciously agreed to attend and help with our city budget but that she will not be available Tuesday, July 25th. After discussion between council members on availability, the council agreed to meet on Monday July 24<sup>th</sup> at 6:00pm. Jeff Mann made the motion to meet July 24<sup>th</sup> for the budget workshop, Angie Thompson second the motion, Amber Reppond abstained. The motion passed.

**FOURTH ITEM ON THE AGENDA: Discuss and possibly approve action to designate, by official action, the name of the Tax Assessor-Collector's office, who will calculate the City of Zavalla's tax rate.**

Mayor Cox explained that this must be recorded in meeting minutes. Nigel made the motion to designate Angelina County Tax Assessor Collector as the official person to calculate our tax rates for the city moving forward. Richard second the motion. The motion passed unanimously.

**FIFTH ITEM ON THE AGENDA: Discuss and possibly approve scheduling a workshop for revising the employee policy handbook.**

After much discussion between council members on availability, it was agreed that Thursday June 22<sup>th</sup> at 6:00pm was a good day for everyone. Jeff Mann made the motion to meet June 22<sup>th</sup> for the workshop, Angie Thompson second the motion, Amber Reppond abstained. The motion passed.

**SIXTH ITEM ON THE AGENDA: Discuss and possibly approve renewing the HACH service agreement for the equipment at the GUI plant.**

Tom shared that the equipment purchased through HACH had to be maintained by HACH. He also explained that they are very reliable with their maintenance. Nigel made the motion to approve renewing the HACH annual service agreement, Jeff second the motion. The motion passed unanimously.

**SEVENTH ITEM ON THE AGENDA: Discuss and possibly approve hiring a collection agency for collection of delinquent utility payments from the last 3 years.**

Mayor Cox asked Joy to explain the situation and her idea for recovering these losses. Joy shared that within the last three years, a total of \$20,659.51 has not been paid by delinquent utility customers. Joy researched different recovery agencies and found 3. Southwest Recovery Services was the most reasonable, fee wise. They charge 30% of the total recovered. Their fee is \$0 if payment is not received. In summary, we recover 70% of losses that we would normally write off. Richard made the motion to approve using Southwest Recovery Agency, Jeff second the motion. The motion passed unanimously.

**EIGHTH ITEM ON THE AGENDA: Discuss and possibly approve the in service potable tank inspection for the water tower.**

Mayor Cox asked Tom to explain. Tom shared that according to TCEQ guidelines, the tanks are supposed to be inspected annually. This tank has not been inspected in the last three years. This is a must to do but it doesn't need to be done until funds are available. He just wanted to have approval in advance to get it scheduled. This is the first step to understanding what repairs are necessary to keep the tank functioning. Nigel asked if the conditions of the contract for the inspection that applied to Tom in preparing the tank for the inspection in advance to avoid excess fees would be followed and Tom assured her that they would. Richard asked if three bids were necessary or required by law or was that a council requirement in the past. Nigel shared that if the company that Tom uses for the inspection had performed it before and the city was pleased with their work and it was a reasonable fee, requiring bids should not be necessary. It is only when a new project arises with unfamiliar companies that Tom would be required to obtain three different bids for the work. Nigel made the motion to approve having the tank inspected, Jeff second the motion. The motion passed unanimously.

**NINETH ITEM ON THE AGENDA: Discuss and possibly approve discontinuing the agreement with the City of Lufkin for animal surrender.**

Mayor Cox explained that people within the city can surrender animals that the city is responsible for the cost. Mayor Cox reached out to the City of Huntington who has helped us in the past with this problem. They were not able to help any longer. They suggested that she ask the county to assist us. Richard read the rules and regulations concerning this topic and hoped that we could plan budgeting for these charges. Mayor Cox asked COP Denby to share his concerns. COP Denby said that we do not have the regulated facilities or transport cages to service animal surrendering ourselves. If someone was bitten, the owner is allowed to self-quarantine the animal until proven clear and the owner is responsible for any medical fees. Nigel felt this is a needed service but the contract needs to be restructured to keep the city from being responsible for uncapped charges. Mayor Cox asked for a motion to table the item. Nigel made the motion to table, Angie second the motion. The motion was tabled.

**TENTH ITEM ON THE AGENDA: Discuss and possibly approve Amber Reppond's resignation from council.**

Mayor Cox explained that Amber has since moved outside of city limits and could no longer serve on the city council. Amber shared that it has been an honor to serve the city. All of the council thanked her for her service. Mayor Cox asked for a motion to accept the resignation dated as of today. Jeff made the motion to accept Amber's resignation and Nigel second the motion. The motion passed unanimously.

**ELEVENTH ITEM ON THE AGENDA: Discuss and possibly approve requesting volunteers from the community within city limits for the open council seat.**

Mayor Cox explained that she would like to have a procedure adopted to allow anyone interested to apply and it not be a decision based on council members suggesting someone therefore limiting the options available. Nigel suggested a brief application process where each candidate shares their ideas and purposes for serving that would help the decision-making process. Jeff opposed the idea to require an application but Nigel explained that if she has three names in front of her and she doesn't know any of them, how would she know who is the better candidate without them sharing their ideas for service. Nigel made the motion to table for further discussion for a procedure to apply for vacant council seat, Richard second the motion. The agenda item was tabled.

**TWELTH ITEM ON THE AGENDA: Discuss and possibly approve nomination for Mayor Pro Tem and term rotation for the seat.**

Mayor Cox explained that she would like to run the Mayor Pro Tem in a 3 month rotation to allow all council members to learn the responsibilities and demands of the position. Richard shared that he thought the rotation should be longer than three months, he felt it should be six months to a year. Mayor Cox explained that some council members would not get to effectively serve that length of time due to their jobs. Nigel also stated that if the terms were longer, not all council members would have a chance to serve. Jeff asked for clarification that serving as Mayor Pro Tem was just in the absence of the Mayor. Mayor Cox explained it was necessary to have that person trained and ready to serve if the need arises. Jeff made the motion to pass the three month rotation and Nigel second the motion. All in favor with Richard Brunk voting no. The motion carried. Mayor Cox asked for a nomination for Mayor Pro Tem. Jeff made the motion to vote Nigel Boyles for Mayor Pro Tem, Angie second the motion. The motion passed unanimously.

**THIRTEENTH ITEM ON THE AGENDA: Discuss and possibly approve council member Richard Brunk to apply for grants on behalf of the city.**

Mayor Cox explained that Richard has shown not only the ability to write grants but the enthusiasm to do so. She felt that guidelines and restrictions were needed to clarify that this is a council decision needing final approval from the Mayor but that communication throughout the process with all is paramount. She also

stated that most of the grants were coordinated through Ray Vann And Associates. Richard pointed out that Mr. Vann did not service private foundation grants and those were the grants he wanted to apply for on behalf of the city. Mayor Cox expressed that she understood that but that she should be kept informed of any business concerning the city in order to effectively communicate with different entities that may contact her. Nigel shared that she deals with this process on her job at the school. The parliamentary process is very clear. The request for applying for any grant goes before the school board and approved in the minutes with details discussed such as, what the scope of the grant consists of and the cost to them. This process is to protect the grant writer as well. Richard stated that his reputation for success with applying and winning grants for the fire department should speak for itself. Guest, Sue Morrell shared that she agreed with the restrictions due to prior grants being approved and total funds received not listed in the council meeting minutes created distrust in the community. She agreed it creates transparency and protection to all, especially the grant writer. Nigel stated that she felt that the agenda item should be stated as any person and not specifically just one person. The Mayor clarified that all parties involved should work closely together throughout this process and since there were differences in opinions, she suggested to table the item for further research and discussion. Nigel made a motion to table the item and Angie second the motion. All were in favor and the motion passed to table the item.

**FOURTEENTH ITEM ON THE AGENDA: Discuss and possibly approve June bills.** Mayor Cox asked if any council member had questions after their review of the bills. Richard asked for clarity on a few of the bills, which Leslie gave. Richard wanted to see what funds were coming into the city monthly as well. Mayor Cox explained that the revenue will be shared in the budget workshop once it is finalized. Richard made a motion to approve the June bills and Nigel second the motion. All were in favor and the approval to pay June bills was passed unanimously.

**FIFTEENTH ITEM ON THE AGENDA: STAFF REPORTS:**

Tom expressed appreciation for different community residents, Lloyd Cox, Montes Ganson and Richard Brunk for assisting with road repair, mowing, weed eating and tree removal. These volunteers are greatly appreciated since it is only Tom & Cody handling all the work for both the water department and City. Two new water taps and four sewer taps were installed this month. Tom is also preparing quotes for repairs or replacement of a couple of the water tanks in preparation of writing grants for funds. Richard questioned Tom on highway mowing and his progress with the highway department on determining who is responsible for this section of mowing since it had not been done. Tom shared that the highway department was responsible. He also shared with the highway department his disappointment of their delays in releasing that section of mowing to TXDOT and it reflecting badly on the city because it has not been mowed.

COP Denby stated that for the month of May there were 91 contacts made, 19 calls for service, 0 arrests and 46 citations.

