

**REGULAR MEETING OF CITY COUNCIL  
FEBRUARY 7, 2012 – 1:30 P.M.**

<b>PRESENT:</b>	Jeff Brain	Mayor
	Leon DeWeese	Council Member
	Robert Vinyard	Council Member
	Marvin Dickson	Council Member
	Charles Gillingham	Council Member

<b>STAFF:</b>	Eddie Edwards	City Manager
	Danny Richards	E.O.C. Director
	Stella E. Sauls	City Secretary
	Jimmy Adams	Chief, Police Department
	Bruce Roberts	Captain, Police Department
	Jim Harder	Director, Utilities
	Ted B. Dodd	Director, Public Works
	Scott Radach	Director, Finance Department

<b>VISITORS:</b>	Ted Wilson	Pastor, St. Andrews Methodist Church
	Judy Mihm	
	Patty Kasch	
	Mark Mitchell	
	Meryl Barnett	
	Jud Hicks	
	Dan Redd	
	Robert Bradley	
	Beverly Benton	
	Ted Wilson	
	Scott Honeyfield	

**NEWS MEDIA:** Michelle Berry

**QUESTIONS AND COMMENTS FROM CITIZENS:** Citizens who have indicated their desire to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter is on the agenda, City Council members are prevented from acting on the subject and may respond only with statements of factual information or existing city policy; however, City Council members may request city staff to place the subject matter on a future agenda. Citizens are limited to three (3) minutes for their presentation to the City Council.

No comments heard.

**MINUTES APPROVED:** Following review of the minutes of the regular meeting of January 17, 2012, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve the minutes as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**PAYMENT OF EXPENDITURES APPROVED:** The expenditures for the last half of January were submitted for the consideration of the Council. Following discussion, motion was made by Council Member Gillingham, seconded by Council Members Dickson, to approve payment of the expenditures for the last half of January as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**BORGER ECONOMIC DEVELOPMENT EXPANSION PROJECTS APPROVED:** Borger Economic Development Corporation Director Dan Redd explained to the Council the following:

- a. Global Frontline Solutions is expanding into projects where safety personnel will be needed to work oil spills. The funding will be used to purchase equipment.
- b. Brandvik Pipe is in the process of purchasing a piece of equipment.

Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Dickson, to approve the expansion projects of Global Frontline Solutions and Brandvik Pipe & Equipment. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**FEASIBILITY STUDY FOR MULTI-PURPOSE EVENT CENTER APPROVED:** Mr. Mark Mitchell spoke on behalf of the Multi-Purpose Event Center Committee and asked the Council for funds to hire Conventions, Sports & Leisure International, (CS& L), to do a feasibility study for this project. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Vinyard, to approve the proposal from CS&L to conduct a feasibility study on a potential Multi-Purpose Events Center and authorize an expenditure from the Tourism Fund not to exceed \$50,000.00 for the project. The motion carried by the following vote:

Ayes: All members presented voted aye.

Nays: None.

**ORDER AND NOTICE FOR GENERAL ELECTION OF OFFICERS APPROVED:** An order and notice of the general election of officers to be conducted on May 12, 2012 was submitted for the consideration of the Council. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Gillingham, to approve the order and notice for a general election May 12, 2012 as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.  
Nays: None.

**JOINT ELECTION AGREEMENT APPROVED:** A joint election agreement between the City of Borger, Borger Independent School District, Borger Junior College District, and the Hutchinson County Hospital District to share expenses of the election scheduled for May 12, 2012 was submitted for the consideration of the Council. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Vinyard, to approve the joint election agreement. The motion carried by the following vote:

Ayes: All members present voted aye.  
Nays: None.

**RESOLUTION R-001-12 ORDERING A REGULAR CITY ELECTION FOR MAY 12, 2012 APPROVED:** City Secretary Stella Sauls submitted Resolution R-001-12 for the consideration of the Council. Motion was made by Council Member Vinyard, seconded by Council Member Dickson, to approve Resolution R-001-12, calling the 2012 Regular General City Election. The motion carried by the following vote:

Ayes: All members present voted aye.  
Nays: None.

