AGENDA
ARK-TEX COUNCIL OF GOVERNMENTS
BOARD OF DIRECTORS MEETING
SEPTEMBER 28, 2017

The Board of Directors of the Ark-Tex Council of Governments (ATCOG) will meet at 10:00 a.m., Thursday, September 28, 2017, at the Morris County Courthouse Annex, 600 Broadnax, Daingerfield, Texas, hosted by the Honorable Lynda Munkres, Judge, Morris County. (See enclosed map.)

Item 1. Call to order.

Item 2. Invocation.


Item 4. Approve the minutes as submitted of the Ark-Tex Council of Governments Board of Directors Meeting held Thursday, June 29, 2017, in Sulphur Springs, Texas.

Review and Comment

Item 5. Review and comment on an Environmental Assessment to the Texas Commission on Environmental Quality (TCEQ) for proposed Air Quality Permit renewal by New Boston Concrete, LLC to authorize construction of a Concrete Batch Plant located at 100 South McCoy Blvd., New Boston, Bowie County, Texas. (See page 8 - to be presented by staff member Paul Prange)

Item 6. Review and comment on the following Environmental Assessments to TCEQ for proposed Water Quality Permit renewals (See page 10 – to be presented by staff member Paul Prange):

   a) La Frontera Holding, LLC, authorizing the removal of copper monitoring, changing the due date for discharge monitoring reports and revisions to the monitoring location descriptions from the facility located at 3205 FM 137, Paris, Lamar County, Texas, ultimately to North Sulphur River.

   b) City of Linden, authorizing the discharge of treated wastewater from the facility located near the intersection of State Highway 155 and Hamilton Street in Cass County, Texas, ultimately to James’ Bayou.

   c) Riverbend Water Resources District, authorizing the discharge of treated wastewater located near the intersection of Bowie Parkway and US Highway 82 in Bowie County, Texas, ultimately to Wright Patman Lake.

   d) City of Mount Vernon, authorizing the discharge of treated wastewater from the facility located at 408 FM 115, Mt. Vernon, Franklin County, Texas, ultimately to Sulphur/South Sulphur River.

Regular Business

Item 7. Review and consider approval of ATCOG’s Financial Plan for fiscal year ending September 30, 2018. (See attachment 1 – page 18) (To be presented by Executive Director Chris Brown)

Item 8. Review and consider approval of a resolution to adopt the ATCOG Flexible Benefits Plan Cafeteria Plan for FY 2018, as authorized under Section 125 of the Internal Revenue Code of 1986. (See attachment 2 – page 20; see also addendum) (To be presented by staff member Sharon Pipes)

Item 9. Review and consider approval of Equal Employment Opportunity Plan as required by the Texas Department of Transportation. (See attachment 3 – page 21; see also addendum) (To be presented by staff member Leslie McBride)
Item 10. Review and consider approval of revisions to the ATCOG Policy and Procedures Manual as revised by the Board of Directors March 27, 2014. (See attachment 4 – page 23; see also addendum) (To be presented by staff member Leslie McBride)

Item 11. Review and consider approval to combine November and December ATCOG Board meetings into one full Board meeting on Thursday, December 7, 2017. (See attachment 6 – page 26) (To be presented by staff member Amber Thurston)

Item 12. Review and consider approval to enter an Interlocal contract with East Texas Council of Governments (ETCOG) to provide transportation across Service Area Boundaries. (See attachment 7 – page 27; see also addendum) (To be presented by Executive Director Chris Brown)

Item 13. Review and consider approval of Bylaws revisions. (See attachment 8 – page 28; see also addendum) (To be presented by Executive Director Chris Brown)

Other Business

Item 14. Ratification of an Interlocal agreement between the Office of the Governor, Homeland Security Division and ATCOG. (See addendum) (To be presented by Executive Director Chris Brown)

Announcements

The next Executive Committee Meeting will be held Thursday, October 26, 2017, at 10:00 a.m., at the Titus County Extension Office, Mt. Pleasant, Texas.
Morris County Judge

