

**AGENDA
NOTICE OF REGULAR MEETING
OF THE CITY COUNCIL OF
CUMBY, TEXAS**

This notice is posted pursuant to the Texas Open Meetings Act. Notice hereby given that the City Council of the City of Cumby, Texas will conduct a Regular Meeting on July 5, 2022, at 6:30 p.m., at 100 East Main Street, Cumby, Texas, City Council Chambers.

If the public desires to speak during a specific agenda item, they must email secretary@cityofcumby.com by 4:00 pm on the day of the meeting. The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made. You may also communicate and send your comments to the City Councilmembers directly by emailing; alderman1@cityofcumby.com, alderman2@cityofcumby.com; alderman4@cityofcumby.com; cumbyalderman5@gmail.com

The meeting agenda and agenda packet are posted online at www.cumbytx.com website.

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL & QUORUM REPORT

4. PRESENTATION BY CITIZENS

The City Council welcomes "Presentation by Citizens." If you wish to speak, you must follow these guidelines. As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow guidelines posted at the bottom of this Agenda.

5. CITY COUNCIL COMMENTS

Pursuant to TEX. GOV'T CODE 551.0415, the Mayor, a City Council member and Staff may report on the following items of community interest:(1) expression of thanks, congratulations or condolences (2) information about holiday schedules (3) recognition of individuals (4) reminders about upcoming events organized or sponsored by the City Council (5) Information about community events and (6) announcements involving imminent threat to public health and safety. Additionally, pursuant to TEX. GOV'T CODE 551.042, the Mayor or Council members may request that items be placed on future City Council agendas.

6. CONSENT AGENDA & DEPARTMENT REPORTS

All matters listed under this item are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Alderman on any item, that item will be removed from the consent agenda and will be considered separately.

6.1. Approval – City Council Minutes, Regular Meeting, June 14, 2022

6.2. Approval – City Council Budget Workshop Minutes, June 21, 2022

6.3. Approval – 2022 June Financials

6.4. Approval – 2021-2022 Vendor Balance Detail

6.4.1. Messer, Fort & McDonald – recap of March / April / May 2022 billing (over \$2500)

6.5. Approval - Public Works Department Activity Report

6.6. Approval – Utility / Maintenance Work Order Update Report

6.7. Approval - Police Department Activity Report

6.8. Approval - Municipal Court Activity Report

6.9. Approval - Building Permit Activity Report

6.10. Fire Department Activity Report

7. EXECUTIVE SESSION

- 7.1. In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:
- 7.1.1.1. Discussion / Action: §551.074: (a) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee: City Secretary Betty Jo Hardman (Mayor Douglas Simmerman)
 - 7.1.1.2. Discussion / Action: §551.074: (a) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee: Associate Judge Rita Graham (Alderman Aly Crocker)
- 7.2. Discussion/Action: § 551.089 Deliberation regarding Security Devices for Municipal Court Security System. (Alderman Aly Crocker)

8. RECONVENE INTO OPEN SESSION:

- 8.1. In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

9. OLD BUSINESS

- 9.1. Discussion/Action: Alderman 4, Aly Crocker, Committee update regarding review of Ordinances / Resolutions
- 9.2. Discussion/Action: Resolution R-2022-06-1011 Tabled in June 14, 2022, Council Meeting: Amending City of Cumby Employee & Policy Manual as it Relates to: City of Cumby Participation with TML; Normal Working Hours, City Hall Staff and Maintenance Department Staff; Meal Periods; Overtime during a Week in which there is a City Holiday; Flex-time Work schedule (REMOVED); and Exempt Employees; Costs to the City Associated with Training programs for Staff; and Notification of Accident Incident to City Secretary (Mayor Simmerman)
- 9.3. Discussion/Action: Ordinance O-2022-06-010 Tabled in June 14, 2022, Council Meeting Repealing, Revoking and Replacing Ordinance No. 97-5 and 82-A; Establishing hours and use of Cumby City Park (Mayor Simmerman)

10. NEW BUSINESS

- 10.1. Discussion/Action: Bamboo Street Right of Way Maintenance and Preservation
- 10.2. Discussion/Action: Ordinance O-2022-07-011, Repealing and Revoking Ordinance 87-8, Restricting who can hold public dances” (Alderman Crocker)
- 10.3. Discussion/Action: Ordinance O-2022-07-012, Repealing, Revoking and Replacing Ordinance 2003-13, An Ordinance of the City Commission of the City of Cumby, Texas, Providing for the Distance of Place of Business from Church, Public School, or Public Hospital Repealing All Ordinances or Portions of Ordinances in Conflict Therewith; and Providing that this Ordinance Shall be in Full Force and Effect....” (Mayor Simmerman)
- 10.4. Discussion/Action: Resolution R-2022-07-1012, A Resolution of the City Council of the City of Cumby Texas authorizing the appointment of a representative to serve as a Director on the ARK-TEX Council of Governments Board of Directors
- 10.5. Discussion/Action: 2022-2023 Fiscal Year Budget and 2022 Tax Rate (agenda item until Agenda approved & new tax rate determined)

11. ADJOURNMENT

Executive Sessions Authorized – The City Council for the City of Cumby reserves right to adjourn into executive session at any time during the course of this meeting to discuss any matter authorized by Texas Government Code Sections 551.071 (Consultation with Attorney); 551.072 (Deliberations related to Real Property); 551.073 (Deliberations related to prospective gifts or donations); Section 551.074 (Personnel Matter); 551.076 (Deliberations regarding the deployment of security devices or the implementation of security policy); and 551.087 (Deliberations regarding Economic Development negotiations).

Attendance by Other Elected or Appointed Officials – NOTICE OF POTENTIAL QUORUM: It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commission and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also notices as a meeting of the other boards, commissions and/or committees of the City, whose members may be in

attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Presentation by Citizens Guidelines:

- The Mayor will recognize those citizens who have signed up prior to the start of the meeting.
- Pursuant to Resolution No. 2020-12 Citizens are given three minutes (3:00) to speak during “Presentation by Citizens.”
- Members of the public may only speak once and cannot pass the individual’s time allotment to someone else.
- Direct your comments to the entire Council, not to an individual member.
- Show the Council members the same respect and courtesy that you expect to be shown to you.
- The Mayor will rule any disruptive behavior, including shouting or derogatory statements or comments, out of order. Continuation of this type of behavior could result in a request by the Mayor that the individual leave the meeting, and if refused, an order of removal. In compliance with the Texas Open Meetings Act, no member of City Council may deliberate on citizen comments for items not on the agenda. (Attorney General Opinion – JC 0169)

City Council Comment Guidelines:

- Expressions of thanks, congratulations, or condolences.
- Information regarding holiday schedules
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person’s public office or public employment is not honorary or salutary recognition for purposes of this subdivision.
- A reminder about an upcoming event organized or sponsored by the governing body.
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body or an official or employee of the municipality or county; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after posting of the agenda.

CERTIFICATE:

I hereby certify that the above Notice of Meeting was posted on the City Hall bulletin board on the July 1, 2022, at a place convenient and readily accessible to the general public at all times, and to the city’s website, <https://www.cumbytx.com>, in compliance with Chapter 551, Texas Government Code.



Betty Jo Hardman

Betty Jo Hardman, City Secretary

**Meeting Minutes for
June 14, 2022
City of Cumby City Council**

1. **CALL MEETING TO ORDER** – Mayor Simmerman called the meeting to order @ 6:30pm
2. **PLEDGE OF ALLEGIANCE AND INVOCATION** was led by: Mayor and Christina Maples
3. **ROLL CALL & QUORUM REPORT**

Attending:

Mayor Douglas Simmerman
Alderman 1, Amber Hardy
Alderman 3, Wayne Mobley

Mayor Pro Tem & Alderman 5, Ryan Horne
Alderman 2, Katherine Flinn
Alderman 4, Aly Crocker

4. **PRESENTATION BY CITIZENS**
 - 4.1. No Presentations by Citizens

5. **CITY COUNCIL COMMENTS**

- o Mayor Simmerman: Welcome to new aldermen: Ms. Amber Hardy, Place 1 and Ms. Katherine Flinn, Place 2
 - Thank you!! Sheryl Lackey for serving as Alderman 1 from 11/2021 to 05/2022.
 - November 8, 2022, Election for: MAYOR, ALDERMAN PLACE 1 & PLACE 2.
 - July 5th – Tuesday Council Meeting for regular July meeting
 - Church service in the park that all churches participated in was outstanding over Memorial Day weekend!

6. **CONSENT AGENDA & DEPARTMENT REPORTS**

All matters listed under this item are considered routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Alderman on any item, that item will be removed from the consent agenda and will be considered separately.

6.1. Approval – City Council Minutes, Regular Meeting, May 10, 2022

6.2. Approval – 2022 May Financials

6.2.1. Review Messer Fort & McDonald March / April 2022 Bill

6.2.2. Repair for City Hall, Air Conditioner, Court-side & restructure vents in attic

6.3. Approval – 2021-2022 Vendor Balance Detail / Unpaid bill ledger

6.4. Approval - Public Works Department Activity Report

6.5. Approval – Utility / Maintenance Work Order Update Report

6.6. Approval - Police Department Activity Report

6.7. Approval - Municipal Court Activity Report

6.8. Approval - Building Permit Activity Report

6.9. Approval - Fire Department Activity Report

Alderman Horne said he was sorry to have missed last month's meeting and asked how the presentation went from the new RV sales moving into Cumby?

Mayor Simmerman said that we should also have a presentation from the new RV park; and they should complement each other – RV sales; repairs; maintenance and then the RV Park that is in planning / build now.

Alderman Crocker expressed her concern regarding bills the City has, including the Attorney bill. (City Secretary had provided a break-out of the current bill as well as the first month billing from April 2022 from Messer). She asked how the City plans to pay and how to keep from getting that high? What can we do to save?

Mayor Simmerman said he had addressed hours we were spending with Attorney at last council meeting; and he knew that was going to happen – expressed concern when interviewing firms that this would change and impact budget as all firms were higher fees than the past two (2) City Attorney's City of Cumby has had.

Charles Anderson, City Attorney, recommended that City has one or two people that contact their office to request work. They want to make sure it's going to be very clear when asked to do something it is approved by City. One or two people that are the office requestors; we want to respond to what is wanted; but want to be sure we're responding appropriately. They want to ensure they only do what we need to do. Time is money – that is of course how they operate.

Mayor Simmerman responded and reminded Council, there are more ways to address questions or items to be placed on next meeting agenda. Good lesson in not just asking for every little thing; time is money! Everytime we email or request something – there is a fee. Also, asks that Council come prepared;

Alderman Horne said we have not seen a lot of change over the last year; come prepared and have actual issues we're addressing. He made motion to approve Consent Agenda as presented;

Alderman Hardy 2nd

5/0 motion carried unanimously

7. OLD BUSINESS

7.1. Discussion: Alderman 4, Aly Crocker, Committee update regarding review of Ordinances / Resolutions

Alderman Crocker reported that she has put a committee together, (one member may be backing out). Ordinances need a lot of work; some even list "Commerce" versus Cumby as the location that the Ordinance was prepared for. She does not yet have a full report ready. Mayor Simmerman inquired as to who is on the committee? Alderman Crocker Reported: Sheryl Lackey; Betty McCarter; Rhonda Lemon.

Mayor Simmerman: Thank you for heading up. Will be a lot to work

Alderman Crocker: Reported that some Ordinances we may wish to repeal versus amending; suggestion – repeal versus amend.

Commented that Officer Painter is very knowledge regarding Codes, Ordinances, etc. What is good and what is priority.

Associate Judge (attending council meeting) Rita Graham said that they (Officer Painter and she) work hand in hand and she would be happy to help.

7.2. Discussion: Per the direction by Council in May 2022, meeting, Cumby Municipal Court has connected with County Judge Newsom's office; inner-local agency agreement is in place; they will forward a copy of the document for Cumby files. Once secured, Cumby will send Truancy prevention diversion fund accumulated funds to Hopkins County auditor's office, Shanna Halsbrook, quarterly. All funds up to March 31, 2022, will be sent.

