

MINUTES

A regular meeting of the City Council of the City of Pinehurst was held on March 12, 2024, at 6:00p.m. at Pinehurst City Hall Council Room. The following council members were present: Sarah McClendon, Cynthia Adams, J. Michael Shahan, Joey Vance, and Greg Willis. Councilman Troy Pierce was absent. Mayor Sarah McClendon called the meeting to order and established a quorum. Councilwoman Cynthia Adams gave the invocation followed by the reciting of the United States and Texas Pledges of Allegiance, led by Councilman Greg Willis. The following business was transacted.

On a motion made by Mayor Pro Tem J. Michael Shahan and seconded by Councilman Greg Willis, council members unanimously voted to approve the minutes of the Regular Session of February 13, 2024.

Council members reviewed the budgeted expenditures for November and December 2023 and January 2024. City Secretary Debbie Cormier presented the most current financial report as of January 2024. Ms. Cormier noted that there were no capital outlays for the current fiscal year. Regarding the Income Comparison section of this report, she advised that January 2024 YTD was leading January 2023 YTD in the General Fund by almost \$136,000. She informed council members that there were a few line items for 2024 that were not present in 2023. She stated with those few items removed, January 2024 YTD was still ahead of the previous year by approximately \$103,000. She reported that 2023 YTD revenue was leading 2024 YTD revenue in the Garbage Fund by almost \$7,000. She attributed the difference to the fact that there were more temporary dumpster fees in 2023. Ms. Cormier continued by saying that the YTD Water & Sewer Fund revenue appeared to be behind the prior year by \$423,000; however, she pointed out that there was \$454,313 in GLO grant revenue in 2023 and none in 2024 because the project was finished. With those grant funds removed, she noted that 2024 YTD Water & Sewer Fund revenue exceeded 2023 by almost \$6,000. She advised that YTD total revenue for 2024 exceeded YTD total revenue for 2023 by about \$117,000. When comparing YTD actual revenue versus YTD actual expenses, Ms. Cormier informed council members that revenues exceeded expenditures in every fund except the Water & Sewer Fund, which reflected a deficit of almost \$56,000. Overall, she stated that revenue exceeded expenses by slightly more than \$142,000. Lastly, she reported that December 2023 cash reserves were 6.85 months and January 2024 cash reserves were 7.21 months.

Kathy Smartt of Neches Management Services addressed the Council under the Citizen Comments section of this agenda. Ms. Smartt noted that she had previously been employed with Piney Woods Sanitation for eight years but left shortly after the sale to the current owners. Ms. Smartt advised that Neches Management Services was a family-owned business in Beaumont and had been in business for about eight years. She stated that her current employer was a sanitation company that provided commercial as well as residential trash services.

City Administrator Jerry Hood reported that city crews were mowing and digging ditches throughout the city. He advised that the city had an antiquated laser for shooting grade on the ditches. He noted that the old laser had broken, and a new updated laser had been purchased. He stated that the new laser required only one person versus the four people required for the old method of digging.

Mr. Hood reported that crews at Tiny Homes Village had resolved the drainage issues there. He stated that the Drainage District had inspected the work and said that the necessary criteria had been met. He noted that work would resume soon on that project.

Mr. Hood reported that Pinehurst Villas had broken ground. He advised that the retention pond was being prepared. He stated that the estimated completion of this project would be about one year.

Mr. Hood reported that the generator for the Wastewater Treatment Plant had been ordered and was scheduled to arrive in September 2024. He advised that he had spoken with Fleet Manager Greg May concerning the development of a backup plan since the new generator would not be operational before hurricane season started. He stated that Mr. May would be contacting rental companies and the City's insurance company for options.

Mr. Hood reported that both the \$300,000 grant for ordinance codification and the Wildfire grant were still in the review process.

Mr. Hood reported that the city had received three bids for repairs of the headworks at the Water Plant.

Mr. Hood reported that the city had submitted a grant application with Sabine River Authority. He stated that decisions regarding awards would be made at the end of March. He noted that the city needed a clarifier repaired, which was a TCEQ high priority. He advised that would raise the city's application up for greater consideration.

Mr. Hood reported that the \$6.8 million GLO grant was in the closeout process. He stated that the grant administrator fee was 6% and the engineer fee was 15% for this grant. He noted that the projects were completed under budget by about \$20,000. He advised that those funds were deobligated. Consequently, the grant administrator fee and engineer fee exceeded their caps by approximately \$1,200 and \$3,300 respectively. The General Land Office gave the city several options to rectify this situation:

1. The City could pay with its own funds.
2. The City could file for a one-time waiver.
3. Adjust the fees with the service providers.

Mr. Hood stated that Option 3 was the right choice. He informed council members that the engineer had already been paid in full. He said that he had spoken with the leadership at Schaumburg & Polk, Inc. and they were willing to reimburse the overpayment. He advised that David J. Waxman, Inc. had not yet received their final payment. He noted that the grant administration overpayment would be deducted from that final payment.

Regarding the cancellation of the May 4, 2024, City of Pinehurst General Election, Debbie Cormier read aloud and in its entirety the Certification of Unopposed Candidates by the City Secretary. City Attorney Tommy Gunn read aloud and in its entirety the Ordinance canceling the election. On a motion made by Councilman Greg Willis and seconded by

Mayor Pro Tem J. Michael Shahan, council members unanimously voted to cancel the May 4, 2024, City of Pinehurst General Election.

Regarding the review and discussion of amending Ordinance No. 2006-03, Open Burning, City Administrator Jerry Hood advised that he had received numerous calls regarding burning within Pinehurst city limits. He noted that TCEQ was the governing body regarding open burning. He stated that TCEQ advised that outdoor burning is prohibited in Texas, with exceptions. He explained that there were two exceptions that applied to the City:

1. fires for recreation, which includes ceremonies, cooking, or warmth, and
2. land clearing, which includes trees, brush, grass, leaves, etc.

Mr. Hood advised that the current ordinance required a permit for any outdoor burning. He stated that he didn't think a permit should be required to roast a hotdog or similar activities. He noted that land clearing should require a permit. Council members agreed. Mr. Hood reviewed the ordinance with council members and made several additional suggestions for changes including:

1. Changing burn times from three hours to one hour after sunrise and before sunset.
2. Changing the wind speed allowed for burning.
3. Changing the minimum feet from structures during burning.
4. Fees for burning.
5. Only one land clearing burning permit at a time.

Mr. Hood stated that he wanted to bring clarity to the ordinance. He advised that he would bring the proposed ordinance back to Council next month.

Regarding the discussion and possible action to approve the payment of a Cap Fee prior to closeout of GLO Contract# 20-065-034-C113 Grant from the General Land Office, Jerry Hood advised that no action was needed on this item because it was already discussed under his City Administrator Report.

There were no Announcements, Comments, or Requests from the Council.

There being no further business to transact, Councilwoman Cynthia Adams made a motion to adjourn. Councilman Greg Willis seconded the motion and the motion unanimously passed. Mayor McClendon adjourned the meeting at 6:47p.m.

/s/ Debbie Cormier
City Secretary

/s/ Sarah McClendon
Mayor