**SIXTEENTH ITEM ON THE AGENDA: The council went into executive session to interview and discuss interim COP Denby for the Chief of Police position at 7:25 pm.**

**Council returned at 8:15 pm.** Mayor Cox asked for a motion to hire James Denby as the Chief of Police at the same salary of the last COP. Richard made the motion to hire James Denby as COP for the City of Zavalla and Jeff second the motion. The motion passed unanimously.

**ADJOURNMENT:** Mayor Brenda Cox called the meeting adjourned at 8:17 p.m.

Minutes approved this 10 day of July, 2023.

Brenda Cox, Mayor

Brenda Cox, Mayor

**ATTEST BY:**

Leslie Wills

Leslie Wills, City Secretary

STATE OF TEXAS

ANGELINA COUNTY

CITY OF ZAVALLA





CITY OF ZAVALLA  
SPECIAL CALLED MEETING & WORKSHOP AGENDA  
June 22, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Thursday, June 22, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order

Establish a quorum

Welcome Guest

Invocation

1. Discuss and possibly approve using contingency funds for pump replacement for the Marshall well pump that is currently down.

WORKSHOP

2. Review the employee policy handbook and possibly make changes.

Meeting Adjourned

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 20th day of June at 3:11 PM.

*Brenda Cox*

Brenda Cox  
Mayor



CITY OF ZAVALLA  
WORKSHOP AGENDA  
June 28, 2023

The Zavalla City Council will conduct another workshop on Wednesday, June 28, 2023, at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980. (Our sincere apologies for having this workshop on Wednesday night. We respect days of worship. We wanted all council members to attend, and this was the only day everyone was available. We will not make this a habit.)

ORDER OF BUSINESS

Call meeting to order  
Establish a quorum  
Welcome Guest  
Invocation

WORKSHOP

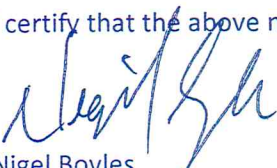
The purpose of the workshop is designed to discuss, interpret and adopt policies and procedures from state laws and fellow cities that have fair and practical guidelines for both officials and employees alike.

EXECUTIVE SESSION

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- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 26th day of June at 9:43 am.

  
Nigel Boyles  
Mayor Pro Tem



CITY OF ZAVALLA  
AGENDA FOR THE  
REGULAR SCHEDULED MEETING  
JULY 10, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, July 10, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order.

Establish a quorum.

Welcome Guest.

Invocation.

Public Comment Session.

1. Discuss and possibly approve June 12, 2023 minutes.
2. Discuss and possibly approve Archive Social assisting us with social media presence and records retention.
3. Discuss and possibly approve the City of Zavalla Procedure and Policy Handbook.
4. Discuss and possibly approve appointing a new council member to fill the vacant seat.
5. Discuss and possibly approve amendments to ordinances #30, 39 & 82.
6. Discuss and possibly approve discontinuing the City of Lufkin Animal Surrender agreement.
7. Discuss and possibly approve advisory committees for the council: Future Projects & Economic Growth Committee, Beautification Committee, Events/Parades/Festivals Committee.
8. Discuss and possibly approve a policy for grant discovery and an approval process for applying.
9. Discuss and possibly approve June bills.
10. Department Head Updates

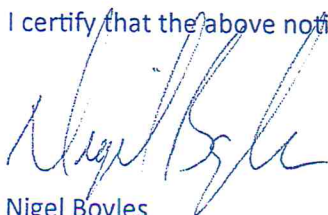
EXECUTIVE SESSION

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- b. 551.75 Deliberate about Real Property
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- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 9th day of July 6, 2023, at

3:23 p.m.



Nigel Boyles  
Mayor Pro Tem

**MINUTES OF THE GOVERNING BODY OF THE CITY OF ZAVALLA, TX  
REGULAR SESSION MEETING ON JULY 10, 2023, AT 6:00 PM., IN THE CITY HALL**

**COUNCIL PRESENT:** Mayor Brenda Cox, Richard Brunk, Jeff Mann, Nigel Boyles and Angie Thompson.

**COUNCIL ABSENT:** All present

**STAFF PRESENT:** Tom Bailey, Cody Day, Joy Yarbrough, James Denby and Leslie Wills

**GUESTS PRESENT:** Debbie Denby, Shannon Yarbrough, Sharon Cagle, Sue Hough, Margie Mann, Loyce Lawrence, Stewart Husband, Becky Husband, Cindy Bailey, Carolyn Guzman, JP Hopkins, Jeremy Chaney and Loretta Brunk.

**CALL TO ORDER:** Mayor Brenda Cox called the meeting to order at 6:00 p.m. on Monday July 10, 2023, at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. Mayor Brenda Cox established a quorum and welcomed the guests.

JP Hopkins gave the invocation.

**OPEN FORUM:** None requested.

**FIRST ITEM ON THE AGENDA: Discuss and possibly approve June 12, 2023, meeting minutes.**

Council members reviewed the minutes. Richard Brunk made the motion to approve the meeting minutes for June 12, 2023, minutes, Jeff Mann second the motion, unanimous approval and the motion passed.

**SECOND ITEM ON THE AGENDA: Discuss and possibly approve Archive Social assisting us with social media presence and records retention.**

Mayor Cox asked the council members to review the handouts and the cost. She stated that she sees a need for their services but since we haven't had our budget workshop yet, she felt we may need to wait to decide. Richard agreed that waiting until we have more financial information would be best. Nigel also agreed. Richard made the motion to table the item, Nigel second the motion. The motion was unanimously tabled for a later decision.

**THIRD ITEM ON THE AGENDA: Discuss and possibly approve the City of Zavalla Procedure and Policy Handbook.**

Mayor Cox shared that we have had two workshops to revise the new policy book. Richard added that he felt the new handbook was very well done but had concerns with the pay step section. Mayor Cox explained that they were generic numbers, and the true numbers would be added after the budget was developed and approved to be brought back before the council for adoption. Jeff Mann made the motion to approve the new handbook, Angie Thompson second the motion, unanimous approval. The motion passed.

**FOURTH ITEM ON THE AGENDA: Discuss and possibly approve appointing a new council member to fill the vacant seat.**

Mayor Cox called the two citizens that applied for the open seat forward, Stewart Husband and Cindy Bailey, for questioning by the council to determine who would be the best fit for the open seat. Cindy spoke first and shared that she has work experience with budgeting and that she wants to see Zavalla grow. She wants to be a part of the positive change to move the city forward. Stewart came forward and shared that he was very present in the public with his job and hears the needs of the citizens. He also has knowledge of the need for

better roads and feels he can assist in this area. Nigel shared that she felt both candidates were well qualified and had great qualities to help the city. Mayor Cox agreed that they were both excellent candidates and asked the council for a nomination. Richard nominated Stewart Husband and Nigel shared that with our upcoming budget that she felt Cindy would be more beneficial in that area. Mayor Cox noted that she has one vote for Stewart and one vote for Cindy and asked the remaining members to weigh in. Richard and Jeff voted for Stewart and Nigel and Angie voted for Cindy. Mayor Cox broke the tie by voting for Cindy to fill the seat.

**FIFTH ITEM ON THE AGENDA: Discuss and possibly approve amendments to ordinances #30, 39 & 82.**

Mayor Cox asked Richard to speak on his ideas of the need for amendments to these ordinances. Richard spoke on Ordinance #39 which covers dilapidated buildings and trash on city properties. He shared that a building standards committee needs to be established consisting of three members of the community that will have more authority than a regular advisory committee and would assist with this issue. Richard shared pictures of examples of properties that are currently in violation. Mayor Cox asked how this process would be done. Richard read the building standards of the state for the process. Jeff was concerned about private citizens overseeing this and the legalities involved. Richard explained that hearings would take place with higher authorities to decide the outcome. Nigel spoke that she sees both sides and stated that when people purchase property within the city, they agree to uphold the codes ordained by the city in order to maintain property values and keep the city clean. After much discussion, Mayor Cox and Jeff felt the issue needs more research before they decide. Richard moved on to Ordinance #82 on weight limits for our city streets and shared that the enforcement of violations has been the problem in the past when a citation was issued due to not having proof of the trucks weight. Richard suggested lowering the weight to 28,000lbs and using the driver's registration information to validate the weight. Exceptions would be emergency vehicles and school buses. With garbage trucks and Brookshire's delivery trucks, they would need a heavy equipment permit annually and the money collected could be specifically used for road repair. Nigel shared her concerns of possibly losing a valuable service such as the garbage pickup if the fee we charge exceeds the company's ability to make a profit in the city. She felt more research was needed before deciding. Mayor Cox agreed and asked for a motion to table these two items until further research could be performed. Nigel made the motion to table the items with Jeff seconding the motion. All were in favor. Motion tabled.

**SIXTH ITEM ON THE AGENDA: Discuss and possibly approve discontinuing the City of Lufkin Animal Surrender agreement.**

Mayor Cox shared that the agreement made with the City of Lufkin can be terminated by either party at any time. Richard had concerns that if we did terminate, the city could raise rates if we re-entered the agreement. He then said he found that the rate would be raised either way. Nigel made the motion to terminate the agreement, Jeff second the motion, Richard opposed, with Angie voting for the termination. The motion passed to terminate the agreement.