Governing body should review and approve – they don't know when it was passed; The Mayor indicated that it was passed sometime early in his sitting as Mayor. It is an inner-local agreement. County one and then a small city within it; funds from Truancy fund will send every quarter; hold until end of next qtr. and then forward end of each quarter thereon.

8. NEW BUSINESS

8.1. Discussion: New Aldermen seated May 16, 2022: Presentation by City Attorney regarding Open Meetings and (potential) Walking Quorum situations (Charles Anderson, City Atty)

ATTACHED AND MADE PART OF MINUTES; HANDOUTS FROM THE CITY ATTORNEY PRESENTED AT MEETING

8.2. Discussion/Action: Notice of Deadline to File Applications for Place on the Ballot (Mayor)

A copy of the Notice of Deadline to File Application for Place on Ballot was included as part of this month's Council Packet. It will be executed and posted by the City Secretary prior to the deadline of June 23, 2022.

- 8.3. Discussion/Action:** Resolution R-2022-06-1010 Calling for a General Election and Establishing the Procedure for the General Election for City Officers to be Held on November 8, 2022, in the City of Cumby, Texas; and Providing for Other Matters Related to the Election (Mayor)

Alderman Crocker made motion to accept Resolution R-2022-06-1010 as presented
Alderman Horne 2nd
5/0 motion carried unanimously

Each council member, the mayor and the City Attorney, and the City Secretary signed the Resolution. It will be sent to Hopkins County Election officials.

- 8.4. Discussion/Action:** Review Calendar for 2022-2023 Fiscal Year Budget and set Workshop date(s) (Mayor)

Mayor Simmerman led the discussion, he wants Cumby to get prepared for workshops; Cumby has always been late and behind on this issue. Ms. Graham, Associate Judge also in attendance, asked if anyone from the city department need to attend workshop meetings? Mayor indicated that he needs to get an email out so everyone can send recommendations of department needs and recommendations for 2022-2023 budget to Mayor.

Recommended dates of June 21 and June 28 budget workshop; Alderman Horne is out of the country on 6/28; if all taken care of, we won't need to have two meetings and cancel June 28th. Last year it didn't happen, and City of Cumby got in a pickle. All items and expenses are "real numbers" versus estimated as in the past two fiscal year budgets presented.

Once the budget is made approved by Council, the next step will be to review the Tax Rate. Last year, Tax Rate was "no new revenue" wherein the tax rate stays the same, but Municipality receives additional funds due to the increase in property values. We are getting started in June on the budget which is really early. Once the budget is determined; Council then determines whether or not a tax increase is necessary. It seems like something always comes up that keeps us from reviewing in time to meet the Texas State Statute timeline regarding budget and tax rates each year (schedule attached as part of this council packet). Should Council determine it is necessary to raise taxes above what used to be "roll back" and today is called "voter approval", then there must be an election by the voters, and this starts compressing the calendar / time frame of when each item is due to be sent / posted / voted on / published / etc.

Alderman Horne said he is starting a new job and if we could push the start time of meeting to 5:30 on 21st June that would be preferred.

- 8.5. Discussion/Action:** Resolution R-2022-06-1011 Amending City of Cumby Employee & Policy Manual as it Relates to: City of Cumby Participation with TML; Normal Working Hours, City Hall Staff and Maintenance Department Staff; Meal Periods; Overtime during a Week in which there is a City Holiday; Flex-time Work schedule (REMOVED); and Exempt Employees; Costs to the City Associated with Training programs for Staff; and Notification of Accident Incident to City Secretary (Mayor)

Alderman Horne referenced email sent to him by Citizen Sheryl Lackey; she was unable to attend; and asked him to read before council. The email is attached hereto and made a part of this minute packet.

Associate Judge, Rita Graham attended the meeting. She contacted TMRS who reported that Cumby is in compliance and contributing 1:1 ratio for retirement. It is also in an Ordinance for Cumby to participate at 1:1. She further asked if not matching 1:1 city-wide; when did it stop? There is an Ordinance and if not matching; she would think that the City is supposed to reimburse; Need to go back and find out who / when changed the match to each employee? There are clear minutes from a meeting council and their vote; or something was changed – Ordinance: 2007-7 Effective January 1, 2008; passed and approved by council: 11/13/2007.

She further stated that the previous City Secretary changed the insurance contribution the City pays employees to earned income; and started taking taxes out. Ms. Graham believed that wasn't appropriate? If it is stated that it is for "Medical Coverage reimbursement", shouldn't that be tax-free?

City Attorney Charles Anderson cleared things up when he reported: "... I've been part of Retirement plans for most of my career; now under retirement plan and it is a great plan through TML". What I would tell you is 5% and 5% - it is an apples and oranges: 5% from employee there is no fudging that; the 5% for the city's contribution is what the retirement is worth when it is to be paid. The city is liable as if they made that 5% though-out their career. He explained that not every employee makes it to retirement; many leave before they vest. Many vest and take all in one lump sum; city is no longer due to contribute that number over the employees lifetime. If the employee that works 20 years; TMRS is looking at actuarial numbers; have enough money for you to pay – but you don't have to pay all that money up front; I don't know any city that actually pays and that's where the % is set-up; then the city has to have account set aside to place the remaining % set aside. Best guess is when to pay the – control over the money; employee leave – all city obligations go through TMRS and no obligation by the City. No other account is to be maintained by the city.

You can choose to leave the way it is currently written in the handbook; or updated as per the proposal which makes it a lot clearer in my mind regarding how that goes; TMRS sends a statement every year and addresses how much the % to be contributed by City.

Next Item: Time and Attendance: Ms. Graham read the proposed statement regarding time and attendance; #3 on the resolution determine by the workload. Normal working hours of City Hall and court; or does it just mean City Hall? Determine by workload of the city?

She further asked is "Court" part of City Hall? Does she follow under City Hall legally? City can decide where she is: Monday – Friday 8-5pm – work inside this building per mayor; Who determines Municipal Court workload; previously a part-time position; saw how the court was in disarray. Question – does she need to work Saturday? Determine whether have enough to work 8-5; Court is not slow; money has slowed down due to economics; phone is still ringing but most are setting up payment plans. Still doing good. The Mayor says it will be stated; not just this council; determined by the Mayor.

Responsibilities for day-to-day operations of the city is the Mayor;

Working Overtime during a "holiday" week: Ms. Graham spoke to this point stating: Tuesday – Friday; extra hours clocked in. We have 11 holidays paid – you'll pay employee for o/t; all in different departments other will apply to each; Gave example when she worked at another employer, they never worked more than that 40 hour workweek ... FLSA – how do we word this? Take off the hour?

The Mayor said Cumby has "Beat this dog to death" (handbook). In his work life, he has gone to work and done job and go home. I don't ask for anything extra; and don't worry about a handbook; just do a job that I'm supposed to do.

Alderman Crocker asked how impacting budget? And, what's best for the city?

Mayor Simmerman said his view was to look at what's best for employee. Keep good people.

This document is something to look over.

Alderman Crocker said that all her employees get holiday pay; and if they work over 32 hours, they get overtime.

Mayor Simmerman said that overtime is emergency only. Option is to let them off early; but if we do that, and people take a couple of hours off then people start complaining. Never gonna make people happy – comb over some more and we can table and come back next month?

Next Item: Ms. Graham spoke to Flex time to be removed in its entirety: She had emails back and forth when she went salary. City of Cumby's City Attorney (previous to this City Attorney) said she got flex time. If taking out flex time, then she wants to come off "salary". She stated: "BJ's pay is right in line with mine as is Mr. Dudley. Why are they getting comp time and I get nothing? I cannot accumulate flex hours?"

Alderman Crocker stated that employee cannot compare to another person as duties / assignments are different and each will make what's appropriate for that job; not everyone make the same.

Mayor Simmerman stated that Flex or Comp Time has to be approved by the mayor. Monday – Friday should work 8-5.

Ms. Graham went on further that she was not allowed to hire anyone else part-time and during warrant round-up she ran court by herself; and has continued to do so. Example: Just to get filing done; she gave up Saturdays to come up and keep it up. Last fiscal year council agreed to allow me to roll-over accumulated flex time. The Mayor now says I cannot accumulate more flex time. But, if I have 50 minutes over 80 hours in two weeks, I cannot get flex time?

I tried to take flex time off and it's not approved.

Mayor said we are paying Ms. Graham out for flex time accumulated.

Mayor Simmerman: City needs to clarify flex time. Flex time is not accumulated vacation time;

Ms. Graham: Office Time is 8-5; we (staff) do not have ability to change; I should be accumulating flex versus comp time and City pays at 1:1 versus 1 to 1-1/2 for overtime. Hourly staff automatically get overtime.

Mayor Simmerman: For employee issues, hash over it and chew on it. Again, table for next meeting.

City Attorney contributed that the background is Federal law and Fair Labor Standard Act (FLSA). non-exempt classification: Non-exempt cannot work more than 40 hours without getting overtime; exempt people don't get paid over time and they are not eligible for comp time under FLSA. Cities can certainly go beyond that; always go hourly – cannot always go exempt.

Legal standpoint: flex time; work 14 hours day today – come in two hours tomorrow. If I work 42 hours, I'm going to have 2 hours of overtime to use for non-exempt employees.

Consistent non-exempt must be paid non-exempt; there is an option to pay exempt overtime or not pay overtime.

Council determined to set aside Resolution R-2022-06-1011 and review in July meeting.

Council Hardy requested notes from Ms. Graham; and review with what employee handbook has.

8.6. Discussion/Action: Ordinance O-2022-06-010 Repealing, Revoking and Replacing Ordinance No. 97-5; Establishing hours and use of Cumby City Park

Mayor Simmerman reviewed the Ordinance stating: this provides a 10:00pm closing time for the Park. Public can reserve and have it open later. Ordinance like that in place; allows police to stop and visit with kids that might be in the park late; especially if they are kicking in the door. Also, the city is not responsible for determining hours or traffic at the Baptist Church (or any church / business). They should "post" their own guidelines.

Alderman Crocker said she didn't agree with 10:00pm closing time. Gave an example of a situation she had at one time and went to the park late to sit and think. Does the Ordinance keep someone from going to the park today? Can police make a taxpayer leave that park? City may have a curfew, but none are posted. Why are we keep law abiding people from the park?

Mayor Simmerman responded, but we do have problems in the park. No, we are not Dallas; but someone has tried to kick in the doors recently. Gives the police the authority that they cannot be there. Its 10:00pm do you know where your kids are? The PD can judge the circumstances / liability.

Alderman Crocker: I want everything for law abiding citizens

Mayor Simmerman: It is the Spirit of the law not the letter of the law.

Council determined to set aside Ordinance O-2022-06-010 and review in July meeting.

8.7. Discussion/Action: Ordinance O-2022-06-011 Amending Drought Contingency Plan – City of Cumby,
No. 2016-05-001

City Attorney recommends that this is reviewed and then updated each year.

Alderman Ryan made the motion to accept Ordinance O-2022-06-011 as presented.

Alderman Crocker, 2nd

5/0 none opposed, motion carried unanimously

9. ADJOURNMENT – 8:15 adjourned



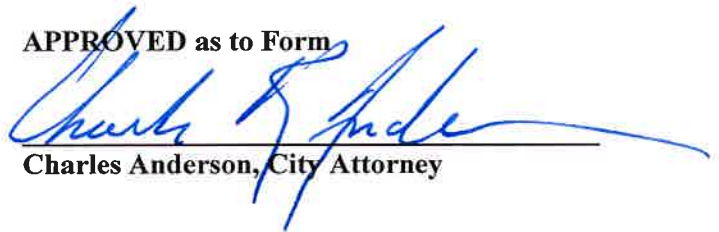
Douglas Simmerman, Mayor

ATTESTED:



Betty Jo Hardman, City Secretary

APPROVED as to Form



Charles Anderson, City Attorney

City Secretary

From: Ryan Horne
Sent: Tuesday, June 14, 2022 7:16 PM
To: City Secretary
Subject: Fwd: Meeting June 14, 2022

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From: Sheryl Lackey
Sent: Tuesday, June 14, 2022 5:36:20 PM
To: _____
Subject: Meeting June 14, 2022

Ryan:

I am unable to attend tonight's meeting. (I forgot I had agreed to a dinner date.) I would like for you to read this for me before the discussion of line item 8.5.