The Courthouse Annex is located across the street from the Courthouse - 600 Broadnax, Daingerfield, Texas.
MINUTES
ARK-TEX COUNCIL OF GOVERNMENTS
BOARD OF DIRECTORS MEETING
JUNE 29, 2017

The Board of Directors of the Ark-Tex Council of Governments (ATCOG) met at 10:00 a.m., Thursday, June 29, 2017, at City Hall, 201 N. Davis St, Sulphur Springs, Texas, hosted by the Honorable Emily Glass, Councilwoman, City of Sulphur Springs.

Item 1. President L.D. Williamson, Judge, Red River County, called the meeting to order. He thanked Councilwoman Glass for hosting the meeting. John Sellers, Mayor, City of Sulphur Springs, welcomed the Board.

Item 2. Scott Lee, Judge, Franklin County, gave the invocation.

Item 3. Each attendee introduced themselves at this time.

Item 4. The next order of business was to approve the minutes as submitted of the Ark-Tex Council of Governments Board of Directors meeting held Thursday, December 6, 2016, in Texarkana, Texas.

Motion to approve was made by Becky Wilbanks, Judge, Cass County, and seconded by James Carlow, Judge, Bowie County. The minutes were approved as submitted.

Review and Comment

Item 5. Paul Prange, Environmental Resources Coordinator, presented for consideration an Environmental Assessment to the Texas Commission for Environmental Quality (TCEQ) for proposed Air Quality Permit renewal by Jeld-Wen to authorize modification to the Exterior Door Manufacturing Plant located at 92 North Hillcrest Drive, Sulphur Springs, Hopkins County, Texas.

Motion to approve was made by Judge Scott Lee and seconded by Brian Lee, Judge, Titus County. It was approved.

Regular Business


He explained the audit received a clean, unmodified opinion, meaning there were no material mis-statements found. The audit was presented and approved for recommendation by the Audit Committee prior to the Board meeting. Judge Williamson noted the healthy fund balance ATCOG has is indicative of how well ATCOG is being ran by current staff, as most COGs do not have that type of balance.

Motion to approve the Audit was made by Judge Wilbanks and seconded by Judge Carlow. It was approved.

Item 7. Melinda Tickle, Finance Manager, presented for consideration annual approval of the Investment Policy that establishes procedures to be followed in investing funds for ATCOG.

Motion to approve was made by Judge Wilbanks and seconded by Judge Scott Lee. It was approved.

Item 8. Ms. Tickle presented for consideration annual approval of the proposed Salary Schedule for ATCOG for fiscal year ending September 30, 2018 for submission to the Office of the Governor.

Motion to approve was made by A.M. “Rip” Benefield, Councilman, Queen City, and seconded by Mayor Sellers. It was approved.
Item 9. Sharon Pipes, Director of Administration, presented for consideration approval of revisions to the ATCOG Policies and Procedures Manual as revised by the Board of Directors March 27, 2014. Most of the revisions include the dress code and office etiquette.

Motion to approve was made by Judge Carlow and seconded by Judge Brian Lee. It was approved.

Item 10. Ms. Pipes presented for consideration approval of Rerate and Benefit Verification Form with Texas Municipal League Multistate Intergovernmental Employee Benefits Pool (TMLIEBP) for Plan Year 2017-2018 and approval of increased rates procedure.

The Budget/Personnel Committee met prior to the Board meeting and approved option 2, which will decrease the monthly Health Savings Account (HSA) funds each participant receives, but allows ATCOG to continue to provide that particular benefit.

Motion to approve was made by Councilman Benefield and seconded by Mayor Sellers. It was approved.

Item 11. Chris Brown, Executive Director, presented for consideration approval of the Abila MIP Fund Accounting Software package.

Mr. Brown explained he would like permission to use ATCOG’s fund balance to pay the start-up costs of approximately $25,000, which is a bit pricey, but the value and resources provided out-weigh the cost.

