

CITY OF GROVETON MINUTES

BE IT REMEMBERED, that the City Council of the City of Groveton, Texas met in a Regular Session on Monday, January 24, 2022, to discuss the following:

Council Members in Attendance: Mayor Pro Tem, Ralph Bennett
Councilwoman, Autumn Dial
Councilman, Robert E. Smith
Councilman, Joe D. Kennedy

Council Members not in Attendance: Councilman, Stephen Casper

Mayor Tommy Walton called the meeting to order at 6:00 p.m.
The Invocation and Pledge of Allegiance were given by Mayor Walton.

APPROVE MINUTES: A motion was made by Mayor Pro Tem Bennett to approve the minutes as presented for the Regular Session Meeting on December 20, 2021. A second was made by Councilwoman Dial. Motion passed with 4 ayes and 0 nays from Council.

PUBLIC FORUM: Several citizens were present for Public Forum. First citizen to speak was David Robison. Mr. Robison expressed concern regarding Building Code Ordinances No. 73 and No. 74. Mr. Robison said that these are a dismal set of ordinances for the City. He said they will stifle growth and harm people more than anything else that has happened in the town in a long time. Mr. Robison said that there are no master plumbers or electricians in the area, the City has no zoning which he said the ordinance requires. Mr. Robison questioned how the City will enforce the ordinances when the City has no code enforcement officers who are trained to do so. He said the ordinance has criminalized fixing a hot water heater, building a garden shed, making repairs to your own home. He said the ordinance states an authorized contractor must be used, but who is the person approving the contractors, and what is the criteria to be an authorized contractor? Mr. Robison said that the ordinances have inadequate definitions, and they are vague. He pointed out several areas in the ordinances that he feels prove this. Mr. Robison said he believes that the City should address these ordinances slowly, one or two at a time, as needed, have the personnel in place, and move forward progressively. Mr. Robison thanked Council for allowing him to speak.

The next citizen to express concern regarding the building code ordinances was Rodney Langley. His main concern, as a homeowner, is the cost for permits, inspections, and hiring a master contractor just to make repairs to his home. His suggestion is to make an exception to the requirement of using a licensed contractor for repairs the homeowner can do himself. He said that this ordinance is a lot at one time, but agrees that the City does need to progress, and there is much potential for growth, but not to the detriment of current residents. He said again, an exception for residents who can make their own repairs should be made, within reason. Mr. Langley also spoke about the Groveton EMS ambulance service. Speaking as an employee of Groveton EMS and a resident of the City, he expressed how important the ambulance service is to the community. He said their call volume has almost doubled in the past year, and most of their calls come from the residents in the City of Groveton. They also have had an increase of non-billable calls such as people calling to be "checked out" but choosing not to be taken to the hospital. He said they do not, and cannot charge for this type of call, even though they have the cost of personnel, equipment, and supplies, to which there is no reimbursement. Mr. Langley directed Council to think about a community with no ambulance service, and people have to wait thirty minutes to an hour for help. He asked Council to consider this when making decisions.

Mike Due from Groveton Woodworks addressed Council next regarding the building code ordinances. He said that most people in our community can build a shed, paint their house, repair a broken PVC pipe in the ground, and put up their own roof. Mr. Due said that all of these will require permits, from what he understands. He said that he will need a permit just to paint his bedroom inside his house. Mr. Due said this is onerous, and is against the spirit of freedom, independence, and “let’s make life better”. Mr. Due said that the building where his business is located is old and he has worked to make repairs and improvements to the building. He said with this ordinance in place, he will not be able to afford the fees and will have to go out of business. Mr. Due expressed his concern that the ordinances will cause too great of a hardship on people who can do the work themselves, and hurt the community.

Glenn Hammond addressed Council on behalf of business owners and homeowners concerning the building code ordinances. Mr. Hammond said that as a landlord, he tries to keep the rent as affordable as possible at his houses. With these ordinances in place, the cost will be too great to make repairs, and he will have to go up on the rent. He is also concerned that elderly residents and residents on fixed incomes won’t be able to afford to pay a licensed plumber, electrician, etc., to make the repairs. Mr. Hammond said that if the ordinances go into effect, he may have to sell his rent houses.