I spoke with a gentleman at TMRS, after informing him I was no longer a City Council Member, to verify that the city is matching the retirement at a 1:1 ratio. He assured me that the City of Cumby is in fact matching at a 1:1 ratio. I am still unclear as to what the "Actuarial Valuation" is, however, if anyone has any questions they may call TMRS for verification. I'd like to caution if the Council would like to pass what the City Secretary is suggesting, that Ordinance 2007-7 needs to be repealed and/or amended as it sets the terms of requirements of TMRS.

Normal working hours for city hall is to be determined by the "City". Who is the "City"? I am a firm believer that ALL city employees' work schedules (other than PD) should be Monday through Friday 8 A.M. to 5 P.M. regardless of the department they work in.

As far as overtime pay during a holiday that falls within the week and any hours worked over 32 hours. The FLSA considers overtime as any hours WORKED after 40 hours. All I have heard for months from an employee is how the city is struggling to make payroll.

I feel the City Attorney needs to be contacted to make sure we have ALL employees "labeled" correctly, as I feel that we have an employee who is not receiving their comp-time correctly and instead is gaining "flex-time".

**Meeting Minutes for
June 21, 2022
Cumby City Council
Budget Workshop**

- I. Call to Order: The Mayor called the Special Budget Workshop meeting of the City Council of the City to order at 5:30pm on June 28, 2022.
- II. Present at the meeting were: Mayor Douglas Simmerman, Alderman Amber Hardy, Alderman Katherine Flinn, Alderman Wayne Mobley, Alderman Aly Crocker. Alderman Ryan Horne arrived at 5:45pm
- III. Discuss 2022-2023 Budget:

Mayor Simmerman reviewed the packet contents: Included in the Workshop packet is a copy of:

- a. Local Government Code
Title 4. Finances
Subtitle A. Municipal Finances
Chapter 102. Municipal Budget

Sec. 102.001. Budget Officer. The mayor of a municipality serves as the budget officer for the governing body of the municipality.....

- b. 2022 Tax and Budget Deadlines for Cities with Populations of less than 30,000

Mayor Simmerman pointed out the two columns included on deadline: Adopted Rate EXCEEDS Voter-Approval Tax Rate; Adopted Rate DOESN'T Exceed Voter-Approval Tax Rate.

Once the Council has approved the proposed 2022-2023 budget, it will then determine which method to use for the tax rate. At this time, Cumby does not have all materials from Hopkins County, which includes the Voter-Approval Tax Rate.

- c. Proposed 2022-2023 Budget, along with 5-year comparison of previous year's budgets, as well as Fiscal Year P&L 2020-2021 and 2021-2022 are included in the packet.
- d. Copy of City of Cumby Obligations from Texas Water Development Board along with bank statement of funds held for this account are included in the packet.
- e. Copy of Payment agreements between City of Cumby and Constellation are included in the packet.
- f. Copy of Proposed Payment agreement between City of Cumby and IRS (2018 form 940) are included in the packet.

A discussion of the 2022-2023 Proposed Budget commenced.

The budget presented is based on "Actual" expenditures for the current fiscal year. Due to no City Secretary staff member in place during the previous year's budget preparation, the 2021-2022 budget was based on 2020-2021 Budget versus actual. This year, department costs have been split properly and projections are based on expenditures incurred to-date.

Questions regarding the proposed budget from council members were addressed by Mayor Simmerman.

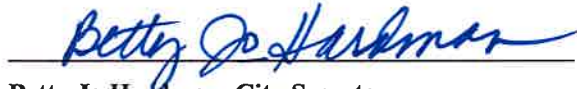
The Mayor requested that council members continue to review the proposed budget; and, should there be any questions that were not addressed during the workshop, please contact him. The budget will be presented for approval at a council meeting to be held in August 2022. Following, the Council will proceed with tax rate discussions and determination to present to then be published according to the 2022 Tax and Budget Deadlines for Cities with Populations of less than 30,000.

IV. Adjourn: There being no further business, Mayor Simmerman adjourned the meeting at 6:35pm

A handwritten signature in blue ink, reading "Douglas Simmerman", written over a horizontal line.

Douglas Simmerman, Mayor

ATTESTED:

A handwritten signature in blue ink, reading "Betty Jo Hardman", written over a horizontal line.

Betty Jo Hardman, City Secretary

City of Cumby
Profit & Loss
 June 2022

	Jun 22
Ordinary Income/Expense	
Income	
Subdivision Fees - PD	120.00
Fines	29,577.77
Permits/Registrations	3,706.28
Tax & Franchise Fees	
Property Tax	1,186.17
Sales Tax	10,318.45
Total Tax & Franchise Fees	11,504.62
Water - Sewer	
New Service Connection Fee	140.00
Water Transfer Fee	35.00
Disconnect fee	35.00
Garbage Revenue	4,806.61
Late Fee	722.80
Sales Tax Collected	394.93
Sewer Revenue	6,552.02
Tap fee	10,250.00
Water Revenue	
Bulk Water	45.00
Water Revenue - Other	12,182.53
Total Water Revenue	12,227.53
Total Water - Sewer	35,163.89
Water Deposit	745.00
Total Income	80,817.56
Gross Profit	80,817.56
Expense	
Building Inspector	
Postage	28.63
Total Building Inspector	28.63
Administration	
Late Fees & Interest	10.13
Legal Fees	2,161.50
Mayor/Council Expenses	1,208.00
Membership	29.98
Office Supplies	139.47
Postage	131.28
Property Tax Fees	398.19
Software	77.47
Technology	2,449.07
Telephone	244.21
Total Administration	6,849.30
Mayor & Council	
Flower Fund	109.29
Mayor & Council - Other	35.00
Total Mayor & Council	144.29
Municipal Court	
Office Expense	43.28
Security	8,904.31
State Fees	5,420.71
Technology	80.33
Telephone	158.78

City of Cumby
Profit & Loss
June 2022

	Jun 22
Total Municipal Court	14,607.41
Payroll Expenses	
PENSION EXPENSE	1,802.32
Payroll Expenses - Other	34,133.20
Total Payroll Expenses	35,935.52
Public Safety	
Code Enforcement	573.00
Police Department	
Technology	80.33
Legal Fees	391.50
Auto Repair & Maintenance	2,403.53
Fuel	3,765.88
License & Support	2,159.40
Office Supplies	25.45
Telephone	281.22
Uniforms	617.39
Total Police Department	9,724.70
Total Public Safety	10,297.70
Water Deposit Refund	-131.48
Water/Sewer	
Water Sewer Main Repair Materia	900.00
Lift Station	3,000.00
Chemicals	691.89
Legal Fees	105.00
Maintenance	2,832.17
Mileage	102.81
Office Supplies	88.88
Operating Supplies	-252.94
Postage	232.58
Telephone	242.81
Testing	83.00
Utilities	319.76
Total Water/Sewer	8,345.96
Total Expense	76,077.33
Net Ordinary Income	4,740.23
Net Income	4,740.23

City of Cumby
Profit & Loss
 October 2021 through September 2022

	Oct '21 - Sep 22
Ordinary Income/Expense	
Income	
Public Grant Funds	34,175.00
Subdivision Fees - PD	1,614.00
Fines	479,736.04
Interest Earned	75.72
Permits/Registrations	5,834.93
Property Sale	14,700.00
Public Safety Department	
Accident Report	64.00
Total Public Safety Department	64.00
Tax & Franchise Fees	
Franchise	28,152.75
Property Tax	102,915.05
Sales Tax	113,440.02
Tax & Franchise Fees - Other	725.85
Total Tax & Franchise Fees	245,233.67
Water - Sewer	
New Service Connection Fee	420.00
Water Transfer Fee	175.00
Disconnect fee	35.00
Water - Sewer Adjustments	66.10
Garbage Revenue	47,503.08
Late Fee	4,728.84
Sales Tax Collected	3,796.26
Sewer Revenue	65,858.33
Tap fee	12,750.00
Water Revenue	
Bulk Water	45.00
Water Revenue - Other	120,863.00
Total Water Revenue	120,908.00
Water - Sewer - Other	10,750.00
Total Water - Sewer	266,990.61
Water Deposit	4,694.60
Total Income	1,053,118.57
Gross Profit	1,053,118.57
Expense	
Education / Classes / Materials	290.00
Jury Duty	168.00
Building Inspector	
Postage	28.63
Building Inspector - Other	76.92
Total Building Inspector	105.55
Reconciliation Discrepancies	11,222.46
Administration	
Fire Dpt utilities	0.00
Late Fees & Interest	6,412.17
Office Expense	39.99
Election	4,423.34
Insurance	21,712.25
Legal Fees	12,725.00
Maintenance	341.91
Mayor/Council Expenses	3,710.00
Membership	880.81
Office Supplies	2,188.90

City of Cumby
Profit & Loss
 October 2021 through September 2022

	Oct '21 - Sep 22
Postage	448.56
Professional Fees	138.58
Property Tax Fees	3,359.63
Public Notice	995.95
Software	258.77
Subscription	61.99
Technology	9,001.49
Telephone	1,512.75
Utilities	4,097.80
Administration - Other	1,128.41
Total Administration	73,438.30
Construction In Progress	537.34
Debt Service	
Payment Processing Center	200.00
TWDB Bond	49,253.00
Total Debt Service	49,453.00
Mayor & Council	
Flower Fund	211.28
Mayor & Council - Other	35.00
Total Mayor & Council	246.28
Municipal Court	
State Comptroller-Court	116,539.18
Legal Reference Material	312.48
Judge	1,306.48
Legal Fees	1,621.00
Office Expense	454.47
Postage	298.75
Security	10,434.31
Software Update	5,500.00
State Fees	57,634.80
Technology	4,104.01
Telephone	1,992.55
Travel & Training	710.82
Utilities	3,500.00
Total Municipal Court	204,408.85
Park Improvements	
Utilities	113.98
Maintenance	1,606.25
Supplies	52.99
Total Park Improvements	1,773.22
Payroll Expenses	
Medical Assistance Expense	3,191.12
PENSION EXPENSE	17,434.80
Child Support	357.93
Payroll Expenses - Other	337,535.30
Total Payroll Expenses	358,519.15
Public Safety	
Code Enforcement	573.00
Utilities	0.00
Education	150.00
Police Department	
Postage	5.00
Technology	14,349.27
Reimbursement	1,082.36
Legal Fees	703.00
Auto Repair & Maintenance	29,387.57
Automobile Purchase	17,370.00

City of Cumby
Profit & Loss
October 2021 through September 2022

	Oct '21 - Sep 22
Equipment	2,556.08
Fuel	22,195.26
License & Support	3,400.03
Office Supplies	101.42
Telephone	2,788.64
Testing Supplies	78.00
Training	971.53
Uniforms	695.58
Utilities	3,500.00
Total Police Department	99,183.74
Public Safety - Other	7.00
Total Public Safety	99,913.74
Public Works	
Debris Cleanup	650.00
Total Public Works	650.00
Water Deposit Refund	-131.48
Water/Sewer	
ARPA Project Expense	3,600.00
Water Sewer Main Repair Materia	4,525.00
Technology	371.75
Bank Fee	335.00
Public Notice	336.85
Membership	567.00
UTILITY Cash Drawer	71.96
Lift Station	33,050.00
Water Meters	1,000.00
Office Assitance	31.98
Automobile Repairs	1,134.70
Chemicals	5,173.10
Deposit Refund	1,237.08
Equipment Repairs	0.00
Fuel	1,914.60
Garbage Collection Fee	14,725.48
Lab Fees	426.92
Legal Fee	125.00
Legal Fees	735.00
Maintenance	35,843.58
Mileage	314.76
Office Supplies	1,753.69
Operating Supplies	7,916.66
Permit	2,963.45
Postage	2,325.05
Sales Tax Paid	4,034.28
Software	1,810.85
Telephone	1,464.41
Testing	1,444.92
Uniforms	79.40
Utilities	48,709.71
Total Water/Sewer	178,022.18
Total Expense	978,616.59
Net Ordinary Income	74,501.98
Net Income	74,501.98

