

CITY OF BURTON
COUNCIL MEETING MINUTES

A Regular Meeting of the Burton City Council at 5:30 p.m. was held on
TUESDAY, NOVEMBER 14, 2023, in the Burton City Hall
at 12200 E. Mulberry Street Spur 125, Burton, Texas.

Members Present:

Mayor Karen Buck

Councilmember Paul McLaughlin

Councilmember Macey Tidwell

Councilmember Tommie Gilmon

Councilmember Jeff Eckhardt

Members Absent: Councilmember Nathan Kalkhake

Others Present: City Secretary Angela Harrington, Utility Clerk Rachel Belvin,

Citizens Present: Lucas Banda (Banner Press), Sarah Forsythe (Banner Press), Jacob Hetzel (Texas Wildlife Services), Bradley Loehr (BEFCO Engineering), Glenn & Jerri Linke, Ned Ross, and Jody Winston.

Mayor Karen Buck called the meeting to order at 5:30 pm. A quorum was established and all in attendance were led in the Pledge of Allegiance.

Citizen Presentations

Ned Ross let council know of the state approval for a 501c (3) classification of a local group calling themselves the Burton Beautification Association (BBA).

CONSENT AGENDA

- (1) Minutes of the October 10, 2023 Regular Meeting**
- (2) Financial Reports-Revenue & Expenditures**
- (3) Mayor's Report – Attached**
- (4) City Secretary's Report – Attached**
- (5) Utility Report – Utility Clerk Rachel Belvin told council of the Stage 1 Drought Contingency has been lifted; she included a reminder to residents with the last utility bill to wrap pipes before the threat of a freeze; and reminded them that the city offices will be closed November 22 – 23.**

A motion was made by Councilmember McLaughlin and seconded by Councilmember Tidwell to **ACCEPT** the consent agenda.

FOR: Eckhardt, Gilmon,

AGAINST: None

The motion passed.

DISCUSSION, CONSIDERATION AND/OR ACTION TO APPROVE, ACCEPT, DENY, REMOVE OR TABLE ON:

1. TXCDBG Contract No. CDV21-0440 awarding 2021/2022 TXCDBG Water Line improvements project to Hoffman Dozer Services of La Grange in the amount of \$229,011.50

Bradley Loehr of BEFCO Engineering spoke to Council regarding the fact that it has been found that part of the original project submitted for the 2021-2022 TXCDBG has been completed which required and amendment to be submitted to include the S. Brazos Extension in the project. He explained to council that there was a bid opening on Nov. 7 at 1:30pm. He then presented the bid tabulations. BEFCO is recommending awarding the contract to Hoffman Dozer Services of La Grange. He also went on to explain that the bids included a road cut on S. Main to complete the project. He recommended that council approve a slight increase in cost of \$1900+ to bore under S. Main instead of cutting the road up since extra funds would be available for that. Council decided to vote on the road bore within the same motion as the award.

A motion was made by Councilmember McLaughlin and seconded by Councilmember Gilmon to **APPROVE** the Awarding of the 2021/2022 TXCDBG Contract No. CDV21-0440 for Water Line improvements project to Hoffman Dozer Services of La Grange in the amount of \$229,011.50 AND to approve the slight increase in cost to bore under S. Main St. instead of cutting the road.

FOR: Eckhardt, Tidwell

AGAINST: None

The motion passed.

2. Resolution 20231114 Providing for Votes Allocated (eight (8)) for the Election of the Board of Directors for the Washington County Appraisal District

Council discussed the various ways to allocate the eight (8) votes and determined to divide them equally between the two candidates from Burton. A motion was made by Councilmember Tidwell and seconded by Councilmember Gilmon to **APPROVE** Resolution 20231114 with 4 votes allocated to Leslie Boehnemann Jr. and 4 votes to Halee Stark Kalkhake.

FOR: Eckhardt, McLaughlin

AGAINST: None

The motion passed.

3. Hiring Jacob Hetzel, Wildlife Biologist, of the Texas Wildlife Services to Aid in the Eradication of the Black Vultures (Buzzards) Plaquing the Water Tower and Other Areas within the City

Mayor Buck stated that City Hall has received numerous complaints regarding the buzzards around town with the main issue being on the water tower. Mr. Hetzel told Council that the Texas Wildlife Services is a state and federal cooperative. He then explained the procedures used to discourage habitual roosting in a certain place using pyrotechnics (loud booms and flashes of light) to harass the birds to change their habits. The procedure begins about an hour before then ending shortly after dark and will be repeated nightly for about 3 to 5 days. There may be reason to do the same harassment in the morning hours if a favorable result is not seen within a couple of days. Lethal measures MAY be used on any resistant birds. The cost is \$250 per day and it is recommended that the contract open ended to allow for multiple visits.