**SEVENTH ITEM ON THE AGENDA: Discuss and possibly approve advisory committees for the council: Future Projects, Economic Growth Committee, Beautifications Committee and Events/Parades/Festival Committee.**

Nigel shared her excitement for the great turnout on July 4<sup>th</sup> for the fireworks event and thanked all involved. Nigel also shared her ideas for the new committees. The committees would be formed of citizens and the funds donated would be submitted to the city secretary. These funds would be distributed accordingly and documented for an audit trail. The committees would be comprised of at least three people with as many volunteers interested in joining the effort and would be managed by said committee. A spokesperson for the committee would present ideas to the council for approval. Richard suggested that guidelines be put in place for more order and Jeff asked if the people interested would complete a form for participation. Mayor Cox answered that a form has been created for this purpose. Richard made the motion to approve advisory committees for the council, Angie second the motion. The motion passed unanimously.

**EIGHTH ITEM ON THE AGENDA: Discuss and possibly approve a policy for grant discovery and an approval process for applying.**

Mayor Cox explained that this was a tabled item from a previous meeting. Since that time, she found guidelines to streamline this process. Richard stated he felt this was a great document but had questions about the wording of "City staff" in the document. Mayor Cox answered that the wording could be changed to whomever the city assigns. Nigel shared that the policy was meant to inform the citizens of the grants being pursued on behalf of the city. This would allow transparency with all involved. Nigel made the motion to approve the policy and replace the wording of city staff to Mayor, Jeff second the motion. The motion passed unanimously.

**NINETH ITEM ON THE AGENDA: Discuss and possibly approve July bills.** Richard stated that he really liked the new revenue report added with the bill section. He also stated he would like to see a consolidation of some of the loans. Jeff made the motion to pay the bills, Angie second the motion. The motion passed unanimously.

**TENTH ITEM ON THE AGENDA: STAFF REPORTS:**

Leslie: She thanked Nigel for all her hard work preparing the policy handbook. The budget workshop is next week. Good budget numbers are finally coming together for the meeting. Jennifer Moore, the city's Court Clerk is in Austin at training this week and Joy and I have had our hands full managing everything without her, but things are going well.

Tom: Two water leaks in the last 30 days. On the 20<sup>th</sup> TCEQ will be inspecting the sewer system and he and Cody are working diligently to have everything ready. The Marshall well pump broke and had to be replaced. Thankfully the water department's contingency fund was available to cover the \$15,000 expense and wasn't taken from the CD or operating funds. The water quality has improved but when the well was down, he had to hand chlorinate which isn't an exact science. People were complaining but all is back to normal.

Chief Denby: Last couple of weeks were very busy due to the diesel theft at Colemans. Two reserve officers will be appointed soon and will work once a month for two 10hr shifts on the weekends. For the month of June there were 96 contacts made, 28 calls for service, 0 arrests and 46 citations written.

**The new council member, Cindy Bailey was sworn into office.**

**ADJOURNMENT:** Mayor Brenda Cox called the meeting adjourned at 8:04 p.m.

Minutes approved this 14 day of August, 2023.

Brenda Cox, Mayor

Brenda Cox, Mayor

**ATTEST BY:**

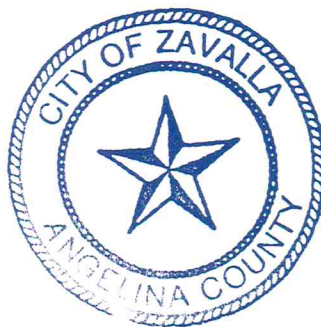
Leslie Wills

Leslie Wills, City Secretary

STATE OF TEXAS

ANGELINA COUNTY

CITY OF ZAVALLA



CITY OF ZAVALLA  
WORKSHOP AGENDA  
July 24, 2023

The Zavalla City Council will conduct a budget workshop on Monday, July 24, 2023, at 5:30 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order  
Establish a quorum  
Welcome Guest  
Invocation


The purpose of the workshop is designed to discuss and determine our short and long term goals for financial stability and growth for the city in the 2023 – 2024 budget. Special guests attending: City Manager, Jason Arnold and Sam Durham, Finance Director for the City of Diboll.

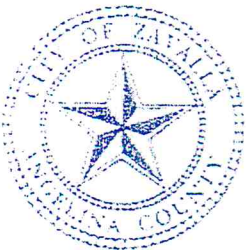
EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 20th day of July at 2:30 PM.

  
\_\_\_\_\_  
Brenda Cox,  
Mayor



CITY OF ZAVALLA  
WORKSHOP AGENDA  
July 31, 2023

The Zavalla City Council will conduct a budget workshop on Monday, July 31, 2023, at 5:30 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order  
Establish a quorum  
Welcome Guest  
Invocation

The purpose of the workshop is designed to discuss and determine our short and long term goals for financial stability and growth for the city in the 2023 – 2024 budget.

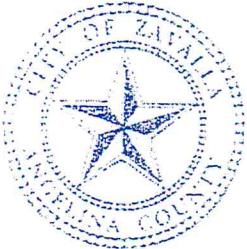
EXECUTIVE SESSION

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- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 20th day of July at 2:10 p.m.

Brenda Cox  
Brenda Cox,  
Mayor





CITY OF ZAVALLA  
AGENDA FOR THE  
REGULAR SCHEDULED MEETING  
AUGUST 14, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, August 14, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order.

Establish a quorum.

Welcome Guest.

Invocation.

Public Comment Session.

1. Discuss and possibly approve July 10, 2023 minutes.
2. Discuss and possibly approve selecting "best bid" for the GLO Grant road improvement project.
3. Discuss and possibly approve amendments to ordinances #82 & 30.
4. Discuss and possibly approve proposed 2023-2024 Budget.
5. Submit 2024 property tax rates to council.
6. Discuss an update on advisory committees for the council: Future Projects & Economic Growth Committee, Beautification Committee, Events/Parades/Festivals Committee.
7. Discuss and possibly approve July bills.
8. Department Head Updates

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

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- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 11th day of August 2023, at 2:20 pm.



Brenda Cox

Mayor

**MINUTES OF THE GOVERNING BODY OF THE CITY OF ZAVALLA, TX REGULAR  
SESSION MEETING ON AUGUST 14, 2023, AT 6:00 PM., IN THE CITY HALL**

**COUNCIL PRESENT:** Mayor Brenda Cox, Richard Brunk, Jeff Mann, Nigel Boyles and Angie Thompson.

**COUNCIL ABSENT:** All present

**STAFF PRESENT:** Tom Bailey, Cody Day, Joy Yarbrough, James Denby and Leslie Wills

**GUESTS PRESENT:** Debbie Denby, Shannon Yarbrough, Sue Morrell, Margie Mann, Kristie Bailey, JP Hopkins, Jeremy Chaney, Loretta Brunk, Angie Sanchez, Bob Thurbur and Ray Vann.

**CALL TO ORDER:** Mayor Brenda Cox called the meeting to order at 6:00 p.m. on Monday August 14, 2023, at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. Mayor Brenda Cox established a quorum and welcomed the guests.

JP Hopkins gave the invocation.

**OPEN FORUM:** None requested.

**FIRST ITEM ON THE AGENDA: Discuss and possibly approve July 10, 2023, meeting minutes.**

Council members reviewed the minutes. Cindy Baily made the motion to approve the meeting minutes for July 10, 2023, minutes, Jeff Mann second the motion, unanimous approval and the motion passed.

**SECOND ITEM ON THE AGENDA: Discuss and possibly approve selecting "best bid" for the GLO Grant road improvement project.**

Ray Vann with Raymond K Vann & Associates, professional grant consultant for the City of Zavalla began the discussion explaining the bids presented and how the process works. Bob Thurber with KSA Engineers then took the floor to each bid and the scope of work involved. Bob answered many questions by council members concerning budget constraints and a possible change order for the project to keep the project on task with minimal cuts. Construction to begin tentatively in October with the project expecting to take an estimated 330 days to complete. Nigel made the motion to accept schedules one and two of the bids presented August 3rd and award those to Timberline Construction, Richard second the motion. The motion was unanimously approved.

**THIRD ITEM ON THE AGENDA: Discuss and possibly approve amendments to ordinances #82 & 30.** Mayor

Cox shared that Richard has researched the amendments needed to both ordinances that would best serve the city and asked him to speak about these needed changes. Richard shared that with the grant road improvement project starting soon, we need to make changes now on setting weight limits for city streets to ensure the improved roads are protected from heavy equipment traffic and the cost of maintaining the roads will be supplemented by the heavy equipment companies that are using our city streets. He pointed out that the problem in the past has been enforcement of the current 50,000 lb weight limit. Without a scale to prove the vehicles were over weight, fines could not be enforced. Richard's plan is to use the vehicles empty weight listed on the vehicles registration as proof. The most common heavy equipment use in our area are log trucks. The average empty weight for these trucks are around 30,000 lbs. He recommends a 28,000 lb limit that would place all loaded heavy equipment over weight and will require a permit for use. This would mean the ordinance weight limit would change from 50,000 lbs to 28,000 lbs. Long term use would require a \$100 permit (VIN required for identification) per vehicle, that will be good for 7 days.