Next to address Council was Carol Monk. Mrs. Monk said that her water bill is now higher than her electric bill. She does not feel that the bill should be nearly \$80 a month for a single person. She is on a fixed income as are many residents in Groveton, and can’t afford the bill as it is, and it continues to go up. Mrs. Monk also spoke about the City police department. She said that she had two men on her front porch one morning at 3:30 a.m. She said she called the Sheriff’s Department, but no officer ever showed up. Chief Cowart apologized to Mrs. Monk, saying that he will address the issue and be sure that the Sheriff’s Department notifies him of all calls in the City. Mrs. Monk said that there are a lot of elderly people living in Groveton that need protection, ambulances, and lots of other things. If she has to, she will sell her house and move after living in Groveton for 40-something years.

Kyle Isget addressed Council regarding the building code ordinances as well. He said that he agrees with the others who spoke before him, particularly Mr. Due. He’s concerned that the ordinances will make all of the community’s fledgling businesses obsolete. Having out-of-town tradesman come in would be extremely expensive, and most can’t afford this in our community. Mr. Isget said that people won’t be able to have repairs made due to the high cost of master tradesman and permitting fees. He stated that passing ordinances like these will halt growth in the community.

Next to address Council was Hunter Arnold. He said that he also agrees with what we everyone has said regarding the building code ordinances. He also feels that passing these will halt growth of the City and put people out of business.

Last but not least, Tish Inman addressed Council regarding the building code ordinances. Ms. Inman said that she moved here from a metropolis, and these are metropolis ordinances. She referred to her ex-husband, a contractor, and his issues with permits and inspections, always having to “fight the County”. She said she had him come from Virginia to remodel her business at cost, and knows that his work was done correctly. Ms. Inman said she loves this community, and has helped and contributed with decorating, volunteering, painting, and landscaping. However, she said these ordinances will run her out. She stated she would have to move out because you can’t live in a commercial building, not in a City. She will find another little sleepy town, because that’s the draw...you can have a building and do whatever you please with it. She said she is an asset to this community, and passing these ordinances may make her and a lot of other people leave. Ms. Inman also mentioned that she didn’t know about the ordinances on the agenda to be passed until David Robison brought them to her attention. She expressed her disappointment in Mayor Walton for not talking to her directly about the building code ordinances. Mayor Walton said that the ordinances were tabled from the December Council meeting for Council to make revisions. Mayor Walton said that he only had two people contact

him regarding the ordinances. He also stated that the ordinance copies on Facebook were not issued by the City, and did not have the revisions that were made since the last meeting. Mayor Walton said several changes have been made to be more suitable for the community. He also mentioned that the building code ordinances were passed when Troy Jones was Mayor, and the City has been issuing building permits and performing inspections since at least 2008. Mr. Dunn, the City's building inspector, retired a few months ago. Mayor Walton suggested hiring Gordon Bergman to perform the building inspections at that time, but City Council voted to hire Certified Building Officer, Rick Hanna, from Huntsville. Mr. Hanna informed the Mayor that the State requires the City to bring the ordinances to be a more current version of the International Building Codes. Mayor Walton said that the City knows there will be exceptions and deal with those as they come up. He said that language is included stating repairs can be made, and the City is not expecting residents to use a licensed plumber for repairs. Mayor Walton said they will still be expected to do the work to code, for safety reasons, regardless of licensing. Mayor Walton said that Council is trying to put things in place to help the citizens, none of the Council are trying to damage the City. Ms. Inman said that she understands what Mayor Walton is saying, and said that this seems like a fire that has gotten out of control. She said she missed the last meeting, and she does not live on Facebook. Mayor Walton stated that there has been a lot of information put on Facebook that is not true. No one has contacted him or City Hall about the ordinances or changes they have made to them. Mayor Walton stated that he resents that people take the gossip on Facebook as the truth, but said that's just the nature of communication this day and time. Ms. Inman asked if these ordinances would have been passed tonight as an absolute yes or no if not for all of the voices. Mayor Walton said yes, but with revisions. Ms. Inman thanked the Council for listening.