A motion was made by Councilmember McLaughlin and seconded by Councilmember Eckhardt to **APPROVE** the Texas Wildlife Services Contract with an open-ended date.

FOR: Gilmon, Tidwell

AGAINST: None

The motion passed.

4. **Moving the Remaining Balance of \$1766.98 in the Water Repair Money Market Account into the Utility Fund and Close the Water Repair Account**

City Secretary Harrington told council of her and the mayor's recommendation of this item. A motion was made by Councilmember Tidwell and seconded by Councilmember McLaughlin to **APPROVE**.

FOR: Gilmon, Eckhardt

AGAINST: None

The motion passed.

5. **The 2024 City of Burton Paid Holiday Schedule**

Council reviewed the schedule and were told that it was created using TMLIRP and federal holidays. A motion was made by Councilmember Gilmon and seconded by Councilmember Eckhardt to **APPROVE**.

FOR: McLaughlin Tidwell

AGAINST: None

The motion passed.

Mayor Karen Buck reminded those in attendance of future scheduled city meetings:

- City Hall will be Closed on Wednesday & Thursday, November 22 & 23, 2023, for the Thanksgiving Holiday
- The next City Council Regular Meeting is on Tuesday, December 12, 2023 at 5:30 p.m. here at City Hall

The Meeting was adjourned at 6:24 pm.

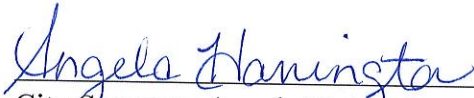
FOR: Eckhardt, Gilmon, McLaughlin, Tidwell

AGAINST: None



Mayor Karen Buck

ATTEST:



City Secretary Angela Harrington

Mayor's Report – November 2023

This past month's activities included –

- +Hosting State Rep. Kyle Kacal's visit to Burton on Wednesday, October 11. Rep. Kacal visited with Angela and I here at City Hall regarding Burton's need for funding for a secondary water well. We then gave him a tour of town. Rep. Kacal also visited Burton ISD where Mrs. Melinda Fuchs gave him a tour of the campuses, and then he met with the Burton Chamber of Commerce. The evening was capped off with a meal of heavy appetizers at Blue Willow and more visiting with city leadership that included several city councilmembers, Chamber Directors, Mrs. Fuchs from Burton ISD. (The Burton ISD School Board was also invited; none were in attendance. Dr. Kennedy was out of town.)
- +Continue to keep Rep. Kacal and his office updated on our quest for funding for water well and water lines.
- +Had many opportunities to work with the Langford Grant Team
 - October 18 - Zoom meeting with the entire Grant Team regarding pursuit for water well and water lines here in town
 - Received assistance from Paula, who works specifically with Texas Water Development Board grants.
 - November 8 - Met Angela when bids were opened for the water line work in South Burton. (Also met Bradley from the BEFCO Engineering that day.)
- +Spent a lot of time researching the numbers to be able to make the case for Burton's need to have an independent socio-economic survey done for the Texas Water Development Board. I did this because the numbers that the TWDB would use to evaluate how much money Burton could receive were OFF. (The American Community Survey numbers that the TWDB would use have Burton's population at 484 in 2017 and 468 in 2020. Burton has not been in the "400s" since 1912. Currently, our population is 281. Also, perhaps, with the drop in population comes a change in average household income. A more recent survey will show us what our current numbers and whether Burton can qualify for more funding.)
- +Emailed TWDB with our request for that socio-economic survey along with their list of requirements for consideration.
- +Texas Demographic Center's finalized estimates for Total Populations for Counties and Places in Texas for July 1, 2022 and January 1, 2023 were recently released. Of the 182 cities in Texas around the size of Burton, 5 showed double-digit decline – Ackerly (-10); Balmorhea (-30); Forsan (-11); Whiteface (-11) and Burton (-15).
- +Attended the Burton Chamber of Commerce Ribbon Cutting at Burton Short Stop's Icehouse on Saturday, November 4.
- +Visited with Cathy Liles at Burton Short Stop asking her to research the economic impact on her business every time the water line that serves her business breaks. (This will be helpful when it comes time to justify the need for funding to address that water line.)