Short term use permits will be \$25 per vehicle (VIN required for identification) that will be good for 24 hours. Drivers will need to keep the permit in their vehicle at all times. Vehicles in violation of the ordinance can be fined no less than \$500 and no more than \$1000, as well as the cost of repairs of damage to the streets that resulted from their use. Richard made the motion to approve the amendment to ordinance #82 and Jeff seconded the motion. Angie and Nigel were opposed. Cindy's vote after reviewing the meeting was unclear as to whether she was for or against. \*\*Mayor Cox would like to vote again at the next meeting to assure a clear and definite outcome on the vote. Ordinance #30, Richard shared that solid waste vehicle companies should pay an annual fee of \$500 per company. Nigel made the motion to amend Ordinance 30, Richard seconded the motion, unanimous approval. Motion passed.

**FOURTH ITEM ON THE AGENDA: Discuss and approve proposed 2023-2024 Budget.**

Mayor Cox shared that this vote was not for adoption of the budget but an approval of the final draft to be published in the paper and posted on our website. The official adoption of the budget will take place after our two public hearings at our Sept 11th council meeting. Council members reviewed the final draft of the budget and Richard made the motion to approve with Angie seconding the motion. Unanimous approval, the motion passed.

**FIFTH ITEM ON THE AGENDA: Submit the 2024 property tax rates to council.** Mayor Cox directed the council to refer to the cover page of the budget that shows our proposed 2024 tax rate and explained the proposed rates. A public hearing will be held on August 28 for any questions citizens may have concerning the new tax rates.

**SIXTH ITEM ON THE AGENDA: Discuss an update on advisory committees for the council: Future Projects & Economic Growth Committee, Events/Parades/Festivals Committee.**

Mayor Cox shared that the committees are in place and we have Honey Casey as Chairperson over the Events/Parades/Festivals Committee, Reagan Rash is Chairperson for the Beautification Committee and we still need someone to head up the Future Projects & Economic Growth Committee. Anyone interested in serving on one or all are encouraged to contact the Mayor, any council member, Leslie at City Hall, Mrs. Casey or Mrs. Rash.

**SEVENTH ITEM ON THE AGENDA: Discuss and possibly approve July bills.** Nigel made the motion to approve paying July bills, Cindy seconded the motion. The motion passed unanimously.

**EIGHTH ITEM ON THE AGENDA: STAFF REPORTS:**

Leslie: The budget process is almost complete. Next priority is to prepare prior years audits for the CPA.

Tom: Three water leaks in the last 30 days. One of the leaks was over 5 years old. They found the source of the leak and fixed it. They have two more known leaks that they will repair. Angie questioned the leak on Pickard and Tom explained with the road improvement grant scheduled to replace those lines, he felt it was best to wait since the water loss was minimal. Any work would be a loss to the city as well as the parts required to fix it since all of it would be replaced in October. New lights are being installed for the new large flag that is now up. Tom has filed a claim on the well break down from last month in hopes that it will be covered.

Chief Denby: Total of 3 reserve officers are appointed and will work once a month for two 10hr shifts on the weekends. For the month of July there were 109 contacts made, 19 calls for service, 0 arrests and 71 citations written and 13 warrants issued.

**ADJOURNMENT:** Mayor Brenda Cox called the meeting adjourned at 7:24 p.m.

Minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

*Brenda Cox, Mayor*

Brenda Cox, Mayor **ATTEST**

**BY:**

*Leslie Wills*

Leslie Wills, City Secretary

STATE OF TEXAS

ANGELINA COUNTY

CITY OF ZAVALLA



CITY OF ZAVALLA  
AGENDA FOR THE  
REGULAR SCHEDULED MEETING  
SEPTEMBER 11, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, September 11, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order.  
Establish a quorum.  
Welcome Guest.  
Invocation.  
Public Comment Session.

1. Discuss and possibly approve August 14, 2023 minutes.
2. Discuss and possibly approve a resolution for Angelina County Appraisal Districts Expansion Project. (Cheif Appraiser, Tim Chambers presenting.)
3. Discuss an update on the Road Improvement Project.
4. Discuss and possibly adopt the 2023-2024 Tax Rate. The proposed tax rate is \$0.256328 per \$100 of value.
5. Discuss and possibly adopt the 2023-2024 Budget.
6. Discuss and possibly approve adjusting the speed limit on HWY 69
7. Discuss and possibly approve David Carrell installing a well on his property.
8. Discuss and possibly approve an amendment to Ordinance #82 Setting Weight Limits on City Streets. ✓
9. Discuss and possibly approve repealing Ordinance #85 Curfew for Minors.
10. Discuss and possibly approve determining guidelines for delinquent utility collection.
11. Discuss and possibly approve appointment of Mayor Pro Tem for next 3 months.
12. Discuss and possibly approve new water and sewer service for Charlie Strength's RV Park off Hwy 147 outside of city limits.
13. Discuss and possibly approve August bills.
14. Department Head Updates

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 8th day of September 2023, at 1:33pm.

  
Brenda Cox

Mayor

**MINUTES OF THE GOVERNING BODY OF THE CITY OF ZAVALLA, TX REGULAR  
SESSION MEETING ON SEPTEMBER 11, 2023, AT 6:00 PM., IN THE CITY HALL**

**COUNCIL PRESENT:** Mayor Brenda Cox, Jeff Mann, Nigel Boyles, Cindy Bailey and Angie Thompson.

**COUNCIL ABSENT:** Richard Brunk

**STAFF PRESENT:** Tom Bailey, Cody Day, Joy Yarbrough, James Denby and Leslie Wills

**GUESTS PRESENT:** Debbie Denby, Sue Morrell, Kristie Bailey, JP Hopkins, Jeremy Chaney, Loyce Lawrence, Kenneth Jeffrey, Tim Chambers, Charlie Strength and Dustin Rash.

**CALL TO ORDER:** Mayor Brenda Cox called the meeting to order at 6:00 p.m. on Monday September 11, 2023, at the New City Hall located at 242 E. Main Street, Zavalla, Texas 75980. Mayor Brenda Cox established a quorum and welcomed the guests.

JP Hopkins gave the invocation.

**OPEN FORUM:** None requested.

**FIRST ITEM ON THE AGENDA: Discuss and possibly approve August 14, 2023, meeting minutes.**

Council members reviewed the minutes. Angela Thompson made the motion to approve the meeting minutes for August 14, 2023, minutes, Jeff Mann second the motion, unanimous approval and the motion passed.

**SECOND ITEM ON THE AGENDA: Discuss and possibly approve a resolution for Angelina County Appraisal Districts Expansion Project. (Chief Appraiser, Tim Chambers presenting.)**

Mayor Cox introduced Tim Chambers, Chief Appraiser for Angelina County Appraisal District to explain the expansion project and opened the floor for questions from council. Mayor Cox asked if the City would be responsible for funding the project. Mr. Chambers shared that they have \$200,000 to pay down, another \$100,000 of payments was built into their 2024 budget and that the balance of the loan would be repaid by funds from the sale of the old building and property. The city would not be responsible for funding the expansion. Nigel made the motion to approve the resolution for the expansion, Jeff second the motion. The motion was unanimously approved.

**THIRD ITEM ON THE AGENDA: Discuss an update on the Road Improvement Project.** Mayor Cox shared that we have the pre-construction meeting with engineers on Thursday morning and would have more details to share after that time. Work is scheduled to begin in October.

**FOURTH ITEM ON THE AGENDA: 4. Discuss and possibly adopt the 2023-2024 Tax Rate. The proposed tax rate is \$0.256328 per \$100 of value.**

Mayor Cox read the proposed 2024 tax rate and asked for a motion from the council. Council members reviewed the proposed tax rate and Nigel made the motion to adopt the 2024 Tax Rate with Cindy seconding the motion. Unanimous approval, the motion passed.

**FIFTH ITEM ON THE AGENDA: Discuss and possibly adopt the 2023-2024 Budget.** Mayor Cox explained that the 2023 – 2024 City of Zavalla budget needs to be adopted now that the tax rate is adopted and asked for a

motion from council. Nigel made the motion to adopt the 2023/2024 City Budget, Cindy second the motion. Unanimous approval, the motion passed.

**SIXTH ITEM ON THE AGENDA: Discuss and possibly approve adjusting the speed limit on HWY 69**

Mayor Cox shared that Texas DOT had met with City Administration again to discuss increasing the speed on Hwy 69 at the overpass to 65 MPH instead of 70 MPH after a new speed study was performed. Council member Jeff Mann stated that the new study did not change his mind from his last vote against the speed increase. Cindy shared the point made by Nigel in the first vote, that the 1.8 mile section of highway in question is home to many of our young residents just learning to drive. She agreed that the faster speed would be a danger to them when entering the highway and felt as a council member it is her responsibility to look out for the safety of our residents. Angie stated that the loop around Lufkin was 60 MPH and it didn't make sense for ours to be higher than that. Nigel felt a compromise of 65 MPH was better than a forced 75 MPH speed increase. Jeff made the motion to oppose the speed increase on HWY 69 from 55 MPH to 65 MPH, Cindy second the motion, Angie also voted to oppose while Nigel voted for the speed increase. Motion to oppose passed.

**SEVENTH ITEM ON THE AGENDA: Discuss and possibly approve David Carrell installing a well on his property.**

Mayor Cox shared that Ordinance # 61 states that the use of water wells within the city limits to supply water to homes is prohibited. Mr. Carrell was not present to discuss. Jeff made the motion to deny the request for a water well within city limits, Cindy second the motion. The motion unanimously denied.