City of Cumby
A/P Aging Summary
As of June 30, 2022

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
7-H Construction Company	0.00	0.00	0.00	0.00	0.00	0.00
Ana Lab Corporation	83.00	0.00	0.00	0.00	0.00	83.00
Atmos Energy	0.00	0.00	0.00	0.00	-386.38	-386.38
AVR, Inc.	119.00	0.00	0.00	0.00	0.00	119.00
Bobkat Enterprises, Inc.	120.60	0.00	0.00	0.00	-0.02	120.58
Card Service Center	601.75	0.00	0.00	0.00	0.00	601.75
Chris Childers	1,955.67	0.00	0.00	0.00	0.00	1,955.67
Constellation Energy	0.00	0.00	0.00	0.00	18,703.44	18,703.44
D & E Discount Auto Supply	0.00	436.30	0.00	0.00	0.00	436.30
DataMax Leasing	241.00	0.00	0.00	0.00	0.00	241.00
DPC Industries	631.59	0.00	0.00	0.00	0.00	631.59
ELLEN BAILEY	0.00	0.00	0.00	0.00	-278.00	-278.00
Farmers Electric Cooperative	20.00	0.00	0.00	0.00	0.00	20.00
GALLS PARENT HOLDINGS, LLC	617.39	0.00	0.00	0.00	0.00	617.39
Griffin Communications & Security	0.00	125.00	0.00	0.00	0.00	125.00
Hall Oil Company	0.00	3,765.88	0.00	0.00	0.00	3,765.88
Hopkins County Appraisal District	0.00	398.19	0.00	0.00	0.00	398.19
IRS	0.00	0.00	3,389.98	0.00	0.00	3,389.98
Martin's Texas Trucking, Inc.	0.00	450.00	0.00	0.00	0.00	450.00
Matheson Tri-Gas, Inc.	60.30	0.00	0.00	0.00	0.00	60.30
Messer Fort McDonald	4,214.00	0.00	7,319.50	0.00	0.00	11,533.50
Northeast Texas Disposal	0.00	0.00	0.00	0.00	16,285.00	16,285.00
O'Reilly Auto Parts	21.96	39.99	110.06	0.00	-257.59	-85.58
Public Management, INC	0.00	0.00	0.00	0.00	-6,000.00	-6,000.00
Purchase Power	104.43	0.00	0.00	0.00	0.00	104.43
Quill Corporation	86.04	0.00	0.00	0.00	0.00	86.04
Republic Services	0.00	0.00	0.00	-11,391.76	0.00	-11,391.76
Texas Tank Services	0.00	2,832.17	0.00	0.00	0.00	2,832.17
The C T Brannon Corporation	0.00	0.00	0.00	0.00	0.00	0.00
Underground Utility Supply	1,800.00	0.00	0.00	0.00	-1,692.39	107.61
TOTAL	10,676.73	8,047.53	10,819.54	-11,391.76	26,374.06	44,526.10

City of Cumby
Vendor Balance Summary
As of June 30, 2022

	Jun 30, 22
Ana Lab Corporation	83.00
Atmos Energy	-386.38
AVR, Inc.	119.00
Bobkat Enterprises, Inc.	120.58
Card Service Center	601.75
Chris Childers	1,955.67
Constellation Energy	18,703.44
D & E Discount Auto Supply	436.30
DataMax Leasing	241.00
DPC Industries	631.59
ELLEN BAILEY	-278.00
Farmers Electric Cooperative	20.00
GALLS PARENT HOLDINGS, LLC	617.39
Griffin Communications & Security	125.00
Hall Oil Company	3,765.88
Hopkins County Appraisal District	398.19
IRS	3,389.98
Martin's Texas Trucking, Inc.	450.00
Matheson Tri-Gas, Inc.	60.30
Messer Fort McDonald	11,533.50
Northeast Texas Disposal	16,285.00
O'Reilly Auto Parts	-85.58
Public Management, INC	-6,000.00
Purchase Power	104.43
Quill Corporation	86.04
Republic Services	-11,391.76
Texas Tank Services	2,832.17
Underground Utility Supply	107.61
TOTAL	44,526.10

Texas Water Development Board
2012 Obligation Loan

#	Month of	Deposit Amount (minimum amount required)	Disbursements for Debt Service	Month End Required Balance	Month End Actual Balance (insert current amount)	Difference (column G should equal or exceed corresponding column F amount)
1	January 1, 2022	\$4,046.25		\$0.00		
2	February 1, 2022	\$4,046.25		\$4,046.25		
3	March 1, 2022	\$4,046.25		\$8,092.50		
4	April 1, 2022	\$4,046.25		\$12,138.75		
5	May 1, 2022	\$4,046.25		\$16,185.00		
6	June 1, 2022	\$4,046.25		\$20,231.25		
7	July 1, 2022	\$4,046.25	\$9,277.50	\$24,277.50		
8	August 1, 2022	\$4,046.25		\$19,046.25		
9	September 1, 2022	\$4,046.25		\$23,092.50		
10	October 1, 2022	\$4,046.25		\$27,138.75		
11	November 1, 2022	\$4,046.25		\$31,185.00		
12	December 1, 2022	\$4,046.25		\$35,231.25		
	January 1, 2023		\$39,277.50	\$39,277.50		
		\$48,555.00	\$48,555.00			

These totals should equal

Date	Description	Hrs	Water /Sewer	Personnel Issue	Council Questions; quorum(?)	Prep & Docs for Council Meeting	Attend Council Meeting	IBC & Bldg Permits; Code Enforcement	City Bs.	PD
4/1/2022	Enforce water bill (Municipal Court)	0.2	\$ 42.00							
4/3/2022	Theft of services (water)	0.2	\$ 42.00							
4/3/2022	Non-payment of Water bill; draft for Mayor	0.9	\$ 189.00							
4/4/2022	Research Charging Criminal Penalties for delinquent water bill	0.4	\$ 84.00							
4/4/2022	Research nonpayment of water bill	0.1	\$ 21.00							
4/4/2022	Amendment to Intl. Building Code (IBC)	0.2								
4/4/2022	Review Solid Waste Contract (Republic) - quorum reqmt to approve rate increase	0.4			\$ 42.00			\$ 42.00		
4/4/2022	Personnel Matter	0.2		\$ 17.00						
4/4/2022	Personnel Matter - Executive Session Prep	0.8		\$ 168.00						
4/4/2022	City Attorney review Ord & Resolutions & Agenda - review materials regarding IBC and draft	0.2		\$ 42.00						
4/5/2022	Ordinance for same	1.8				\$ 63.00		\$ 315.00		
4/5/2022	Review entire agenda; revisions for audit, bldg fees, research utility bill privacy	1.7			\$ 147.00	\$ 210.00				
4/5/2022	Pending Personnel Matter; update Ms. Cross	0.3		\$ 63.00						
4/6/2022	Agenda review; draft resolution for Cumby ISD IBC	3.3				\$ 462.00		\$ 231.00		
4/6/2022	Personnel Matter	0.2		\$ 17.00						
4/6/2022	Water billing acct info included in Council agenda; submitted late	0.2			\$ 42.00					
4/6/2022	Executive Session Prep - Personnel	0.8		\$ 168.00						
4/6/2022	Confidence Call - Personnel Matter	0.7		\$ 147.00						
4/6/2022	Confidentiality of Utility Bill and Public Info requests	0.1			\$ 21.00					
4/6/2022	Ordinance for ISD Shelter	0.4						\$ 34.00		
4/6/2022	Waiver of IBC for ISD; research waivers of IBC modifications and local	2.6						\$ 546.00		
4/6/2022	Approve Modifications/Alternative materials for construction of high school	0.3						\$ 63.00	\$ 21.00	
4/6/2022	Bldg Permit Fund (ck acct);	0.1								
4/6/2022	Review Exec. Session items	0.1								
4/6/2022	Email re: Utility Info under PIA	0.3		\$ 21.00						
4/11/2022	Correspondence & Mtg Agenda - Personnel Matter	0.4		\$ 84.00						
4/11/2022	Employment Matter	0.6		\$ 126.00						
4/12/2022	Email re: walking quorum -	0.1			\$ 21.00					
4/12/2022	Prepare for; trave to and attend CCM	5.2		\$ 462.00		\$ 210.00	\$ 420.00			
4/12/2022	Labor Lawyer prepare & attend city council	2.5		\$ 525.00						
4/13/2022	Request for Public Info - Bone	0.4								\$ 34.00
4/14/2022	Request for Public Info - Bone	0.3								\$ 25.50
4/14/2022	Conference - personnel matter	0.3		\$ 63.00						
4/14/2022	Call regarding personnel matter	0.3		\$ 63.00						
4/17/2022	Special Meeting for 5/13/2022	0.3		\$ 63.00						

Date	Description	Hrs	Water /Sewer	Personnel Issue	Council Questions; quorum(?)	Prep & Docs for Council Meeting	Attend Council Meeting	IBC & Bldg Permits; Code Enforcement	City Bs.	PD
4/18/2022	Release of Police Audit Records - Request for Public Information	0.1			\$ 21.00	\$ 42.00				
4/19/2022	Sign documents - electronically	0.2				\$ 42.00				
4/20/2022	Open records - UCR Audit - is this public info	0.2				\$ 42.00				
4/21/2022	Review Uniform Crime Rpt info; legal research and analysis regarding same	0.4				\$ 84.00				
4/21/2022	Personnel matter & prep	0.3		\$ 63.00					\$ 84.00	
4/21/2022	Review Bank signature ordinance; Griffin Security Contract	0.4								
4/21/2022	PD Audit report & public info request	0.2				\$ 17.00				
4/21/2022	H. Bone Public Info	0.1								\$ 8.50
4/21/2022	UCR Research	0.3				\$ 63.00				\$ 42.00
4/21/2022	H. Bone Public Info	0.2								
4/22/2022	Personnel Matter	0.1		\$ 21.00						
4/25/2022	UCR Reporting & Confidentiality Conf Engineering Contract w/Brannon (M&R Drive)	0.1	\$ 84.00			\$ 21.00				
4/25/2022	Review Lift Station Engineering Design Contracts	0.6	\$ 126.00							
4/25/2022	Employment Matter	0.1		\$ 8.50						
4/25/2022	Conference Call - Personnel Matter	1.5		\$ 315.00						
4/25/2022	Police Audit report & Public Info Req	0.1			\$ 21.00					
4/26/2022	Citizen comments review; Use of Juvenile fees & Traffic Fines	0.5			\$ 105.00					
4/26/2022	Review minutes	0.1				\$ 21.00				\$ 17.00
4/26/2022	H. Bone Public Info	0.2								
4/26/2022	Review DRAFT agenda and prep for upcoming Council Mtg	0.4				\$ 84.00				
4/27/2022	Review DRAFT of special mtg	0.3		\$ 25.50						
4/27/2022	Request for Records from Council Member - Personnel Matter	1.1		\$ 231.00						
4/27/2022	Review and research re: UCR Research PIR	0.2		\$ 42.00						
4/27/2022	Review email prepared for response for PIR Rqst to Council Member	0.2		\$ 17.00						
4/28/2022	Reqst for Public Info from Council Member - Personnel Matter	0.2		\$ 21.00						
4/28/2022	Labor atty prep for discussions	0.3		\$ 25.50						
4/28/2022	Labor atty prep for discussions	0.4		\$ 84.00						
4/29/2022	Review correspondence from labor atty regarding request for PIR	0.2		\$ 42.00						
4/29/2022	Special Council Mtg review	0.2		\$ 17.00						
4/30/2022	Email re: assistance on PIR - Personnel	0.1		\$ 21.00						
4/30/2022	Review Code Notices	0.3						\$ 63.00		
		36.7	\$ 588.00	\$ 2,882.50	\$ 542.00	\$ 1,319.00	\$ 420.00	\$ 1,294.00	\$ 147.00	\$ 127.00