+Have been invited to share a few words at the Veteran's Day Program at the Brenham American Legion Hall on Saturday, November 11.

+On Tuesday morning, November 14, Rachel and I will be attending (via webinar) a workshop offered by the Texas Water Development Board - "Water Utilities Technical Assistance Program (WUTAP): Overview of Request for Qualifications and Application Process".

+Have been working with Washington County EMS, Jane Hinze, and Joan Goebel to find ways for the City of Burton staff and council members to be involved in the fundraiser for Josh Guelker. Places for us to serve are either inside St. John's UCC to move the heavy roasters to the serving line OR to direct traffic here in town. As of this report, I have communicated these options to council members via email. Nathan has communicated that he will be out of town.

+Have been asked by Jane Hinze to write a "welcome" article for the Washington County Chamber of Commerce magazine.

+As mayor, my volunteer hours need to be tracked for the Texas Municipal League's Workman's Compensation policy. In October, I donated 33.75 hours to the City of Burton. In addition to the above list of activities, these hours also include phone calls, emails, and visits with members of the community.

Secretary's Report

November 14, 2023

1. The first payment request in the amount of \$14,800 was submitted. This is the first request to use the 21-22 Tx. Dept. of Ag. CDBG funds. The funds requested will be to pay one (1) Langford Community Management invoice and one (1) BEFCO Engineering invoice.
2. I have been working on a new Personnel Policy Manual. In reviewing the old one from 2005, I found that much of it no longer applies to Burton employees. I am hoping to have it complete for approval in December.
3. With the Property Tax reports being generated by Washington County Appraisal District, occasionally some adjustments may need to be made to accommodate the method of deposit used by WCAD. All collected funds are being deposited into the General Fund. Your monthly reports MAY indicate an estimated amount in the Property Tax Revenues. Once I receive the monthly reports from WCAD, I will be entering the actual amounts and making a transfer from the GF to the Interest & Sinking Debt Service Fund. OCTOBER REPORTS SHOW ACTUAL AMOUNTS.
4. The No Engine Brake signs have arrived. I have contacted Brett at TxDot to get us on the calendar for installation of the poles and signs.
5. Karen and I determined that it was a good idea to use the Water Repair Fund to pay for the new Lift Station on W. Washington that was approved on May 16, 2023. Using this fund instead of general savings will hopefully help Burton Utility projects be more attractive to grant programs.

RESOLUTION 20231114

A RESOLUTION OF THE CITY OF BURTON CASTING VOTES FOR ELECTION OF THE WASHINGTON COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

WHEREAS, the Washington County Tax Appraisal District is governed by a board of five directors, serving two year terms beginning on January 1 of even-numbered years; and

WHEREAS, the governing boards of the participating taxing entities elect the directors under a system of cumulative voting; and


WHEREAS, the City of Burton may cast its total number of votes for one candidate or distribute them among candidates for any number of directorships;

NOW BE IT THEREFORE RESOLVED that the City of Burton does hereby cast its votes as shown for the following people as candidates for membership on the Board of Directors for Washington County Tax Appraisal District;

| <u>Candidates</u> | <u>Number of Votes Cast</u> |
|-----------------------|-----------------------------|
| Joe Antkowiak | <u>0</u> |
| Leslie Boehnemann Jr. | <u>4</u> |
| Douglas Borchardt | <u>0</u> |
| Charles Gaskamp | <u>0</u> |
| Halee Stark Kalkhake | <u>4</u> |
| John Schaer | <u>0</u> |

BE IT FURTHER RESOLVED that this resolution be adopted and entered upon the pages of the minutes of the City of Burton Meeting Minutes and that a copy of this resolution be presented to the Washington County Tax Appraisal District office in Washington County, Texas.

PASSED AND ENTERED this the 14th day of November, 2023.



KAREN BUCK, MAYOR

ATTEST:



ANGELA HARRINGTON, CITY SECRETARY

FIELD AGREEMENT
Among
U.S. Department of Agriculture, Animal and Plant Health Inspection Service,
Wildlife Services
and
Texas A&M AgriLife Extension Service - Wildlife Services
and
Texas Wildlife Damage Management Association, Inc.
and

Cooperator

In accordance with the terms of the Memorandum of Understanding between the United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services; The Texas A&M University System, Texas A&M AgriLife Extension Service - Wildlife Services; and the Texas Wildlife Damage Management Association, Inc. (collectively known as the Texas Wildlife Services Program [TWSP]) a copy of which is on file at the State Office, San Antonio, Texas, this field agreement is intended to augment the wildlife damage management activities of the TWSP.