**EIGHTH ITEM ON THE AGENDA: Discuss and possibly approve an amendment to Ordinance #82 Setting Weight Limits on City Streets.**

Mayor Cox explained that after much research as to how other cities handle overweight permits on city streets, we found that they are not charging a fee for the permit itself, but fines could be charged to violators after the new minimum weight of 28,000 lbs was amended and the streets clearly marked with signs. Drivers will need to always keep the permit in their vehicle. Vehicles in violation of the ordinance can be fined no less than \$500 and no more than \$1000, as well as the cost of repairs of damage to the streets that resulted from their use. Cindy made the motion to approve the amendment to ordinance #82 and Jeff second the motion. Unanimous approval. Motion passed.

**NINTH ITEM ON THE AGENDA: Discuss and possibly approve repealing Ordinance #85 Curfew for Minors.**

Mayor Cox explained that Governor Abbott repealed all curfews for minors in the state of Texas. Our ordinance for minor curfews must be repealed as well. Jeff made the motion to repeal the ordinance with Angie seconding the motion. Unanimous approval, the motion passed.

**TENTH ITEM ON THE AGENDA: Discuss and possibly approve determining guidelines for delinquent utility collection.**

Joy, our Water Compliance Coordinator shared that all of the past delinquent accounts were reported to the collection agency but moving forward with accounts that become delinquent for payment, we need to set a deadline for collection after lock out has occurred, whether it should be 30, 60 or 90 days. She also stressed the importance of prohibiting the account holder from opening a new account for service to avoid paying the past due account. Jeff made a motion to report delinquent accounts to collection after 30 days, Cindy second the motion. Unanimous approval. The motion was passed.

**ELEVENTH ITEM ON THE AGENDA: Discuss and possibly approve appointment of Mayor Pro Tem for next 3 months.**

Mayor Cox shared that 3 months had passed since they voted Nigel as Mayor Pro Tem. She nominated Angie Thompson but Angie was not interested. She then nominated Cindy and needed a motion for

approval for the next Mayor Pro Tem. Angie made the motion to approve Cindy Bailey as the Mayor Pro Tem with Jeff seconding the motion. Unanimously approved, The motion passed.

**TWELTH ITEM ON THE AGENDA: Discuss and possibly approve new water and sewer service for Charlie Strength's RV Park off Hwy 147 outside of city limits.** Mayor Cox asked Charlie to address the council of his plans for his new business and the utility needs of which he is asking the city to supply. Charlie shared a map of the location and stated that he is wanting up to 35 RV spots with water and sewer connections. The completion date is scheduled for 6-8 weeks out. Tom shared that TCEQ allows for us to have 600 meters on our current water capacity. As of today, there are 676 connections on the books. Over 200 of these are no longer in use. He and Cody have terminated several since the first of the year. They hope to terminate many more as time allows. With their current workload, it is hard for them to get these done. Adding the additional water meters would result in a violation, therefore Tom's opinion is that it would not be possible at this time. Charlie asked if he could have sewer service without the water. Tom explained that the sewer usage is determined by metered water flow that would require a meter to be installed and monitored monthly to estimate the usage. Charlie agreed to having the meter installed and that he would monitor it monthly. Nigel made the motion to supply sewer service for Charlie Strength with Jeff seconding the motion. Unanimous approval. The motion passed.

**THIRTEENTH ITEM ON THE AGENDA: Discuss and possibly approve August bills.** Mayor Cox asked if the council had reviewed the bills and if they had any questions. They answered yes and that they did not have any questions. Mayor Cox asked for a motion to approve the bills. Angie made the motion to pay August bills with Jeff seconding the motion. Unanimously approved. The motion passed.

#### **FOURTEENTH ITEM ON THE AGENDA: Staff Reports**

Leslie: The budget is complete! Next priority is to prepare prior years audits for the CPA. Richard secured funding for all three years of past audits that were not performed. That is a total of \$45,000 that the city did not have even though it was budgeted every year. Not having annual audits has crippled the city in seeking out grants to replace deteriorating water tanks and making much needed repairs to the water system. We were also unable to ask for financial aid for other special programs to improve our city without the audits being up to date. We have started the process of entering all the billing and data that was not originally in QuickBooks, balancing accounts and entering interest and principal totals to clean up the financial records. I hope to have everything ready to submit to our CPA within the next few weeks. The CPA stated that a normal year audit takes up to nine months to complete. When she found out that Richard had secured funding for all of the audits, she wanted to make an extra effort in helping us with our positive momentum moving the city forward and offered to complete all three years in nine months! This is a huge victory for us!!

Chief Denby: Chief Denby shared that he has found money savings with a different ticket writing program that he would like the council to consider in the future. CopSync would not only be more efficient but cost effective for the department and is also much safer for the officers. Reporting: Total of 3 reserve officers have been appointed and will work once a month for two 10hr shifts on the weekends. For the month of August there were 132 contacts made, 1 report of theft, 27 calls for service, 3 incidents reports, 2 crimes against a person, 3 arrests, animal complaints 1 and 92 citations written and 16 warnings issued.

Tom: VFD update: For the month of August there were 23 grass fires, 4 utility calls of trees over the roads, and two motor vehicle accidents.



Water Department: Found and repaired a water leak on Townsend Street. He and Cody have started a location map for all of the cutoff valves to assist during emergency freezes. They also sealed the 20 wells at the GUI to correct a prior TCEQ compliance violation. They also rewired the 3 phase Broadus well that had continual problems. Tom and Cody replaced the broken drive shaft, U joint and tie rods in the black truck themselves to reduce repair costs. The 69 lift station pump has two pumps. One of the pumps that was installed in February, overheated and burned up. They removed the pump and sent it to the manufacturer. The manufacturer will send a bigger better pump next Tuesday that will be installed. In the meantime, they are down to one pump at that 69 lift station. Tom stated that with the drier weather, while reading meters they located 14 leaks and made repairs on several of them.

ADJOURNMENT: Mayor Brenda Cox called the meeting adjourned at 7:25 p.m.

Minutes approved this 9 day of October, 2023.

*Brenda Cox, Mayor*

Brenda Cox, Mayor ATTEST BY:

*Leslie Wills*

Leslie Wills, City Secretary

STATE OF TEXAS  
ANGELINA COUNTY  
CITY OF ZAVALLA



CITY OF ZAVALLA  
AGENDA FOR THE  
REGULAR SCHEDULED  
MEETING OCTOBER 10, 2023

The Zavalla City Council will conduct its regular scheduled meeting on **TUESDAY**, October 10, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order.

Establish a quorum.

Welcome Guest.

Invocation.

Public Comment Session.

1. Consideration and possible approval of September 11, 2023 minutes.
2. Consideration and possible approval of Change Order No. 1 on the City's GLO-MIT Project. KSA Engineer, Bob Thurber to present to council.
3. Consideration and possible approval of the amount of the fine resulting from a violation to Ordinance #62 Noise Ordinance.
4. Consideration and possible approval of the quote and service from Pennington Utility to clean the inside of the ground storage water tank
5. Consideration and possible approval of purchasing the Smart Phone Meter Reading program.
6. Discuss and hear an update from Linebarger, Goggan, Blain & Sampson, LLP collection services for court and utility. Janet Freeman will address the council on behalf of Linebarger, Goggan, Blain & Sampson, LLP.
7. Consideration and possible approval of September bills.
8. Zavalla Community Advisory Committees Update
9. Zavalla Volunteer Fire Department Update
10. Department Head Updates

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 6th day of October 2023, at 10:15am.



Brenda Cox

Mayor

**MINUTES OF THE GOVERNING BODY OF THE CITY OF ZAVALLA, TX REGULAR  
SESSION MEETING ON OCTOBER 10, 2023, AT 6:00 PM., IN THE CITY HALL**

**COUNCIL PRESENT:** Mayor Brenda Cox, Jeff Mann, Richard Brunk, Nigel Boyles and Cindy Bailey.

**COUNCIL ABSENT:** Angie Thompson

**STAFF PRESENT:** Tom Bailey, Joy Yarbrough, James Denby, Larry Castellow and Leslie Wills

**GUESTS PRESENT:** Debbie Denby, Sue Morrell, Shannon Yarbrough, Charles & Sharon Cagle, Marjorie Mann, Lloyd Cox, Honey Casey, Bob Thurber with KSA Engineering, Linebarger representatives: James Guest, Janet Freeman & Ashley Rains.

**CALL TO ORDER:** Mayor Brenda Cox called the meeting to order at 6:00 p.m. on Tuesday October 10, 2023, at City Hall located at 242 E. Main Street, Zavalla, Texas 75980. Mayor Brenda Cox established a quorum and welcomed the guests.

JP Hopkins gave the invocation.

**OPEN FORUM:** None requested.

**FIRST ITEM ON THE AGENDA: Consideration and possible approval of September 11, 2023, meeting minutes.** Council members reviewed the minutes. Cindy Bailey made the motion to approve the meeting minutes for September 11, 2023, minutes, Nigel Boyles second the motion, unanimous approval and the motion passed.