TOTAL APRIL 2022 - CITY ATTORNEY INVOICE \$ 7,319.50

Messer - bill dated 03/09/2022

Date	Description	Hrs	Water /Sewer	Personnel Issue	Council Questions; quorum(?)	Prep & Docs for Council Meeting	Attend Council Meeting	IBC & Bldg Permits; Code Enforcement	City Bs.	PD	Court
3/9/2022	Conf Call with J Fort re: Personnel Matter	0.2		\$ 42.00							
3/14/2022	Email re; Personnel Matter; updated file	0.2		\$ 17.00							
	Send email to court clerk to set-up time to discuss court schedule	0.1									\$ 21.00
	Schedule conf call M. Cranford	0.2		\$ 17.00							
3/16/2022	Email exchange w/ Simmerman re; personnel matter	0.1		\$ 21.00							
	Conf Call for mtg with Simmerman (Personnel)	0.2		\$ 17.00							
	Calendar mtg for Cranford & Simmerman; email re: personnel matter	0.2		\$ 17.00							
3/17/2022	Proposal for Auditor - Review	1							\$ 210.00		
3/17/2022	Call w/Simmerman & Council member Mobley re: personnel matter	0.9		\$ 189.00							
	Audit Service; email review	0.1							\$ 8.50		
3/18/2022	Call re; RFP for Audit	0.1							\$ 21.00		
3/21/2022	Revised RFP for Auditor	0.3							\$ 63.00		
3/23/2022	Email from D Simmerman re; Personnel Matter; update file; email from CS re; Personnel Matter w/Attachments	0.6		\$ 51.00							
	Email exchange; MC w/Simmerman re: pending personnel matter; revise notes and supporting material from Mayor re: same	0.7		\$ 147.00							
3/30/2022	Discussion w/Simmerman & Hardman re: delinquent water bill	0.2	\$ 42.00								
	Review RFP for Auditor	0.1							\$ 21.00		
	Research re: vacated councilmember seat(s)	0.8				\$ 168.00					
3/31/2022	Review, revise & transmit water disconnection ord	1.1				\$ 231.00					
	Review comment from C Saenz re: election questions	0.3				\$ 25.50					
	Phone conf. re; increase trash rate and quorum required?	0.8		\$ 168.00							
			\$ 42.00	\$ 518.00	\$ 168.00	\$ 424.50	\$ -	\$ -	\$ 323.50	\$ -	\$ 21.00
TOTAL MARCH 2022 - CITY ATTORNEY INVOICE											\$ 1,497.00

Public Works
June 5 - 2022

June 29 - 2022

* Daily Routines
Read wells Read Pump hours Pull chlorine.
Residual. Document for state
Check Lift Stations w/w TP and document
for state

Repair leak on 275 S.

Dig up locate water line for Phipps Tap.

Find unmarked gas line.

Top for Phipps complete - new meter meter box + register
100 feet of 3/4 Poly for service.

Still working on Tank at Pump house. - Leak.
Manual + Radio Reads - on meters.

Call Locates Tap. 275 N.

* Ran 2 clogged w/w line.
work in progress on 1st street sewer line
Doug. Robert Lisg meet TCEQ inspector
to come up with possible solutions
locate + run manholes in ARE
Mark + call for locates
Set up portable vac for Fri or Tuesday.
Replace 2 portable pump + chords at WWTP.
Tie up wire to run on separate plugs.
to stop over heater.

* work orders
Clean Tank 3 days week
Mow city properties -
Pump solution unclog. New impellers on run
APR 19 maint generated work orders -
APR 15 W.O. generated by city fault complete
3 open W.O. waiting on material
2 open W.O. on sewer line on 1st st
1 open W.O. on small leak on Tarrant + Paris
Flush valves + Document

Meter Read Report for City Council
2021-2022 Fiscal Year

(Report begins in March 2022)

RG3 System Report

	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22
RG3 - Read Meters	354	352	352	351			
RG3 - Unread Meters	51	52	53	52			
Manual Reads	24	24	24	24			
TRASH (no meters)	30	28	27	31			
Duplicate Accounts (Appx)	2	2	2	2			
CHURCHES (NO BILL)	4	4	4	4			
(MONTHLY) Repaired Meters	19	- 0 -	6	- 0 -			
Accounts that need to be deleted	2	2	2	2			
Radio Reads that are actual manual read	1	1	1	1			
CITY METERS (NO BILL) (appx)	6	6	6	6			
Vacant that are or listed unread	6	6	6	6			

AVR System Report

Total number of Warnings (high reads)				24			
Errors - consisting of:				143			
- No Reading Dates - (RG3 meters)							
- Reverse Reads - (RG3 meters) Higher month prior and usage decreased vs increased							
- also encompasses trash only; churches; city property (e.g., wells, city hall)							
- Consumption with no bill (e.g., service addresses)							
- Utility clerk "estimates" reads practice is 2000 gal ea per handbook left by previous clerk				59			

June						
6/1/2022	147	Morning routine- read wells & check WTP	Repaired main leak on Green & Mill St. Fixed road after repair.	6/1/2022		
6/1/2022	275	Customer needs water turned on to do inspection.	Turned water on .	6/1/2022		
6/2/2022	148	Morning routine- read wells & check WTP	Checked streets for limbs & debris after storm. Turn water on at Smith St. for inspection.	6/2/2022		
6/3/2022	149	Morning routine- read wells & check WTP	Dealing with flood issues.. Checked park. Start weedeating at WWTP.	6/3/2022		
6/6/22	278	Standing water on both sides of road. Clean out needs to be installed.	Minor leak on east side. No projected date to put in clean out	6/6/2022		
6/7/22	279	Wants to know where clean out is located.	Old clean out behind house. New one was installed by plumber on north side of house.	6/9/2022		
3/5/22	221	Pot holes on Mill Street.	Worked on in spare time to fill holes.	6/9/2022		
6/7/22	450	Morning routine- read wells & check WTP	Read wells, monitor pumps & weed eat at WWTP.	6/7/2022		
5/11/22	264	Need to replace air filters at City hall & replace paper towels holder ladies bathroom.	Purchased & replaced air filters & replaced paper towels.			
6/8/22	451	Morning routine- read wells & check WTP	Pick up new pump & plug. Mow part of WTP & park.	6/8/2022		

6/9/22	452	Morning routine.#2 pump 118 amps on start up.Motor may be clogged.	Robert mow lift station, pick up new breaker & wire for plug. Trying to locate water tap on Line & Denton. Haul of limbs.	6/8/2022
6/13/22	455	Morning routine- read wells & check WTP. Leak on 275 S.	Repaired leak. Start digging looking for water tap on Denton.	
6/13/22	283	Customer complaining park has not been mowed.	Park is on 7 to 10 day mowing schedule.	
6/14/22	285	House being demolished. Need to retrieve meter from yard.	Meter pulled	6/16/2022
6/14/22	456	Morning routine- read wells & check WTP	Trying to locate water line & tap for customer.	6/14/2022
6/15/22	287	Customer wanted to be sure water is turned off. See drip from spigot. House being torn down.	Meter turned off & locked.	6/15/2022
6/15/22	454	Morning routine- read wells & check WTP	Clear barscreen work on pump.	6/15/2022
6/16/22	288	New customer needs water turned on.	Water turned on, Meter read 00272522	6/16/2022
6/16/22	457	Morning routine- read wells & check WTP. Main break 275 N.	Repaired leak. Cut in 18 ft. of pipe.	6/16/2022
6/16/22	289	Tree root caused water break on FM 275.	Repaired water leak.	6/16/2022
6/17/22	458	Morning routine- read wells & check WTP	Located water tap. Meter will be set Monday.	6/17/2022
6/20/22	290	House being demolished. Need to retrieve meter from yard.	Already completed in prior work order.	6/16/2022
6/27/22	459	Morning routine- read wells & check WTP. Loose calf at WWTP.	Checked park.	6/27/2022
6/29/22	295	Water standing in ditch in two locations on Depot.	Water is from small tank & it is being addressed.	6/29/2022



Cumby Police Department June 2022 Activity Report

Calls for Service	245
Warning Citations	83
Citations	61
Total Traffic Contacts	144
Crash Reports	3
Incident Reports	2
Offense Reports	9
Arrests	10

- We have 2 fulltime Police Officer vacancies
 - Recruit Grider was not able to satisfactory complete his training cycle. He was terminated on 06-28-22
 - Still considering hiring two part time positions to fill one of the full time slots in an effort to save the city money.
 - We have added one experienced reserve police officer (non-paid) that will assist in coverage when available.

- Silent Sentinel program is active on the city website.
- National Night Out information has filtered in from the National Headquarters, I will be passing these along to Amanda Horne who is my chairperson for NNO and does a fantastic job.
 - NNO is October 4th, 2022
- Coffee, Cops & Cars was held at the City Park on June 11th. This is privately funded by my wife and I. It was a success but want to see more people attend each month. Nonetheless, we made contact with a few citizens that had not met us before and had some really good interactions. Thanks to all my officers for showing up and participating.

We are going to try to make this a monthly event on a Saturday morning, weather permitting, to increase our community involvement and interactions with the public and our first responders.

Next event is scheduled for July 23rd.

Should anyone have any questions, comments, or concerns regarding the Police Department, please visit with Chief Hundley directly to avoid any here say and/or rumor control. Thank you.

CUMBY MUNICIPAL COURT DEPOSIT REPORT

DEPOSIT DATE June DATE RANGE 6-1 | 6-27-2022
Monthly

TOTAL OF ONLINE PAYMENTS = 18,566.18	TOTAL OF MONEY ORDERS = 5060.63	TOTAL PAYMENTS= 23,626.81
- GHS 3,257.08	- SECURITY 310.92	
- STATE 6,032.38	- TECHNOLOGY 279.11	
- OMNI 177.32	- TRUANCY FUND 267.39	
	- JURY FUND 5.34	
= TRANSFERABLE TO GENERAL 9,099.40	= DEPOSIT TO GENERAL 4,197.87	TOTAL DEPOSIT= 13,297.27
	= % 56.910	

PROCESSED BY [Signature]

DATE 6.27.2022

CITY QUARTERLY REPORT

State Criminal Costs and Fees

06/01/2022 TO 06/27/2022

c. City identification number 1-75-1379921-7	f. Report for quarter ending	g.	e. Due date of report
---	------------------------------	----	-----------------------

d. City name and mailing address

CITY OF CUMBY
 100 E. MAIN STREET
 CUMBY TX 75433

h. IMPORTANT
 Blacken this box if your address has changed. Show changes by the preprinted information.

1

	Column 1 TOTAL COLLECTED <small>(State court costs only) Dollars and cents</small>	Column 2 SERVICE FEE	Column 3 AMOUNT DUE STATE <small>(Col. 1 minus Col. 2)</small>
SECTION I: Reports for offenses committed			
1. 01-01-20 Forward	\$3,315.45	\$331.55	\$2,983.90
2. 01-01-04 --- 12-31-19	\$652.06	\$65.21	\$586.85
3. 09-01-91 --- 12-31-03	\$0.00	\$0.00	\$0.00
4. State Traffic Fine (STF2) Sept. 1, 2019 forward	\$1,923.35	(4%) \$76.93	\$1,846.42
5. State Traffic Fee (STF) prior to Sept. 1, 2019	\$189.04	(5%) \$9.45	\$179.59
Report REPEALED COST (prior to Jan. 1, 2020)			
6. Prior Mandatory Costs (JRF, IDF & JS)	\$195.62	\$19.56	\$176.06
7. Moving Violation Fees (MVF)	\$1.03	\$0.10	\$0.93
8. Truancy Prevention and Diversion Fund (TPD)	\$32.60	\$0.00	\$32.60
9. Failure to Appear/Pay (FTA) (Report 2/3's of fee)	\$226.03	\$0.00	\$226.03
10. Time Payment Fees (TP) (Report 50% of fees)	\$0.00	\$0.00	\$0.00

SECTION II: As applicable			
11. Peace Officer Fees (Report 20% of fees from actions by state officer only.)		11. _____	\$0.00
12. Motor Carrier Weight Violations (MCW) (Report 50% of the fines collected.)		12. _____	\$0.00
13. Driving Records Fee (DRF) (Report 100% of fees collected.)		13. _____	\$0.00
14. TOTAL DUE FOR THIS PERIOD (Total of Items 1 through 13 in Column 3.)		14. _____	\$6,032.38

*****DO NOT DETACH*****

15. TOTAL AMOUNT DUE AND PAYABLE (Same as Item 14)	15. _____ \$6,032.38
--	----------------------

City Name CUMBY	k.	l.
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T Code	City identification no.	Period
32620	1-75-1379921-7	

For assistance call 1-800-531-5441 ext. 3-4276 or 512-463-4276.