Resolution R-001-12 reads as follows:

#### **RESOLUTION R-001-12**

**A RESOLUTION OF THE CITY OF BORGER, TEXAS, ORDERING A REGULAR CITY GENERAL ELECTION TO BE HELD ON THE 12<sup>TH</sup> DAY OF MAY, 2012; DESIGNATING POLLING PLACES; DIRECTING THE GIVING OF NOTICE TO SUCH ELECTION; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS:**

#### **Section 1:**

It is hereby ordered that a Regular General Election be held in the City of Borger the second Saturday in May, the 12<sup>th</sup> day of May, 2012, at which election the following officer shall

be elected by the qualified voters of the City:

One (1) Council Member, at large, Place One (1)

**Section 2:**

Certain county voting precincts shall be combined constituting three election voting places for the purposes of such election, and shall be as follows:

County voting precincts 33 and 42 (City Polling Place No. 1) shall vote at the Paul Belton Early Childhood Center, 800 N. McGee.

County voting precinct 11 (City Polling Place No. 2) shall vote at the Borger Middle School, 1200 S. Florida.

County voting precincts 14 & 23 (City Polling Place No. 3) shall vote at the Fairlanes Baptist Church, 3000 Fairlanes Boulevard.

The City Secretary, upon selection of judges, is here by authorized and directed to provide a copy of the Resolution of the judges as written notice of their appointment as required by Section 32.009 of the Texas Election Code.

The Judges shall have the authority to appoint no more than ten (10) clerks to assist in the holding of such election, but in no event shall the Judge appoint less than two clerks.

The Judges shall be compensated at the hourly rate of \$12, and Clerks shall be compensated at an hourly rate of \$10 as provided by Title 3, Section 32.091(a) of the State Election Code. The Judge shall be compensated in the amount of \$25 for the delivery of election equipment and supplies as provided by Title 3, Section 32.091(a) of the State Election Code.

**Section 3:**

The appointment of a Judge and deputy or clerks for early voting shall be made by the City Secretary in accordance with Section 83.001 et seq. of the Texas Election Code. The place designated as:

City Hall  
City of Borger  
600 North Main Street  
Borger, Texas 79007

Said judge and clerks shall keep said office open during the hours that the City Hall is regularly open for business, that is, from eight o'clock (8:00) a.m. until five o'clock (5:00) p.m. on each day for early voting which is not a Saturday, a Sunday, or an official state holiday. As required under Section 85.005(d). Election Code, early voting by personal appearance at the

main early voting polling place shall be conducted for at least 12 hours; in two weekdays, if the early voting period consists of six or more weekdays; therefore, early voting by personal appearance shall be conducted for 12 hours on Monday, May 7, 2012 and Tuesday May 8, 2012.

Said judge and clerk shall not permit anyone to vote early by personal appearance on any day which is not a regular working day for the clerk's office, and under no circumstances shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public. The above-described place for early voting is also the clerks mailing address to which ballot applications and ballots voted by mail may be sent. The early voting clerk, in accordance with the provisions of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

**Section 4:**

All ballots shall be prepared in accordance with the Texas Election Code. Paper ballots shall be used for early voting by mail and Paper Ballots and Hart InterCivic eSlate Voting Stations, Direct Recording Electronic (DRE) Voting System shall be used for early voting by personal appearance and voting on Election Day. The City Council hereby adopts for use in early and Election Day voting the Hart InterCivic eSlate Ballot Stations, Direct Recording Electronic (DRE) Voting System as approved by the Secretary of State. All city expenditures necessary for the conduct of the election, the purchase of materials, and the employment of all election officials is here by authorized.

**Section 5:**

The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

**Section 6:**

Notice of the election shall be given in accordance with the provisions of the Texas Election code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary after the closing of the polls.

**Section 7:**

Said election shall be held in accordance with Texas Election Code and Federal Voting Rights Act of 1965, as amended.

**PASSED, APPROVED and RESOLVED** this 7<sup>th</sup> day of February 2012.

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**ORDINANCE O-001-12 TO AMEND ARTICLE 13.03 SEWER SERVICE APPROVED:**

Director of Utilities Jim Harder explained to the Council this is to correct some discrepancies with ph values and wording. Following discussion, motion was made by Council Member Vinyard, seconded by Council Members Gillingham and DeWeese, to approve on final reading, Ordinance O-001-12, amending Article 13.03, Sewer Services. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**MEETING ADJOURNED:** There being no further business, motion was made by Council Member Dickson, seconded by Council Member Gillingham and DeWeese, to adjourn the meeting. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

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Mayor

**ATTEST:**

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City Secretary