**SECOND ITEM ON THE AGENDA: Consideration and possible approval of Change Order No. 1 on the City's GLO-MIT Project. KSA Engineer, Bob Thurber to present to council.**

Mayor Cox asked Bob to share the details of Change Order No. 1. Cindy made the motion to approve Change Order No. 1, Nigel second the motion. The motion was unanimously approved.

**THIRD ITEM ON THE AGENDA: Consideration and possible approval of the amount of the fine resulting from a violation to Ordinance #62 Noise Ordinance.** Mayor Cox shared with council that we have a fine set at \$150.00 dated 2005. After research on what other cities fines are currently and discussing with our Judge, it was determined an increase to a \$200 fine was needed. Richard made the motion to pass the \$200 fine with Nigel seconding the motion. All were in agreement with the exception of Jeff Mann.

**FOURTH ITEM ON THE AGENDA: Consideration and possible approval of the quote and service from Pennington Utility to clean the inside of the ground storage water tank.** Tom spoke to the council about the quote. Nigel made the motion to approve the work detailed in the quote with Richard seconding the motion. Unanimous approval, the motion passed.

**FIFTH ITEM ON THE AGENDA: Consideration and possible approval of purchasing the Smart Phone Meter Reading Program.** Tom spoke to the council about the advantages of having the Smart Phone Meter Reading Program. After much discussion about finances, it was determined by council to table this item until after the budget review in December. Richard made the motion to table the item with Jeff seconding the motion. Unanimous approval, the motion was tabled.

**SIXTH ITEM ON THE AGENDA: Update from Linebarger, Goggan, Blain & Sampson, LLP on collection services for court and property taxes for the city.** Mayor Cox introduced James Guest and asked him to speak. James shared the collections for 2023 to date.

**SEVENTH ITEM ON THE AGENDA: Consideration and possible approval of paying September bills.** Nigel made the motion to pay September bills, Cindy second the motion. The motion unanimously passed.

**Zavalla Community Advisory Committee update:** Honey Casey, chairwoman for the Parades and Special Events for the city gave an update on the upcoming holiday events.

**Zavalla Volunteer Fire Department update:** Tom Bailey addressed the council and gave an update for ZVFD.

**Administration update:**

Leslie: Work continues preparing prior years audits for the CPA.

Tom: 2 water leak repairs and ongoing assistance with the GLO project.

Chief Denby: Lieutenant Larry Castellow started full time on October 3. Two reserve officers. 65 contacts made with 33 citations written, 8 warnings, 2 criminal trespass, 1 animal complaint and 4 arrests were made.

Mayor Cox adjourned the meeting at 7:29 p.m.

Minutes approved this 20 day of November, 2023.

*Brenda Cox, Mayor*

Brenda Cox, Mayor

ATTEST

BY:

*Leslie Wills*

Leslie Wills, City Secretary

STATE OF TEXAS

ANGELINA COUNTY

CITY OF ZAVALLA



CITY OF ZAVALLA  
SPECIAL CALLED  
MEETING AGENDA  
OCTOBER 23, 2023

The Zavalla City Council will hold a special called meeting on Monday, October 23, 2023, at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order  
Establish a quorum  
Welcome Guest  
Invocation

The purpose of the special called meeting is to discuss and approve the sell of the 2021 Tahoe police unit.

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 20th day of October at 12:27 PM

  
Brenda Cox,  
Mayor



MINUTES OF THE GOVERNING BODY OF THE CITY OF ZAVALLA, TX

SPECIAL CALLED MEETING ON OCTOBER 23, 2023, AT 6:00 PM., IN THE CITY HALL

**COUNCIL PRESENT:** Mayor Brenda Cox, Jeff Mann, Richard Brunk, Nigel Boyles, Angie Thompson and Cindy Bailey.

**COUNCIL ABSENT:** Everyone present.

**STAFF PRESENT:** Joy Yarbrough and Larry Castellow.

**GUESTS PRESENT:** Sue Morrell, Shannon Yarbrough and Jeremy Chaney.

**CALL TO ORDER:** Mayor Brenda Cox called the meeting to order at 6:00 p.m. on Monday October 23, 2023, at City Hall located at 242 E. Main Street, Zavalla, Texas 75980. Mayor Brenda Cox established a quorum and welcomed the guests.

Cindy Bailey gave the invocation.

**OPEN FORUM:** None requested.

**ITEM ON THE AGENDA: Consideration and possible approval of selling the 2021 Chevrolet Tahoe Police Unit.** Mayor Cox shared that after careful research performed by Chief Denby concerning the unit, it was determined it would cost thousands of dollars to make the Tahoe patrol ready. Mayor Cox spoke with UBank on the amount needed to release the Tahoe title from the consolidated loan with the Charger. It was decided that it would take \$30,000 to release the title. Chief Denby spoke with several dealerships to find out the value of the Tahoe. Wright Chevrolet made the best offer of \$36,000. Mayor Cox shared that all of the proceeds will be applied to the consolidated loan, leaving a balance of around \$6000. The monthly note is \$1021. It should take 6 months to pay it off in full. Mayor Cox asked Lieutenant Castellow to share the pro's and con's of selling the Tahoe. Richard Brunk made the motion to sell the 2021 Tahoe with Jeff Mann seconding the motion. Unanimous approval, the motion passed.

Mayor Cox adjourned the meeting at 6:30 p.m.  
Minutes approved this 20 day of November, 2023.

Brenda Cox, Mayor  
Brenda Cox, Mayor

ATTEST  
BY:

Leslie Wills  
Leslie Wills, City Secretary  
STATE OF TEXAS  
ANGELINA COUNTY  
CITY OF ZAVALLA



# Pro's & Cons Of Selling Or Keeping New Tahoe

<ul style="list-style-type: none"> <li>• New Vehicle</li> <li>• Uses for Admin purposes</li> </ul>	<ul style="list-style-type: none"> <li>• Not Patrol Ready</li> <li>• Not cost efficient to outfit for patrol</li> <li>• Approx. Costs Cage(\$2000), Decal(\$2400), in car system repair (\$500), tires(\$1000), maintenance(\$600-\$1000) annually</li> <li>• Fuel/INSURANCE costs</li> <li>• unnecessary costs to police budget when unable to be used for patrol, funds would be better used towards current patrol ready vehicles/Equipment.</li> <li>• Payment approx.(\$600/monthly) and interest(11%)(\$392/monthly)</li> <li>• Total approx. costs (\$1000/monthly) + insurance costs (\$767/annual)</li> </ul>
PROS	CONS

- After reviewing police budget, it would be more beneficial to the City and the Police Department to sell the Tahoe resulting in a approximate savings of \$12,767 annually.
- This savings could go towards updating police equipment on Patrol ready vehicles. Dodge Charger and 2018 Tahoe.
- At a later time when budget allows, we will look into purchasing retired DPS patrol vehicle for patrol purposes at approximately \$500-1000 each.
- Will remove equipment from new Tahoe(radar, lights, siren, camera system, Ect.) and used with current and future Patrol vehicle's outfitting.

CITY OF ZAVALLA AGENDA  
FOR THE REGULAR  
SCHEDULED MEETING  
NOVEMBER 20, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, November 20, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order.

Establish a quorum.

Welcome Guest.

Invocation.

Public Comment Session.

Mayor talking points:

- a. List for sale: Land, Extra Cell Phones, Coke Machine, File Cabinets, Lock Boxes.
- b. New Ordinance
- c. Reviewing the budget.
- d. Changing Banks

1. Consideration and possible approval of October 10, 2023 minutes.
2. Consideration and possible approval of Special Called Meeting Minutes from October 23, 2023, minutes.
3. Consideration and possible approval of a new Ordinance concerning the abatement of weeds, trash, garbage and debris within city limits.
4. Consideration and possible approval of opening a separate account for the utility contingency funds.
5. Consideration and possible approval of changing financial institutions.
6. Consideration and possible approval of scheduling the budget review with department staff.
7. Consideration and possible approval of seasonal lighting for the city.
8. Consideration and possible approval of October bills.
9. Zavalla Community Advisory Committees Update
10. Zavalla Volunteer Fire Department Update
11. Department Head Updates

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 16th day of November 2023, at 11:30 am.



Brenda Cox

Mayor



# MINUTES OF THE GOVERNING BODY OF THE CITY OF ZAVALLA, TX

REGULAR COUNCIL MEETING ON NOVEMBER 20, 2023, AT 6:00 PM., IN THE CITY HALL

**COUNCIL PRESENT:** Mayor Brenda Cox, Jeff Mann, Richard Brunk, Nigel Boyles, Angie Thompson and Cindy Bailey.

**COUNCIL ABSENT:** Everyone present.

**STAFF PRESENT:** Joy Yarbrough, Tom Bailey, Leslie Wills and Larry Castellow.

**GUESTS PRESENT:** Sue Morrell, Shannon Yarbrough, Jeremy Chaney, Charlotte Boyles, Loretta Brunk, Honey Casey, JP Hopkins, Sue Morrell and Carolyn Guzman.

**CALL TO ORDER:** Mayor Brenda Cox called the meeting to order at 6:00 p.m. on Monday November 20, 2023, at City Hall located at 242 E. Main Street, Zavalla, Texas 75980. Mayor Brenda Cox established a quorum and welcomed the guests.