Make the amount in Item 15 payable to:
 State Comptroller

 Mail to: Comptroller of Public Accounts
 P.O. Box 149361
 Austin, TX 78714-9361

I, (type or print name) _____ certify
 that the information above is true as shown in the records of the treasury of the city named.

sign here	
Title	Date
Phone number (Area code and number) (903) 994-2666	

CITY OF CUMBY
BUILDING PERMIT REPORT
July 5, 2022
(Reporting June 2022 Activity)

1. Commercial Building Permit:
 - a. Requests:
 - i. Billboard House – Sold – updating, possible plumbing in the future
 1. Building an accessory storage building – no electrical / plumbing at this time
 - ii. Valero Gas Station – expansion: truck stop + restrooms ++
 - b. Motor Cycle Shop – Pending: Plumbing for restrooms (ADA Compliant)
 - c. Cumby ISD – very active with vendors registering; waiting on Plan Approval from BV
2. Residential Permit:
3. Contractor Registration:
 - a. Various Contractor Registrations received for Cumby ISD
4. Many calls regarding permitting requirement for various type of build.

*Time requirement on City Secretary is increasing and now at approximately one-day (+/-) each week for building permit and processes.

CUMBY FIRE DEPARTMENT

JULY REPORT FOR JUNE 2022

MONTH	CITY	COUNTY	ACREAGE	GRASS FIRE	CAR FIRE	STRUCTURE FIRE	MEDICAL	MVA	INVESTIGATION / STAND BY	WATER USAGE	MAN/HOURS
JAN	11	25	34.5	11	1	4	13	3	4	3150	150.43
FEB	13	38	32.1	10	1	5	10	8	17	3849	151.37
MAR	10	30	71.75	15	0	4	11	8	2	9120	151.58
APR	8	9	0	2	0	2	9	4	0	0	42.47
MAY	3	27	4.1	5	3	2	9	9	2	850	71.60
JUN	6	23	5.75	6	2	1	13	5	3	600	68.62

galled to August 2022

RESOLUTION 2022-06-1011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUMBY TEXAS AMENDING THE CITY OF CUMBY EMPLOYEE & POLICY MANUAL AS IT RELATES TO: CITY OF CUMBY PARTICIPATION WITH TEXAS MUNICIPAL RETIREMENT SYSTEM; EMPLOYEES NORMAL WORKING HOURS; MEAL PERIODS; OVERTIME DURING A WEEK IN WHICH THERE IS A CITY HOLIDAY; FLEX-TIME WORK SCHEDULE (REMOVED); AND COSTS TO THE CITY ASSOCIATED WITH TRAINING PROGRAMS FOR STAFF; AND NOTIFICATION OF ACCIDENT / INCIDENT TO CITY SECRETARY

WHEREAS, The City of Cumby has the authority to adopt personnel rules and regulations concerning personnel matters, including but not limited to probationary periods, vacation leave regulations, compensation, professional conduct, performance evaluations, work schedules and other personnel matter; and

WHEREAS, The City of Cumby wishes to amend certain sections of the City of Cumby Employee & Policy Manual adopted by the City Council April 16, 2021,

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council of the City of Cumby amends **3.3 RETIREMENT**, Section 3.3.1 in which a sentence would be added as follows: Texas Municipal Retirement System. The City participates in the Texas Municipal Retirement System (TMRS), which provides retirement benefits to eligible employees. All regular full-time employees are required to join TMRS. EMPLOYEES WILL BE ELIGIBLE TO JOIN ONCE THEY COMPLETE THEIR PROBATION PERIOD AND ARE CONFIRMED AS A FULL-TIME EMPLOYEE.
2. The City Council of the City of Cumby further amends **3.3 RETIREMENT**, Section 3.3.1 to ensure that the City meets the TMRS provisions of City Matching contribution; and restates paragraph two as follows:
 - a. Employees covered under TMRS are required to contribute 5% of the employee's pay to the member's account. THE CITY OF CUMBY MATCHES THE EMPLOYEE CONTRIBUTION BASED ON TMRS PLAN PROVISIONS WHICH ARE UPDATED EACH YEAR BASED ON THEIR ACTUARIAL VALUATION. CITY OF CUMBY WILL UPDATE THEIR MATCH RATE ACCORDING TO THE ANNUAL ASSESSMENT BY TMRS. 2022 MATCH RATE IS 2.03% PER TMRS COMMUNICATION DATED JUNE 4, 2021, REGARDING 2022 CITY CONTRIBUTION RATE.
3. The City Council of the City of Cumby amends Section 5, 5.1 **TIME AND ATTENDANCE** and restates first paragraph: Normal working hours for most regular full-time employees, including non-shift employees, are Monday through Friday,

8:00am to 5:00pm, with one-hour for lunch, for a total of forty (40) hours per week. Public Works / Water Department employees' normal working hours are 8:00am to 5:00pm with additional on-call status periods for non-normal working hours as determined by the Department Director. This shall be restated as follows: NORMAL WORKING HOURS FOR CITY HALL STAFF WILL BE DETERMINED BY WORKLOAD OF THE CITY. PUBLIC WORKS / WATER DEPARTMENT EMPLOYEES' NORMAL WORKING HOURS MAY BE ADJUSTED SEASONALLY AT THE AGREEMENT BETWEEN THE MAYOR AND THE PUBLIC WORKS / WATER DEPARTMENT SUPERVISOR. EMPLOYEES WILL WORK A 40-HOUR WEEK, WITH THIRTY TO SIXTY MINUTE (30-60) LUNCH BREAKS. ADDITIONAL ON-CALL STATUS PERIODS FOR NON-NORMAL WORKING HOURS AS DETERMINED BY THE DEPARTMENT SUPERVISOR AND/OR THE MAYOR MAY BE NECESSARY.

4. The City Council of the City of Cumby amends Section 5, 5.2, sub-section "Meal Periods." And REMOVES the last sentence that states: "EMPLOYEES MAY NOT EXTEND MEAL BREAKS BEYOND THEIR ASSIGNED PERIOD."
5. The City Council of the City of Cumby amends Section 5.4 OVERTIME AND COMPENSATORY TIME, Section 5.4.1. Overtime, paragraph 3: Official City Holidays falling during the normal work week, Monday – Friday, are not counted as hours worked towards overtime pay for non-shift employees. Amend by ADDING: HOWEVER, IF AN EMPLOYEE WORKS OVER THE STANDARD WORK WEEK HOURS OF 40-HOURS WHEN A HOLIDAY FALLS WITHIN THE WEEK, OVERTIME WILL BE PAID FOR HOURS WORKED OVER 32 HOURS

Section 5.4.2 Compensatory time. Flex-time Work Schedule is removed in its entirety.

6. The City Council of the City of Cumby recognizes there is not a Section within the Employee & Policy Manual that addresses costs and expenses incurred, either by the employee or by the City, for employee education / training as required by various staff positions, and would add the following SECTION:
 - a. SECTION 5 – TIME AND ATTENDANCE, 5.19. EMPLOYEE EDUCATION / TRAINING LEAVE: TIME AND COSTS ASSOCIATED WITH CONTINUED EDUCATION / TRAINING WILL BE APPROVED BY THE DEPARTMENT DIRECTOR AND THE MAYOR.
 - b. STANDARD HOURLY / OR EXEMPT PAYROLL FOR TIME SPENT IN EDUCATIONAL CLASSES AND/OR TRAINING EXERCISES, UP TO AN EIGHT-HOUR WORKDAY EACH DAY IN ATTENDANCE, WILL BE PAID BY THE CITY OF CUMBY FOR EMPLOYEES IN TRAINING / CONTINUED EDUCATION CLASSES / WEBINARS OR OTHER MODES OR METHODS OF EDUCATIONAL CLASSES AND/OR TRAINING.
 - c. IF THE CLASS IS APPROVED BY SUPERVISOR / MAYOR, EXPENSES ASSOCIATED TO THE COST OF TRAINING / CERTIFICATION CLASS AND FEES, ALONG WITH REIMBURSEMENT OF TRAVEL COSTS (IF ANY), WILL BE PAID BY THE CITY OF CUMBY. THE CITY

SECRETARY WILL WORK WITH STAFF TO DETERMINE THE MOST COST-EFFECTIVE MODE OF TRAVEL. TRAVEL RATES WILL BE PAID AT THE THEN CURRENT GOVERNMENT PER DIEM MILEAGE RATE.

SHOULD A STAFF MEMBER RESIGN FROM CITY OF CUMBY WITHIN SIX (6) MONTHS OF TRAINING, THE EMPLOYEE IS OBLIGATED TO REIMBURSE THE COST OF THE EDUCATIONAL CLASSES AND/OR TRAINING (CLASS, BOOK, AND OTHER RELATED FEES). THIS AMOUNT MAY BE DEDUCTED FROM AN EMPLOYEE'S FINAL PAYROLL CHECK.

7. The City Council of the City of Cumby would further amend SECTION 6 – EMPLOYEE POLICIES, Use of City Vehicles, Item number 10, last sentence to include: Accident reports, along with any law enforcement report, must be filed by the employee with the department director, the Mayor AND THE CITY SECRETARY.

PASSED AND APPROVED by the City Council of the City of Cumby on this the 14th day of June, 2022.

Doneed

Douglas Simmerman, Mayor

ATTESTED:

Betty Jo Hardman, City Secretary

R-2022-06-1011

RESOLUTION 2022-06-1012

Labelled

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUMBY TEXAS AMENDING THE CITY OF CUMBY EMPLOYEE & POLICY MANUAL AS IT RELATES TO: CITY OF CUMBY PARTICIPATION WITH TEXAS MUNICIPAL RETIREMENT SYSTEM; EMPLOYEES NORMAL WORKING HOURS; MEAL PERIODS; OVERTIME DURING A WEEK IN WHICH THERE IS A CITY HOLIDAY; FLEX-TIME WORK SCHEDULE (REMOVED); AND COSTS TO THE CITY ASSOCIATED WITH TRAINING PROGRAMS FOR STAFF; AND NOTIFICATION OF ACCIDENT / INCIDENT TO CITY SECRETARY

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*State
way either
City per
match 1:1
specific annual
rate determined
by TMRS actuary*

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7. The City Council of the City of Cumby would further amend SECTION 6 – EMPLOYEE POLICIES, Use of City Vehicles, Item number 10, last sentence to include: Accident reports, along with any law enforcement report, must be filed by the employee with the department director, the Mayor AND THE CITY SECRETARY.

PASSED AND APPROVED by the City Council of the City of Cumby on this the 14th day of June, 2022.

Dabled

Douglas Simmerman, Mayor

ATTESTED:

APROVED AS TO FORM:

Betty Jo Hardman, City Secretary

Charles Anderson, City Attorney

City Secretary

From: City Secretary
Sent: Friday, March 25, 2022 4:11 PM
To: Doug Simmerman
Subject: EMPLOYEE HANDBOOK - recommended updates / additions / changes / questions

- **Discussion/Action:** City of Cumby Employee Handbook:
 - **Add:** TMRS contributions will not be made until a person completes the 90-day probationary period and is a full-time city employee. (City Secretary
 - **Page 12, Section 3.3**, second paragraph, second sentence: “The City of Cumby matches the employee contribution at a 1 to 1 rate...” does this mean employees (are required to) contribute 5% and the city matches 5%? (That is not the rate the city is matching)
 - Page 18, Section 5.1, Time and Attendance: first paragraph, 2nd sentence referencing “Public Works/Water Department employees’ normal working hours are 8:00 a.m. to 5:00 p.m. with additional on-call status periods for non-normal working hours as determined by the Department Director.
 - CHANGE TO: “Public Works/Water employees’ normal working hours may be adjusted seasonally at the agreement between the Mayor and the Public Works/Water Department Supervisor. Department employees will work a 40-hour week with additional on-call status periods for non-normal working hours as determined by the Department Director and/or the Mayor.
 - Page 18, Section 5.2 Breaks, sub-section “Meal Periods.” Remove/Delete the last line that states: “Employees may not extend meal breaks beyond their assigned period.”
 - Page 19, Section Overtime and Compensatory Time, Section 5.4.1, 3rd paragraph, Official City Holidays falling during the normal work week, Month-Friday, are not counted as hours worked towards overtime pay for non-shift employees. *However, if an employee works over the standard workweek hours of 40-hours when a holiday falls within the week – overtime will be paid for hours worked over 32 hours in that work week. (REFERENCE Section 5.5, 3rd paragraph, Compensation, last sentence: “Holiday leave and jury duty leave count towards the 40-hours worked for 1.5 time call-back compensation.” *Make this a standard for all employees to count towards the 40-hours worked for 1.5 time.* *holiday pay*)
 - Page 20, Payment of Compensatory Time, Flex Work Schedule and Exempt Employees. The City has employee(s) that are exempt and are tracking “overtime” hours worked over 40 as “flex time”; is this accurate way or why track “hours over 40” for Exempt staff; are they entitled to accumulate and then take this time during the year? States they cannot and will not be paid for Flex time ... anytime I’ve been exempt, “flex-time” was never accumulated, so curious as to how / why this is done here at City of Cumby (?)
 - Section 5.6 Emergency Closings: Define “Essential Personnel” Police Department, other (?)
 - The Employee Handbook does not address Education / Training. Add a section to incorporate:
 - Expenses related to training/certification required by city employees’ will be paid/reimbursed by the City of Cumby. This includes paying salary during training and travel-time to/from training event (if any) up to 8/hr/day not to exceed 40-hours per week unless approved by the Mayor. The city will reimburse or pay direct for expenses incurred but not limited to: Training class, meals, and hotel. Hotel will be paid if the training class is more than three-hours (3-hours) one-way from City Hall, 100 E. Main Street, Cumby TX 75433. Travel rates will be paid at the then current government per diem rate. Based

New #7 #8

on cost of travel, reimbursement will be made for the lessor of travel via employee personal vehicle and/or round-trip airplane flight.