Mr. Due asked why no one had the revised ordinances, that they only received what the City put on Facebook. Mayor Walton said that the City did not publish the ordinances on Facebook. David Robison and the newspaper reporter asked for copies at the end of the last meeting, and Mayor Walton said that he told them that they were not final, that there were changes to be made. Mr. Robison said that this is what is published on the website. Mayor Walton said that the City has not published the ordinances or changes. Mr. Robison voiced more concerns with the details of the ordinance, and how they were stated to be passed on this agenda. Mr. Hammond then said that he saw this today and the fee for installing a generator is \$350.00. He asked if that has changed. Mayor Walton stated that those fees have not changed. Councilman Kennedy added that any ordinance or changes made to ordinances must come before Council, twice. He suggested putting the changes on the website as well as presented to City Council. Mike Due apologized for jumping the gun, but he was going by the information he received earlier in the day. He asked if he was understanding correctly, that it has been revised so that repairs do not need inspections. Mayor Walton said correct, no inspections for regular repairs, but if the plumbing was being replaced throughout the building, then yes, that is new construction and requires inspection. Mr. Due also asked if he were to wire up a generator, will he need a permit. Mayor Walton said yes, the electric company requires inspection before the electricity will be turned back on, and the gas company also requires a permit. The Mayor said that he had to get inspections for a generator he had installed before the natural gas company would turn the gas back on and before the electric company would turn the power back on. Mayor Walton stated that the gas and electric company requires the City to have these inspections. Mayor Walton also reiterated that the City has been issuing permits and inspections for years, and the City can hire a different building inspector, but nothing has changed regarding the permits and inspections. Mr. Mike Due said that the problem for him is the cost of getting the permit and inspections.

Kyle Isget spoke again, asking what the qualifications for a tradesman are. He said there is no schooling for framing or cabinetry. These are skills learned by experience. He also gave his opinion on additions vs repairs. He said that he thinks an addition would be adding a room

onto your house, or putting on a whole new roof. He said that a repair is something that needs to be fixed on your existing building.

Mayor Walton ended public forum stating that the ordinances can be talked about more when they are addressed in new business.

POLICE DEPARTMENT: Police Chief Justin Cowart apologized again to Carol Monk for the “no response” complaint she made to Council during public forum. He said he will make sure the Sheriff’s Department contacts him regardless if he is on duty or not, when there is an incident in the City of Groveton. Chief Cowart presented Council with a Productivity Report from the months of December 2021 through January 24, 2022. There were 35 calls to service, 4 traffic stops, 1 verbal warning, 2 written warning, 1 citation, and 1 arrest.

STREETS & BRIDGES: A written report was submitted to Council for review of the street maintenance performed throughout the City.

WATER & SEWER: Todd Threlkeld, Operator with Inframark, was in attendance to address Council. Mr. Threlkeld presented the Operations Report for the month of December 2021, in the amount of \$6,273.90. The total water purchased from Pennington Water Supply for December 2021 was 1,427,000 gallons, total water pumped was 1,175,000 gallons, and flushed amount 41,000 gallons. There were no excursions. The additional expenses were from an auto valve replacement at the chlorination chamber at the sewer plant, and replacement of a bad diagraph on the chlorination system at the water plant.

A motion was made by Councilman Kennedy to approve the invoice as presented in the amount of \$6,273.90. A second was made by Mayor Pro Tem Bennett. Motion passed with 4 ayes and 0 nays from Council.

Mayor Walton added that an Inframark employee was not turning his reports in to Inframark for billing, so the City may see those bills in the next month or two. Mr. Threlkeld said that he didn’t think it was that many that the employee missed, so it shouldn’t amount to much.

NEW BUSINESS: Item A. on the agenda for new business is discussion and Report on Audit Report 2020-2021 prepared by Todd, Hamaker, and Johnson, LLP. Kim Johnson with Todd, Hamaker, and Johnson, presented the audit report to Council. Mrs. Johnson said that they have been doing the audit for eight years now, and she has seen lots of good improvements in that time. She said that while things are costing more for everyone, overall the Council should be commended for the work they are doing.

First Mrs. Johnson directed attention to page six and seven of the Independent Auditor’s Report. In their opinion, the financial statements referred to are presented fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Groveton, Texas, as of September 30, 2021, and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended.

Mrs. Johnson gave an overview in Financial Highlights: The overall assets of the City increased by \$7,190 during the fiscal year. Unrestricted cash and certificates of deposit increased by \$52,072. Total bond and note obligations decreased by \$122,330 during the current fiscal year. Total debt outstanding at year end was \$2,567,356 (\$2,555,000 in bonds payable and \$12,356 in notes payable). During the year, the City retired principal balances totaling \$1,607,330 and issued new bonds in the amount of \$1,485,000. In September 2021, the City refunded the outstanding balance of the Series 2009 Certificates of Obligation (\$1,500,000 at 4.25%). The new bonds (\$1,485,000 at 3.00%) are expected to result in total debt service savings of \$467,000.

The City's overall assets exceeded its liabilities by \$5,157,291 (net position) at September 30, 2021. Excluding grant revenues, overall revenues increased by \$32,435 from the prior year. Overall expenses decreased by \$24,349 from the prior year. Overall expenses exceeded revenues (or a decrease in net position) by \$228,062. Net position increased by \$30,996 in the governmental funds and decreased by \$259,058 in the proprietary funds.