JP Hopkins gave the invocation.

**OPEN FORUM:** JP Hopkins addressed the council about his concerns for fair pay for the city employees. Sue Morrell spoke to the council about her frustrations with residents that complain about the city not able to spend on seasonal events when they aren't informed about the financial condition of the city and do not attend meetings for better understanding.

**The Mayor shared some talking points about the agenda items.**

## **ITEMS ON THE AGENDA:**

### **FIRST ITEM ON THE AGENDA: Consideration and possible approval of October 10, 2023 meeting minutes.**

Richard made the motion to accept the minutes with Jeff seconding the motion. Unanimous approval, the motion passed.

**SECOND ITEM ON THE AGENDA: Consideration and possible approval October 23, 2023 special called meeting minutes.** Richard made the motion to accept the minutes with Jeff seconding the motion. Unanimous approval, the motion passed.

**THIRD ITEM ON THE AGENDA: Consideration and possible approval of a new Ordinance concerning the abatement of weeds, trash, garbage and debris within city limits.** The Mayor opened up discussion and Richard addressed the council on the specifics of the ordinance and how it would work. Nigel shared that she was in agreement of the ordinance and would like a cleaner town as well but felt the need for a trained code enforcer would be needed to assure safety and reduce the possibility of city litigation in the future. Cindy asked if one of our officers could issue the citation. Lieutenant Castellow explained that the two man force they currently have during the week have been overstretched with law enforcement duties and could not accommodate. He feels with time, their workload would ease and they could assist but he would need to be involved with the entire process since his name will be the authority issuing the citation. Tom shared that until we increase the city revenue with new businesses to support additional services we can't afford to hire help. Nigel made the point that there are many elderly residents that are unable perform the cleanup needed and she felt with the assistance of the school that kids needing to complete community service may could assist. Jeff shared an idea that he saw in Garland where the city sent out letters and after a couple attempts to notify the residents of the fine after the notices were disregarded that the city placed liens on the property.

The Mayor called for a vote. Cindy and Richard were for the ordinance and Angie, Nigel and Jeff voted against. The motion failed.

**FOURTH ITEM ON THE AGENDA: Consideration and possible approval of opening a separate account for the utility contingency funds.** The Mayor opened the discussion and Cindy shared her thoughts that she felt it was needed to separate the Utility Contingency Funds because of past mismanagement using funds to readily available. she felt that if the money was in a separate bank in a separate account that it would be harder for misuse. The Mayor explained that would cost the city more money every month. The Mayor brought to the council that since Cindy is Tom's sister, that the nepotism rule applied to her voting on matters concerning the Utility Department. Nigel explained that since June with the council creating a line item budget that has never been done before, it keeps the expenditures in line with a complete audit trail. Any emergency or expense not in the budget would require a council vote. Therefore, she did not see the need to open a separate account. The Mayor called for a vote. Richard made the motion to open a separate account. No second, the motion failed.

**FIFTH ITEM ON THE AGENDA: Consideration and possible approval of changing financial institutions.** The Mayor opened the discussion shared that we have asked U Bank to eliminate the \$25 service fees on all of the accounts except one, The Teen Court account which was supposed to have been closed earlier this year. She felt it was in our best interest to stay put for now since the cost to open new accounts with another bank would cost the city money they do not have at this time. Jeff made the motion to stay with U Bank with Angie seconding the vote. Unanimous approval, the motion passed.

**SIXTH ITEM ON THE AGENDA: Consideration and possible approval of scheduling the budget review with department staff.** The Mayor shared that the new budget started in October. She explained that we would have 3 months of data to review by the middle of January. Jeff made the motion to table until January with Richard seconding. Unanimous approval to table the item until January.

**SEVENTH ITEM ON THE AGENDA: Consideration and possible approval of seasonal lighting for the city.** The Mayor opened the discussion with Honey Casey sharing that the community has come together to buy the lights needed but she needed approval from the city to plug into the city light poles. Nigel made the motion to approve the seasonal lighting with Cindy seconding. Unanimous approval, the motion passed.

**EIGHTH ITEM ON THE AGENDA: Consideration and possible approval of November bills.** The Mayor asked if everyone had reviewed the bills. Richard had questions concerning the old format that appeared confusing. Leslie explained that when she took the job, all of the major notes and bills such as both phone bills, AT&T & Windstream, electricity bill and insurance were all auto-drafted. She felt it was important for the council to see everything that was expensed out of the General account although the total was minus the auto-drafted items. The remainder of the bills were what checks were printed for final approval. Cindy made the motion to pay the bills with Angie seconding the motion. Unanimous approval, the motion passed.

**NINTH ITEM ON THE AGENDA: Zavalla Community Advisory Committees Update.** The Mayor invited Honey Casey to address the council on the upcoming events. Honey shared that she has 18 vendors with the majority being Zavalla businesses for the Come Home to Christmas Vendor market with the parade following at 6:00. She also has several entries for the parade. She updated the council on the donations for supplies and decorations and thanked all of the community for the great response.

**TENTH ITEM ON THE AGENDA: Zavalla Volunteer Fire Department Update:** Tom Bailey addressed the council with an update of 3 local calls, 1 brushfire and 2 MDA's to report.

**ELEVENTH ITEM ON THE AGENDA: Department Head Updates:** The Mayor asked Lieutenant Larry Castellow to speak on behalf of the Police Department in the absence of Chief Denby on bereavement leave. Lieutenant Castellow reported for the month of October: 71 citations written, Chief Denby 18 citations and Lieutenant Castellow 47 citations, Reserve Officers 6 citations. Warnings issued: 41 by Lieutenant Castellow and Reserve Officers issued 7 warnings. One accident, 14 calls for service, 5 calls for drug and alcohol arrests. Four were performed by Lieutenant Castellow and one by our Reserve Officer. 0 animal complaints.

Leslie: Both the financial statement needed for the grant with TLL Temple Memorial for the water tank and the 2020 year of financials are almost ready to send to the CPA. Update on the city's loans: With the sell of the New Tahoe it reduced the overall note for the New Tahoe, Charger and Siren equipment to \$5775.63 which will be paid in full after 6 months of the usual \$1021.87 monthly note. The taser note still has a balance of \$6984.08 with 2 years of payments remaining. The zero turn mower loan balance is \$1440.00 and will be paid in full after 7 months. The tractor has a balance of \$45,884.87 with a little over 3 years to pay off. The building note balance is \$123,340 with 7.5 years to complete payment.

Tom: Successfully completed the meter reading and monthly flushing requirements. Repaired several small water leaks of which one of the leaks required Irabarren Ink to assist with the valve at the tower. Tom used some of the recycled asphalt from the road project to fill pot holes on Park Rd. They relocated a line on Campus St. in preparation for the road project. They had a problem with the force main at the Hwy 69 sewer plant with flushed wet wipes that sheared a 3" diameter shaft in the pump. They had to have the pump rebuilt. They installed a meter and a back flow preventer at the sewer plant to stay in compliance with TCEQ. Tom has removed 36 of the inoperable meters and found 12 faulty meters and was able to replace two of them. TCEQ inspection update: They have completed all 7 deficiencies. The TCEQ Drinking Water Inspection performed in March resulted in a total of 34 violations. Three documentation violations are in progress of resolution. Of the 16 outstanding field violations, nine have been resolved. There was one state reported violation concerning the sewer plant testing at a level higher than allowed of Ecoli. Tom increased the amount of chemicals to reduce the level in order to be in compliance. Joy shared that we have had 7 residents apply for and receive funding to assist with their utility bills through the Texas Utility Assistance program equaling \$4594.00.

ADJOURNMENT: Mayor Brenda Cox called the meeting adjourned at 7:44 p.m.

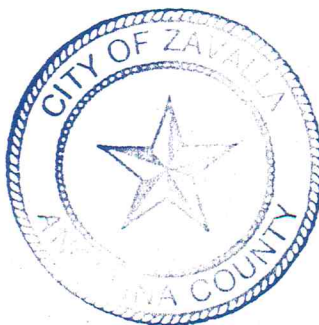
Minutes approved this 11 day of Dec, 2023.

Brenda Cox, Mayor  
Brenda Cox, Mayor

ATTEST BY:

Leslie Wills  
Leslie Wills, City Secretary

STATE OF TEXAS  
ANGELINA COUNTY  
CITY OF ZAVALLA



CITY OF ZAVALLA  
AGENDA FOR THE  
REGULAR SCHEDULED MEETING  
DECEMBER 11, 2023

The Zavalla City Council will conduct its regular scheduled meeting on Monday, December 11, 2023 at 6:00 p.m. at the Zavalla City Hall at 242 E. Main Street, Zavalla, Texas 75980.

ORDER OF BUSINESS

Call meeting to order.

Establish a quorum.

Welcome Guest.

Invocation.

Public Comment Session.