THEREFORE, It Is Mutually Agreed That:

1. The cooperative wildlife damage management program conducted under the terms of this agreement shall be under direct supervision of the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services. A local representative of the TWSP will frequently consult with the Cooperator relative to the extent of the TWSP's participation in the plans and procedures that are necessary to best serve the interest of the parties hereto.
2. The Cooperator will provide funds to the Texas Wildlife Damage Management Fund for the employment of personnel, fringe benefits, payment of travel and other expenses as necessary to fulfill the mission of the cooperative program. The TWSP will contribute to the salary, travel costs, and all other necessary expenses to carry out an effective program.
3. The State Director of the TWSP or designated official will certify as to the accuracy of all claims to be paid by any party to this agreement and shall perform such other administrative functions as are agreed upon from time to time; provided, that no funds of the Cooperator will be transferred to any such employee working under the terms of this agreement.
4. Authority exists under the Animal Damage Control Act of March 2, 1931, (7 U.S.C. 426-426c, as amended) and the Rural Development, Agriculture, and Related Agencies Appropriations Act of 1988 (P.L. 100-202) for Wildlife Services to cooperate with states, individuals, public and private agencies, organizations, and institutions in the control of nuisance animals injurious to agriculture, horticulture, forestry, animal husbandry, wildlife, and public health and safety.
5. The TWSP will hold the Cooperator harmless from any liability arising from the negligent act or omission of an officer of a managing cooperative entity or employee acting within the scope of his/her employment to the extent compensation is available pursuant to the Federal Tort Claims Act (FTCA), 28 USC 2671 et. seq., except to the extent that aforesaid liability arises from the negligent acts or omissions of the Cooperator, their employees, agents, or subcontractor(s). Such relief shall be provided pursuant to the procedures set forth in the FTCA and applicable regulations.
6. Furs or other parts of monetary value taken from wild animals will be handled in accordance with the provision of Article 3 f. of the Memorandum of Understanding.
7. This agreement and any continuation thereof shall be contingent upon availability of funds. It is understood and agreed that any monies allocated for the purpose of this agreement shall be expended in accordance with its terms and in the manner prescribed by the fiscal regulations and/or administrative policies of the appropriate managing cooperative entity that is making the funds available.
8. This agreement shall continue in force and effect until superseded or terminated. Terms and service fees may be reviewed and revised periodically. It may be amended by mutual agreement by executing a corresponding field agreement. This agreement may be terminated by either party upon thirty (30) days written notice.

NOW, THEREFORE, Pursuant To Section 2 Above, It Is Mutually Agreed That:

1. The TWSP shall furnish supervision of the project and shall provide equipment and other supplies required in the operation of the project.
2. The Cooperator shall pay the Texas Wildlife Damage Management Fund for wildlife damage management services in the amount of \$ 250.00 *per day* / _____ for the period:

(monthly, annually)

_____ *11/15* to *termination* _____ to be spent primarily for the
bird management

The Cooperator further agrees to make this payment to the Texas Wildlife Damage Management Fund promptly upon receipt of a monthly invoice for services provided. The TWSP will provide a report of the wildlife damage management activities. Failure of the Cooperator to make this contribution within thirty (30) days after receipt of this invoice will, at the option of the TWSP, terminate the agreement at the end of the period.

IN WITNESS WHEREOF, the duly authorized officers of the parties hereto have executed this agreement on the dates opposite their respective signatures.

_____, _____ By _____
Cooperator

_____, _____ By _____
District Supervisor

_____, _____ By _____
State Director

2024 CITY OF BURTON HOLIDAY SCHEDULE

(Paid. Based on Federal and TMLIRP)

| | |
|------------------------|-----------------------------|
| Monday, January 1 | New Year's Day |
| Monday, January 15 | Martin Luther King Jr. Day |
| Monday, February 19 | President's Day |
| Thursday, March 28 | Good Friday/Easter Observed |
| Monday, May 27 | Memorial Day |
| Wednesday, June 19 | Juneteenth |
| Thursday, July 4 | Independence Day |
| Monday, September 2 | Labor Day |
| Monday, October 14 | Columbus Day |
| Wednesday, November 27 | Black Friday Observed |
| Thursday, November 28 | Thanksgiving Day |
| Tuesday, December 24 | Christmas Eve |
| Wednesday, December 25 | Christmas Day |
| *Birthday | |