- If the City bears the cost of training and an employee leaves the employment of the city, with or without cause, within 12-months of training, the employee must reimburse the cost of training (class, book and other fees). This amount may be deducted from an employee's final payroll check.
- Page 28, Item 10, last sentence, add: "... and City Secretary."

Thank you,

BJ (Betty Jo) Hardman
City Secretary

City of Cumby
P. O. Box 349 | 100 East Main | Cumby, TX 75433
Main: 903.994.2272 | Direct: 903.994.2083 | Fax: 903.994.2650
secretary@cityofcumby.com

ORDINANCE O-2022-06-010

REPEAL ORDINANCE 97-5 AND ORDINANCE 82-1A

AN ORDINANCE OF THE CITY OF CUMBY TEXAS ESTABLISHING CITY OF CUMBY PARK HOURS; REPEALING INCONSISTANT ORDINANCES AND ESTABLISHING A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cumby, Texas, determines it is in the public interest and welfare to regulate the hours and use of the Cumby City Park;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CUMBY, TEXAS:

SECTION 1. REPEAL. This Ordinance is adopted as stated herein and shall repeal and revoke the entirety of Ordinance No. 97-5 and Ordinance No. 82-1A. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 2. Except as otherwise provided herein, no person or persons will be allowed in Cumby City Park on any one day outside the hours of 6:00 a.m. to 10:00 p.m., without a written permit from the City of Cumby and signed by the Mayor.

SECTION 3. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$500.00. Each day of violation shall count as a separate offense.

SECTION 4. This ordinance shall be effective from and after its date of passage

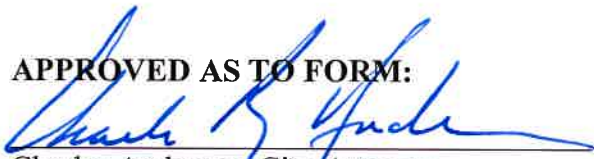
PASSED AND APPROVED by the City of Cumby City Council on this the 5th day of July, 2022.


Douglas Simmerman, Mayor

ATTESTED TO:


Betty Jo Hardman, City Secretary

APPROVED AS TO FORM:


Charles Anderson, City Attorney

Tabled to June

ORDINANCE O-2022-06-012

~~1010~~
010

REPEAL ORDINANCE 97-5

AN ORDINANCE OF THE CITY OF CUMBY TEXAS ESTABLISHING CITY OF CUMBY PARK HOURS; REPEALING INCONSISTANT ORDINANCES, AND ESTABLISHING A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cumby, Texas, determines it is in the public interest and welfare to regulate the hours and use of the Cumby City Park;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CUMBY, TEXAS:

SECTION 1. REPEAL. This Ordinance is adopted as stated herein and shall repeal and revoke the entirety of Ordinance No. 97-5. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 2. Except as otherwise provided herein, no person or persons will be allowed in Cumby City Park on any one day outside the hours of 6:00 a.m. to 10:00 p.m., without a written permit from the City of Cumby and signed by the Mayor.

SECTION 3. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$500.00. Each day of violation shall count as a separate offense.

SECTION 4. This ordinance shall be effective from and after its date of passage

PASSED AND APPROVED by the City of Cumby City Council on this the ____ day of _____, 2022.

Douglas Simmerman, Mayor

ATTESTED TO:

APPROVED AS TO FORM:

Betty Jo Hardman, City Secretary

Charles Anderson, City Attorney

** Update ordinance*

ORDINANCE NO. 97-5
TO AMEND ORDINANCE NO. 82-A

Community Light House Baptist Church

DECLARING THE POLICY OF THE CITY OF CUMBY, PROHIBITING THE LOITERING ON THE CUMBY CITY PARK AND ~~FIRST BAPTIST CHURCH~~ PARKING LOT AFTER 10:00 P.M. WITHOUT A PERMIT SIGNED BY THE MAYOR; PROVIDING FOR A PENALTY NOT EXCEEDING \$200.00 AND COURT COSTS.

Park is closed 10:30pm-6am permit except by approval by mayor

WHEREAS, THE ~~POLICE~~ DEPARTMENT HAS ADVISED THAT DURING THE PAST YEAR THERE HAVE BEEN NUMEROUS REPORTED CASES OF DRINKING BEER, POSSIBLE SMOKING OF MARIJUANA AND LOITERING, SOMETIMES LASTING UNTIL AFTER MIDNIGHT. THERE HAVE ALSO BEEN INSTANCES OF LEAVING BROKEN GLASS AND CANS ON THE GROUNDS.

WHEREAS, ~~THIS PRACTICE RESULTS IN UNNECESSARY NOISE IN THE PARK AND ON THE BAPTIST CHURCH PARKING LOT, HOT RODDING AUTOMOBILES ON THE STREETS OF CUMBY, AND DESTRUCTION OF PROPERTY; AND~~

WHEREAS, IT IS IN THE PUBLIC INTEREST AND WELFARE TO REGULATE THE HOURS AND USE OF THE CITY PARK ~~AND FIRST BAPTIST CHURCH.~~
NOW, THEREFORE:

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

SECTION 1. EXCEPT AS OTHERWISE PROVIDED HEREIN, NO PERSON OR PERSONS WILL BE ALLOWED TO ~~LOITER ON OR USE THE CUMBY CITY PARK~~ AFTER 10 P.M., WITHOUT A WRITTEN PERMIT FROM THE CITY OF CUMBY AND SIGNED BY THE MAYOR.

Community Light House Baptist Church

A) THERE WILL ~~BE NO LOITERING AT FIRST BAPTIST CHURCH~~ AFTER 10:00 P.M.

SECTION 2. THE CURFEW PROVISIONS OF SECTION 1 OF THIS ORDINANCE SHALL ~~NOT APPLY TO APPROVED PRIVATE PARTIES, PUBLIC ENTERTAINMENTS AND CIVIC BENEFITS.~~

SECTION 3. ANY PERSON WHO SHALL VIOLATE ANY OF THE PROVISIONS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE NOT TO EXCEED \$200.00.

SECTION 4. ~~WHEREAS, AN EMERGENCY IS APPARENT FOR THE IMMEDIATE PRESERVATION OF ORDER, GOOD GOVERNMENT AND PUBLIC SAFETY THAT REQUIRES THIS ORDINANCE TO BECOME EFFECTIVE AT ONCE; THEREFORE, UPON PASSAGE OF THIS ORDINANCE BY A VOTE OF AT LEAST TWO (2) MEMBERS OF THE CITY COUNCIL, IT SHALL BE EFFECTIVE FROM AND AFTER THE DATE OF ITS PASSAGE, AS MADE AND PROVIDED BY IN THE CHARTER OF THE CITY OF CUMBY.~~

PASSED AND APPROVED THIS 11th DAY OF November, 1997.

La Vernia Battle
MAYOR

Mary Cline
COMMISSIONER

Carla Betty
COMMISSIONER

ATTEST
Erma...

"Loitering" vague

Juvenile curfew

ORDINANCE NO. 82-1A

AN ORDINANCE

DECLARING THE POLICY OF THE CITY OF CUMBY; PROHIBITING THE LOITERING ON THE CUMBY CITY PARK AFTER 10:00 P. M. WITHOUT A PERMIT SIGNED BY THE MAYOR; PROVIDING FOR A PENALTY NOT EXCEEDING \$200.00 AND COURT COSTS.

WHEREAS, the Chief of Police has advised that during the past year there have been numerous reported cases of drinking beer, possible smoking of marijuana and loitering, sometimes lasting until after midnight. There has also been instances of leaving broken glass on the park grounds.

WHEREAS, this practice results in unnecessary noise in the park, hot rodding automobiles on the streets of Cumby, and destruction of property; and

WHEREAS, it is in the public interest and welfare to regulate the hours and use of the city park;
NOW THEREFORE:

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

Section 1. Except as otherwise provided herein, no person or persons will be allowed to loiter on or use the Cumby City Park after 10:00 p.m., without a written permit from the City of Cumby and signed by the Mayor.

Section 2. The curfew provisions of Section 1 of this ordinance shall not apply to approved private parties, public entertainments and civic benefits.

Section 3. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$200.00.

Section 4. WHEREAS, an emergency is apparent for the immediate preservation of order, good government and public safety that requires this ordinance to become effective at once; therefore, upon passage of this ordinance by a vote of at least two (2) members of the City Council, it shall be effective from and after the date of its passage, as made and provided by in the Charter of the City of Cumby.

PASSED AND APPROVED THIS 10th DAY OF February 1982.

James T. Beasley
MAYOR

ATTEST:

Merritt Hampton

HOPKINS COUNTY

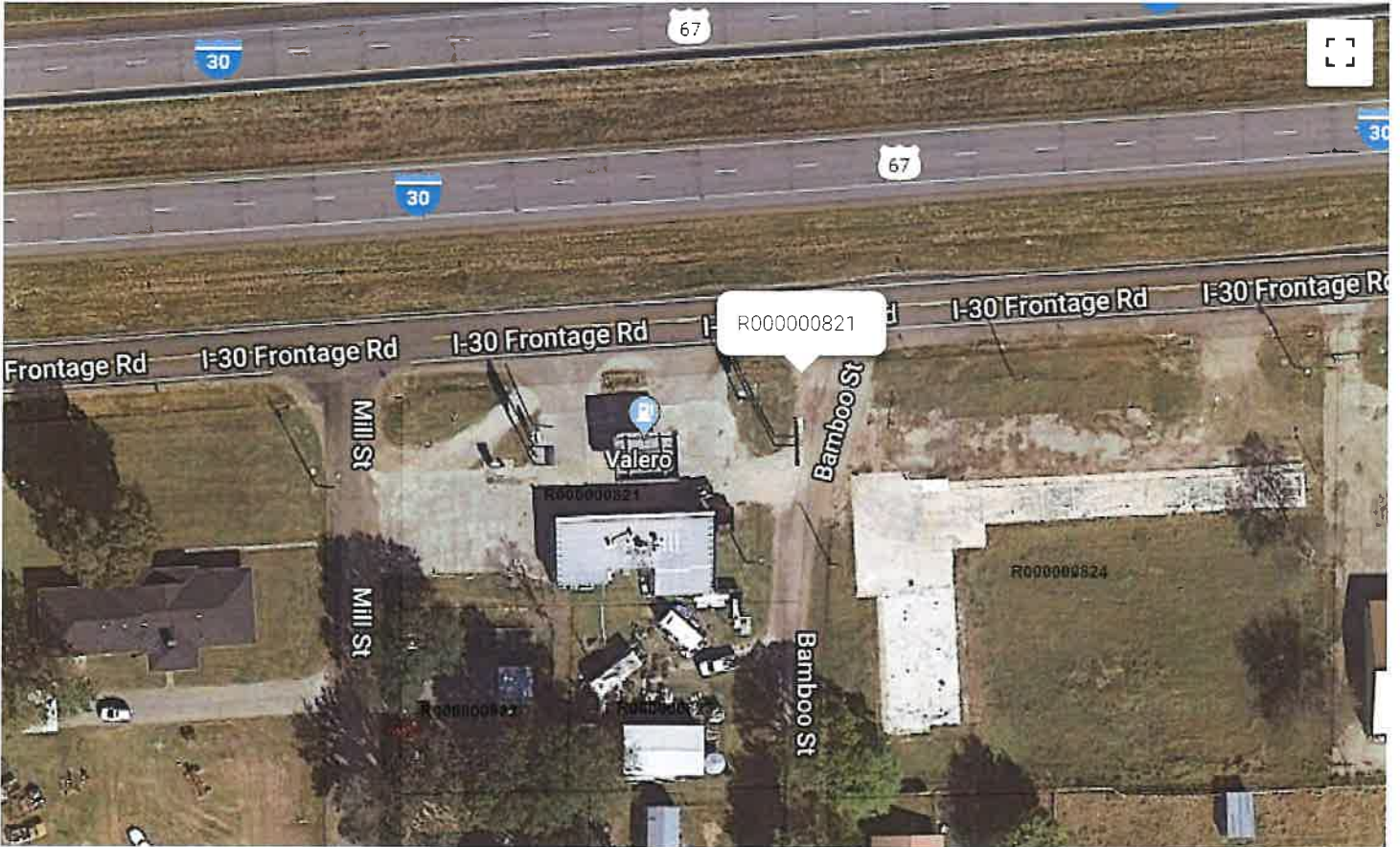
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Information Updated 6/30/2022