1. Discuss and possibly approve November 20, 2023 meeting minutes.
2. Discuss and possibly approve selling the Police Department property.
3. Discuss and possibly approve selling the Coke machines, filing cabinets & lockboxes.
4. Discuss and possibly approve amending the Alcohol Permit fees.
5. Discuss and possibly approve a resolution for Highway Road Maintenance with TXDOT.
6. Discuss and possibly approve implementing sewer charges based on water usage. (\*Same rate as water)
7. Discuss and possibly approve increasing water base rates by \$4.25.
8. Discuss and possibly approve amending Ordinance #97 to discontinue the water rate increase in January 2024.
9. Discuss and possibly approve hiring an hourly utility worker.
10. Discuss and possibly approve November bills.
11. Committee Updates.
12. Volunteer Fire Department Update.
13. Department Head Updates

EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

- a. 551.71 Private consultation with the City's Attorney
- b. 551.75 Deliberate about Real Property
- c. 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.
- d. 551.82 Economic Development

I certify that the above notice was posted to the bulletin board on the 8th day of December 2023, at 3:30pm.



Brenda Cox

Mayor

**MINUTES OF THE GOVERNING BODY OF THE CITY OF ZAVALLA, TX  
REGULAR SESSION MEETING ON DECEMBER 11, 2023, AT 6:00 PM., IN THE  
CITY HALL**

**COUNCIL PRESENT:** Mayor Brenda Cox, Jeff Mann, Richard Brunk, Nigel Boyles, Cindy Bailey and Angie Thompson.

**COUNCIL ABSENT:** Everyone present.

**STAFF PRESENT:** Tom Bailey, Cody Day, Joy Yarbrough, James Denby, Larry Castellow and Leslie Wills

**GUESTS PRESENT:** Debbie Denby, Sue Morrell, Kristie Bailey, JP Hopkins, Jeremy Chaney, Loyce Lawrence, Marjorie Mann, Lisa Rice and Loretta Brunk.

**CALL TO ORDER:** Mayor Brenda Cox called the meeting to order at 6:00 p.m. on Monday December 11, 2023, at City Hall located at 242 E. Main Street, Zavalla, Texas 75980. Mayor Brenda Cox established a quorum and welcomed the guests.

JP Hopkins gave the invocation.

**OPEN FORUM:** Richard Brunk voiced his grievances about the Mayor. Cindy Bailey wanted to clarify her reasons for joining the city council. Lisa Rice spoke to the council about the need for a food drive for the shut in's and less fortunate at Christmas. She asked the council if she could place a food donation box at the city for this purpose.

**FIRST ITEM ON THE AGENDA: Consideration and possible approval of November 20, 2023, meeting minutes.** Council members reviewed the minutes. Jeff Mann made the motion to approve the meeting minutes for November 20, 2023, minutes, Angie Thompson second the motion, unanimous approval, the motion passed.

**SECOND ITEM ON THE AGENDA: Consideration and possible approval of selling the Police Department property.** Mayor Cox explained that the city was still in a financial crisis and felt that liquidating the Police Department property could help as well as relieve the City of the continued upkeep of the older building. The plan is to open bids for the property and once sold, the police would move into City Hall. Richard made the motion to approve liquidating the property, Jeff second the motion. The motion was unanimously approved.

**THIRD ITEM ON THE AGENDA: Consideration and possible approval of selling the 2 Coke machines, filing cabinets and safety deposit lock boxes in the vault.** Mayor Cox shared that we have items in City Hall that are taking up space and worth money that could also be liquidated to help with our financial needs. Angie made the motion to sell the items with Jeff seconding the motion. The motion was unanimously approved.

**FOURTH ITEM ON THE AGENDA: Consideration and possible approval of amending the alcohol permit fees.** Mayor Cox read the current fee of \$75.00 annually and noted that the fee could be raised to \$120.00 to help generate more funds for the city. Richard made the motion to amend the ordinance to reflect an annual fee of \$120.00 with Jeff seconding the motion. Unanimous approval, the motion passed.

**FIFTH ITEM ON THE AGENDA: Consideration and possible approval of a resolution to accept the highway roadside maintenance agreement between the City of Zavalla and TX DOT.**

Mayor Cox explained that the roadside maintenance agreement was a standard agreement that had to be renewed and a resolution adopted to support it. Nigel made the motion to adopt the resolution, Jeff second the motion. Richard and Cindy voted against the motion. The motion passed.

**SIXTH ITEM ON THE AGENDA: Consideration and possible approval of implementing sewer charges based on water usage. (\*Same as water rate)** Tom explained that our current water rate is on a tiered system based on water usage. The sewer system is a flat rate. Most of the surrounding cities have the sewer based on water usage. Tom shared that those residents with larger families or higher usage still pay the same as single person residents. The cost for high usage homes creates the need for more chemicals to treat the lift stations as well as continued maintenance and higher service costs that aren't calculated into the bill. Tom proposed that the sewer rates be tiered to mirror the water rates for more accurate billing. Joy made the point that if the usage does not exceed the 2000 gallon threshold, that the charge would be the normal rate. It only goes up when the water usage is greater. After much debate, Angie made the motion to table the item. Nigel second the motion, while Jeff and Richard were in opposition. Cindy abstained her vote. The Mayor broke the tie and voted to table the motion.

**SEVENTH ITEM ON THE AGENDA: Consideration and possible approval of increasing water base rates by \$4.25.** Since agenda items #6, 7 & 8 are concerning a rate increase for sewer/water, there was confusion on the individual items themselves. After much of the same debate as item 6, Richard made the motion to increase the water base rate to \$4.25. Motion died for lack of second.

**EIGHTH ITEM ON THE AGENDA: Consideration and possible approval of an amendment to Ordinance #97 to discontinue the water rate increase in January 2024.** Mayor Cox explained that the votes for agenda items 6 & 7 would determine the outcome of the vote for item 8. Since agenda items 6 & 7 were not passed, she asked for a motion for item 8. Richard made the motion to leave ordinance 97 as is. Jeff second the motion with all other council members in agreement with the exception of Cindy, as she abstained from voting. Motion passed to leave ordinance 97 in effect.

**NINTH ITEM ON THE AGENDA: Consideration and possible approval of hiring an hourly utility worker.** Mayor Cox explained that she felt the timing was not right to ask for an additional worker without reviewing the budget and determining the financial ramifications in doing so. Tom felt the increase in the rates would justify the cost. Nigel made the motion not to hire a third worker in the utility department at this time. Jeff second the motion with Angie in agreement. Richard voted to hire a worker. Cindy abstained. The motion passed to not hire a third worker in utility at this time.

**TENTH ITEM ON THE AGENDA: Consideration and possible approval of paying November bills.** Nigel made a motion to approve payment of November bills. Jeff second the motion. Unanimous approval. The motion was passed.

**ELEVENTH ITEM ON THE AGENDA: Committee updates:** Mayor Cox opened the floor to Honey Casey to discuss the upcoming community events. Honey shared that all of the community events for 2023 have concluded. She has received an overwhelming positive response from the community concerning the vendor market and parade. Those who attended felt it brought the community together for Christmas. Honey is planning the events for 2024 and has a meeting scheduled the end of December with new volunteers to coordinate these events. She also asked for approval from council to use the lot beside city hall for quarterly vendor markets. This will aid local businesses as well as raise additional funds needed. Honey would also like to expand on the historical slide show that was a big hit. She has requested all residents that have historical data to contact her.

**TWELTH ITEM ON THE AGENDA: Zavalla Volunteer Fire Department Update:** Tom shared that they had one brush fire they responded to with 0 structure fires, one medical assist, five motor vehicle accidents for the month.

**THIRTEENTH ITEM ON THE AGENDA: Department Updates:** Leslie: Continued work on prior year audits.

Chief Denby: Reporting: Total of 4 reserve officers have been appointed and will work once a month for two 10hr shifts on the weekends. For the month of November there were 108 citations with 37 warnings and 0 accidents reported. One criminal trespass warning issued. 46 calls for service. 4 NIBERS incidents reported. 2 property reports that are usually theft or trespassing. One crime against a person. 3 adult arrests and one juvenile arrest were made for the month. Total of 5 animal calls and 142 contacts made.

Tom: For the month of November they completed the meter reading and flush requirements. They recovered broken asphalt from the road project and used it to repair parts of Park Rd. They also patched all of the major holes on Pickard Rd and a small portion of Campus Drive. They began winterizing the Marshall and Broaddus wells. Installation of one new water tap for a customer. They repaired two major and one minor leak on Pickard Rd. They repaired hydrolic leaks on the GUI well. They excavated and assisted with repairs on a reoccurring water leak at the high school. They installed a new valve on Campus. Repairs were made to the merry go round at the park. Three faulty meters were replaced. Removal of 6 inactive meters. No TCEQ waste water updates at this time. Tom sent TCEQ needed reports for the drinking water violations, although the number has not yet been reduced. There were 24 work orders issued in November with 19 work orders outstanding to date.

#### EXECUTIVE SESSION

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any of matters listed below under the authorized article of the meeting act. Texas Government Code 551.01

Tom asked for an executive session to discuss his position at 7:48 pm according to code 551.074 Deliberate the appointment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee..

Council returned at 8:40 p.m.

**ADJOURNMENT:** Mayor Brenda Cox called the meeting adjourned at 8:40 p.m.

Minutes approved this 8 day of January, 2024.

Brenda Cox

Brenda Cox, Mayor ATTEST BY:

Leslie Wills

Leslie Wills, City Secretary

Co. STATE OF TEXAS  
ANGELINA COUNTY  
CITY OF ZAVALLA