The City's Net Position: Over time, net position serves as a useful indicator of a government's financial position. At September 30, 2021, the City's assets exceeded its liabilities by \$5,157,291. The City has a large investment in capital assets (e.g. land, buildings, improvements other than buildings, equipment, and infrastructure) and related debt used to acquire those assets that remain outstanding. The City uses these capital assets to provide services to citizens; therefore, these assets are not available for future spending. Although the City's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay debt must be provided from other sources, since capital assets themselves cannot be used to liquidate these liabilities. Net position invested in capital assets, net of related debt, totaled \$4,830,829 at September 30, 2021. An additional portion of the City's net position, \$85,558, represents resources that are subject to restrictions as to how they may be used. The remaining balance of \$240,904 is unrestricted in nature.

In the Management's Discussion and Analysis Mrs. Johnson presented that as of September 30, 2021, the City's governmental funds reported a total fund balance of \$388,397. This fund balance is comprised of \$10,880 that is restricted as to use and is not available for new spending, and \$6,015 representing prepaid expenses. The remaining balance of \$371,502 is unassigned. During the year, the fund balance in the City's governmental funds increased by \$95,491 as a result of operations. Total revenues exceeded total expenditures by \$95,491. Revenues were higher than budgeted amounts by \$76,923. Expenditures were lower than budgeted amounts by \$18,568. The City's investment capital assets as of September 30, 2021, totaled \$6,885,198 (net of accumulated depreciation). This investment in capital assets includes land and other capital assets such as buildings, improvements, and equipment. Capital acquisitions totaled \$151,945 for the year, with continued work on TWDB water well project being the significant item. During the Management's Discussion and Analysis section Mrs. Johnson remarked on the City's Net Position – Ten Year Comparison. She asked City Accountant Jack Paschetag to speak on this subject. The net position is the difference between the City's total assets and total liabilities. Mr. Paschetag said that the City's net position has nearly doubled in the past ten years. Mr. Paschetag said this means the financial value of the City has increased, but the net income has stayed about the same. He said this is really remarkable. Mr. Paschetag also said that without depreciation, the City maintains a positive cash flow of \$109,102 instead of the depreciation adjusted cash flow of - \$228, 062 as of 2021.

A few final points Mrs. Johnson made in closing was that the City does well in staying in budget and making budget amendments, they found no deficiencies, no compliance issues, and the GEDC 4A & 4B net position increased due to few grants being awarded.

Mayor Pro Tem Bennett made the motion to approve the audit report as presented. A second was made by Councilman Kennedy. Motion passed with 4 ayes and 0 nays from Council.

Item B. under new business is Fire Chief Glenn Hammond – GFVD 2021 Report of Incidents. City Council received the annual incident report for review from Fire Chief Hammond. Mr. Hammond said that the number of incidents were up from the previous year. There were 93 total incidents for 2021. There were 21 motor vehicle crashes, 28 wildland fires (grass, brush), 12 structure fires (5 active residences), 4 EMS assists, 5 vehicle fires, 8 powerlines, 4 gas smell, 5 equipment (farm and agriculture use), and 6 miscellaneous. Of the incidents, 17 of the incidents were within the city limits of Groveton, 46 within Groveton VFD response area (outside city limits), and 30 assists to other volunteer fire departments. Mayor Walton mentioned that the fire department and the City worked together to purchased fire foam for \$30.00 per 5 gallon bucket

from the prison system. This was a tremendous savings to the fire department, as it costs about \$136.00 per 5 gallon bucket on the market. No action taken from Council.

Item C. on the agenda for new business is David Robison regarding Groveton EMS Service. Mr. Robison with Groveton EMS received an emergency ambulance call during the meeting and was not available to address Council. This item was tabled until the February 28, 2022 City Council meeting.