Property ID: R000000836 Geo ID: 20.0030.000.006.00

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ORDINANCE NO. O-2022-07-011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUMBY, TEXAS, REPEALING AND REVOKING ORDINANCE 87-8 IN ITS' ENTIRETY AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Cumby, Texas, are in agreement that Ordinance 87-8 Prohibiting Public Dancing Within the Fire Limits of the City of Cumby, Texas, should be repealed,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CUMBY:

Section 1: Ordinance 87-8 is hereby repealed;

Section 2: Ordinance O-2022-07-11 shall be in effect from and after its date of passage.

PASSED AND APPROVED by the City of Cumby City Council on this the 5th day of July 2022.



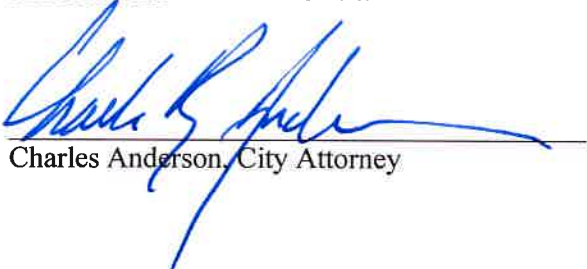
Douglas Simmerman, Mayor

ATTEST:



Betty Jo Hardman, City Secretary

APPROVED AS TO FORM



Charles Anderson, City Attorney

ORDINANCE NO. 87-8

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CUMBY, TEXAS, RESTRICTING WHO CAN HOLD PUBLIC DANCES WITHIN THE FIRE LIMITS OF THE CITY OF CUMBY, TEXAS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

WHEREAS, the City Commission of the City of Cumby, Texas, are in agreement that parts of the ordinance prohibiting public dancing within the Fire Limits of the City of Cumby, Texas should be repealed, and

WHEREAS, the City Commission of the City of Cumby, Texas, also realize the necessity to restrict those individuals permitting public dancing within the Fire Limits of said City,

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Cumby, Texas:

Section 1: That it shall hereafter be unlawful for any person or persons or the agent or employee of such person or persons with the exception of a non-profit organization to permit public dancing of any kind or character in any public building, public house, or place of business of any kind or character embraced within the Fire Limits of the City of Cumby, Texas, whether an admission fee is charged therefor or not without prior consent of the City Commission.

Section 2: Any person or persons, or the agent or employee of such person or persons, violating any of the provisions of this ordinance shall upon conviction thereof, be deemed guilty of a misdemeanor and be fined any sum not to exceed two hundred dollars (\$200.00), and each separate day that public dancing shall be permitted in any public building, public house, or place of business of any kind or character, embraced within the Fire Limits of the City of Cumby, Texas, shall be deemed a second offense.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of conflict only.

Section 4: That if any section, sentence, clause or phrase of this ordinance is for any reason held to be illegal, ultra vires, or unconstitutional, such invalidity shall not effect the validity of the remaining portions of this ordinance.

Section 5: This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this the 2 day of November, 1987.


James Strickland, Mayor

ATTEST:


City Secretary

ORDINANCE O-2022-07-012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUMBY TEXAS, REPEALING AND REVOKING ORDINANCE 2003-13, AND PROVIDING FOR A DISTANCE FROM ACOHOLIC BEVERAGE SALES TO A CHURCH, PUBLIC OR PRIVATE SCHOOL OR PUBLIC HOSPITAL; PROVIDING A PENALTY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Cumby desires to Repeal and Revoke Ordinance 2003-13, An Ordinance of the City COMMISSION of the City of Cumby, Texas Providing for the Distance of Place of Business From Church, Public School or Public Hospital Repealing all Ordinances or Portions of Ordinances in Conflict therewith; and Providing AN EFFECTIVE DATE;

WHEREAS, the City Council of the City of Cumby will comply with Texas Alcoholic Beverage Code – ALCO BEV § 109.33 Sales Near School, Church, or Hospital State Law governing the distance requirement for businesses engaging in the business of selling any alcoholic beverage as it pertains to churches, public or private schools or public hospitals.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CUMBY:

Section 1: Ordinance 2003-13 is hereby repealed;

Section 2: In accordance with Section 109.33, TEX. ALCOHOLIC BEV. CODE, the sale of alcoholic beverages by a dealer shall be unlawful within 300 feet of a church, public hospital, or a public or private school. Upon appropriate request of a public or private school, the sale of alcoholic beverages by a dealer shall be unlawful within 1,000 feet of such public or private school. The measurements listed in this section shall be made in accordance with said Section 109.33.

Section 3: This ordinance shall be in effect from and after its date of passage.

Section 4: Violation of this ordinance shall be punishable by a fine of up to \$500.00 per day, with each day being a separate violation.

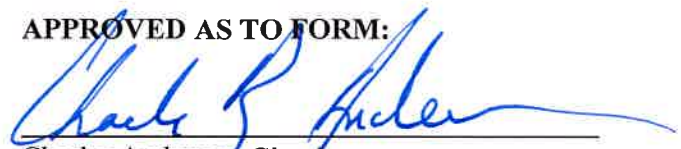
PASSED AND APPROVED by the City Council of the City of Cumby this the 5th day of July 2022.


Douglas Simmerman, Mayor

ATTESTED TO:


Betty Jo Hardman, City Secretary

APPROVED AS TO FORM:


Charles Anderson, City Attorney

ORDINANCE NO. 2003-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CUMBY, TEXAS, PROVIDING FOR THE DISTANCE OF PLACE OF BUSINESS FROM CHURCH, PUBLIC SCHOOL, OR PUBLIC HOSPITAL REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT, AFTER THE 18th DAY OF September, 2003.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CUMBY, TEXAS:

No person shall sell, or engage in the business of selling any alcoholic beverage where the place of business of such person is within 1000 feet of a church, public school, or public hospital and incorporating all other requirements of V.T.C.A., Alcoholic Beverage Code Section 109.33, as it pertains to churches, public schools, or public hospitals.

IF ANY SECTION, CLAUSE, OR PHRASE OF THIS ORDINANCE SHALL BE HELD FOR ANY REASON TO BE ILLEGAL, ULTRA VIRES OR UNENFORCEABLE FOR ANY REASON, THEN SUCH INVALIDITY SHALL NOT AFFECT THE VALIDITY OF THE REMAINING PORTIONS OF THIS ORDINANCE.

THIS ORDINANCE SHALL SUPERSEDE ANY ORDINANCES IN CONFLICT HERewith AND SUCH PRIOR CONFLICTING ORDINANCES OR PARTS THEREOF ARE HEREBY REPEALED TO THE EXTENT THAT THEY CONFLICT WITH THIS ORDINANCE.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER THE 18th DAY OF September, 2003.

PASSED AND APPROVED THIS THE 18th DAY OF September, 2003.


Mayor

ATTEST:

City Secretary

RESOLUTION R-2022-07-1012

A RESOLUTION MADE BY THE CITY COUNCIL OF THE CITY OF CUMBY TEXAS AUTHORIZING THE APPOINTEMENT OF A REPRESENTATIVE TO SERVE AS A DIRECTOR ON THE ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS

WHEREAS, the ARK-TEX Council of Governments (ATCOG) was organized by local governmental entities in 1966 and was chartered as a not-for-profit corporation under Chapter 391, Local Government Code; and

WHEREAS, Reorganization in 1968 by the States of Texas and Arkansas as a sub-state political subdivision to allow ATCOG to plan, assist local governments and deliver public services, but has no power to tax or to regulate; and

WHEREAS, ATCOG is governed by a Board of Directors, and state law requires that this governing body be composed primarily of local government elected officials; and

WHEREAS, ATCOG serves the Northeast Texas and Southwest Arkansas region that is comprised of nine (9) counties in Texas and one (1) in Arkansas, and includes cities, counties, school districts, and special districts with membership open to all interest governmental entities.

WHEREAS, the general purpose of ATCOG is to plan for the unified, far-reaching development of the region, eliminate duplication of services, and promote economy and efficiency through coordination;

WHEREAS, the City of Cumby is a member in good standing with the ARK-TEX Council of Governments; and

WHEREAS, the City of Cumby has one position reserved on the ARK-TEX Council of Governments Board of Directors; and

NOW, THEREFORE, BE IT RESOLVED:

Mayor Douglas Simmerman is hereby appointed to serve as Representative on the ARK-TEX Council of Governments Board of Directors.

PASSED AND APPROVED by the City Council of the City of Cumby this the 5th day of July, 2022.

Douglas Simmerman
Douglas Simmerman, Mayor

ATTESTED TO:

Betty Jo Hardman
Betty Jo Hardman, City Secretary

APPROVED AS TO FORM

Charles Anderson
Charles Anderson, City Attorney

Example from Ark-Tex

RESOLUTION NO. 1015-01

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF Como, TEXAS AUTHORIZING THE APPOINTMENT OF A REPRESENTATIVE TO SERVE AS A DIRECTOR ON THE ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS.

WHEREAS, the Ark-Tex Council of Governments was organized by local governmental entities in 1966 and was chartered as a not-for-profit corporation under Chapter 391, Local Government Code.

WHEREAS, Reorganization in 1968 by the States of Texas and Arkansas as a sub-state political subdivision to allow ATCOG to plan, assist local governments, and deliver public services, but has no power to tax or to regulate.

WHEREAS, ATCOG is governed by a Board of Directors, and state law requires that this governing body be composed primarily of local government elected officials.

WHEREAS, ATCOG serves the Northeast Texas and Southwest Arkansas region that is comprised of nine (9) counties in Texas and one (1) in Arkansas, and includes cities, counties, school districts, and special districts with membership open to all interested governmental entities.

WHEREAS, the general purpose of ATCOG is to plan for the unified, far-reaching development of the region, eliminate duplication of services, and promote economy and efficiency through coordination.

WHEREAS, The City of Como is a member in good standing with the Ark-Tex Council of Governments; and

WHEREAS, The City of Como has one position reserved on the Ark-Tex Council of Governments Board of Directors; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF Como, TEXAS THAT:

Mayor Pro Tem
(Elected Official Title) Don Meek, is hereby appointed to serve as Representative on the Ark-Tex Council of Governments Board of Directors.

REVIEWED AND APPROVED THIS 1st DAY OF JANUARY, 2015.

Don Meek
(Elected Official Signature & Title) Commissioner

ATTEST:

Steve Jones
City Secretary