Item D and E on the agenda for new business are Discussion and Action on Approval of Ordinance #73 to Adopt Various Building, Mechanical, and Plumbing Codes for Residential and Commercial Buildings and Structures in the City, and Discussion and Action on Approval of Ordinance #74 Adopting a Municipal Building Permit Inspection and Plan Review Fee Schedule for all Residential and Commercial Buildings in the City. Mayor Walton asked what the City Council wants to do, stop inspections or continue. If the City stops doing inspections, residents won't be able to get their gas and electric service turned on. The Mayor asked for Council's thoughts again. Councilwoman Dial said that when they looked at these ordinances last month she thought they were completely insane. She said that even after the revisions they've made since then, that there is more than one or two things that need to change. Ms. Dial said that she checked with the County and they have no building codes. She said that she doesn't know how the electric is turned on in the County, but they do. Mayor Walton said that the City apparently has different guidelines from the County. Councilwoman Dial said that there are State guidelines, she wants to get to the State guidelines. She confirmed that we already have building codes in place, and Mayor Walton said that the City has had them since 2008. Mayor Walton said that our new Building Inspector, Rick Hanna, is licensed to do all of the inspections. Mayor said that it has been said that we are adopting numerous new ordinances. Mayor Walton said this is not what the City is doing. He said he asked Mr. Hannah to look at the City's ordinances and bring them up to date. Mayor Walton said he doesn't want to be a police state, but have reasonably current ordinances, "we don't want to be backwards." He said that Mr. Hannah does inspections around Huntsville, Conroe, etc. He has a large area where he does inspections, and he has the credentials that Council asked for in an inspector. Mayor Walton said that this was what the inspector recommended, but it's not set in stone. Councilwoman Dial said that now since the public is showing such a big interest, all with coming from different financial aspects, she said that posting them on the City's website would be a good idea. That way the information will get out to the public and Council can hear from more citizens, good or bad. Mayor Walton said that the City can go back to hiring Gordon Bergman as an inspector, but he isn't licensed. Mayor Walton said that he checked with Crockett and they have hired an in-house inspector, which the City of Groveton cannot afford. He also said that he asked Crockett if they were interested in doing the City of Groveton's inspections, but they were not. Councilwoman asked how many inspections does the City have a day/week? Mayor Walton said that the City has only about fifty a year. Jack Paschetag pointed at that the City was getting inspections done very cheaply with Mr. Dunn, that current prices are much higher than he was charging. Glenn Hammond said that he never had a problem with Mr. Dunn, that he did a good job. Mayor Walton said again that Mr. Dunn retired, which is why the City had to hire a new inspector. He also said that Mr. Dunn did not have any recommendations for building inspectors. Councilwoman Dial asked if Mr. Dunn was certified. Mr. Hammond said yes he was certified. Mr. Hammond said he and Susie's issue with the City hiring Gordon Bergman as Building Inspector is he is not certified. Mr. Hammond said that he is not questioning the permitting system, just the affordability. After further discussion by Council, Mayor Pro Tem Bennett suggested the ordinance be tabled until next meeting. Councilwoman Dial volunteered to work on the revisions with Mayor Pro Tem Bennett's help. Item D& E on the agenda were tabled until the next City Council meeting.

Item F. on the agenda for new business is to approve Order a General Election for May 7, 2022. A motion was made by Mayor Pro Tem Bennett to approve Order a General Election for May 7, 2022. A second to the motion was made by Councilman Smith. Motion passed with 4 ayes and 0 nays from Council.

Item. G. on the agenda for new business is to Approve Two Weekdays for Early Voting 12 hours for the General Election on May 7, 2022. Early voting will be April 25, 2022 through May 3, 2022 at City Hall. Tuesday, April 26, 2022 and Wednesday, April 27, 2022 were chosen as the two days for City Hall to be open 12 hours for early voting. A motion was made by Mayor Pro Tem Bennett, a second was made by Councilman Smith. Motion carried with 4 ayes and 0 nays from Council.

MAYOR'S REPORT: Mayor Walton gave an update on the handrails that the City is waiting to have installed in order to complete the Downtown Sidewalk Revitalization Project. Mayor Walton said that the handrails will be fabricated in the next couple weeks and installed by the end of February.

Mayor Walton also addressed Council regarding the water well project. He said the project is moving forward, the only issue now is with the titling of the property where the well will be located. The original Trinity County Fair Association owned the property, but Trinity County took it over when they dissolved back in the 1960s. Mayor Walton said that they will have to do a title search and bring everything up to date. He said that he didn't think it will delay the project since it is just a paperwork issue. Mayor Walton said that since the pipe and other parts are in short supply, the City will do the construction bids in two phases. First phase will dig the well. The size of the pipe needed depends on the number of gallons the well will produce. Mayor Walton said that if the well produces 350 gallons per minute, 6 inch pipe will be necessary. However, 250 gallons per minute will require only a 4 inch pipe, which is a significant difference in cost.

ADJOURN: With there being no further business on the agenda, a motion was made by Councilwoman Dial and seconded by Councilman Kennedy to adjourn the meeting. Motion passed with 4 ayes and 0 nays from Council. Meeting adjourned at 7:18 p.m.

Tommy Walton, Mayor

ATTEST:

Crystal Christensen
Utilities Secretary