Motion to approve was made by Judge Brian Lee and seconded by Judge Scott Lee. It was approved.

Item 12. Mae Lewis, Housing Manager, presented for consideration approval of the ATCOG Housing Choice Voucher Program Annual Plan.

Motion to approve was made by Mayor Sellers and seconded by Judge Wilbanks. It was approved.

Item 13. Ms. Lewis presented for consideration approval of the Housing emergency Transfer Plan for victims of domestic violence, dating violence, sexual assault, or stalking in compliance with the PHA plans and related regulations regarding the Administrative Plans for fiscal year beginning on October 1, 2016.

Motion to approve was made by Judge Carlow and seconded by Judge Wilbanks. It was approved.

Item 14. Mary Beth Rudel, Public Safety Manager, presented for consideration approval for use of the risk-based formula as the method for allocating FY2018 Homeland Security Grant Program (HSGP) funds to eligible jurisdictions.

Motion to approve was made by Judge Wilbanks and seconded by Councilman Benefield. It was approved.

Item 15. Nancy Hoehn, Transportation Manager, presented for consideration approval of the ATCOG Rural Transit District (RTD) Title VI Program revisions to include program updates as mandated by the Federal Transit Administration (FTA).

Motion to approve was made by Judge Scott Lee and seconded by Brady Fisher, Northeast Texas Resource Conservation & Development. It was approved.

Item 16. Ms. Hoehn presented for consideration approval of adoption of the ATCOG ADA Complimentary Paratransit Service Plan for Paris Metro as the comprehensive Paratransit plan for the ATCOG RTD Paris Metro System.

Motion to approve was made by M.C. Superville, Jr., Judge, Lamar County, and seconded by Mayor Sellers. It was approved.
Other Business

Item 17. Ms. Rudel presented an update on the ATCOG Monthly Communications Repeater Test.

Item 18. Ms. Rudel also presented FY16 and FY17 Homeland Security Grant updates.

Item 19. Mr. Brown presented Ratification of the following contracts:

a. Services Agreement between Frontier Associates, LLC, Sharyland Utilities and ATCOG.

b. TCEQ Cooperative Reimbursement Contract for State Agencies and Local Governments.

Motion to approve these contracts was made by Mayor Sellers and seconded by Judge Scott Lee. Both contracts were approved.

Announcements

Judge Williamson announced the next Executive Committee Meeting will be held on Thursday, July 27, 2017, at 10:00 a.m. in Mt. Pleasant.

Amber Thurston, Executive Assistant, thanked Mayor Sellers, Councilwoman Emily Glass and the City of Sulphur Springs for hosting the meeting.

There were no other announcements, so motion to adjourn was made by Judge Wilbanks and seconded by Judge Scott Lee. The meeting was adjourned.

EXECUTIVE COMMITTEE MEMBERS PRESENT
L.D. Williamson, Judge, Red River County
M.C. (Chuck) Superville, Jr., Judge, Lamar County
Scott Lee, Judge, Franklin County
Robert Newsom, Judge, Hopkins County
Brian Lee, Judge, Titus County
James Carlow, Judge, Bowie County
Emily Glass, Mayor Pro Tem, City of Sulphur Springs
A.M. "Rip" Benefield, Councilman, Queen City
Marc Reiter, Councilman, City of Hooks
Brady Fisher, Northeast Texas Resource Conservation & Development District

BOARD MEMBERS PRESENT
Robert L. Douglas, Delta County MUD

GUESTS PRESENT
Ray Wilson, Office of Senator Bryan Hughes
Robert McGee, Chief of Police, Queen City
Lezley Brown, Hopkins County Chamber of Commerce
Frank Estes, Red River County

STAFF PRESENT
Chris Brown, Executive Director
Sharon Pipes, Director of Administration
Melinda Tickle, Finance Manager
Mary Beth Rudel, Public Safety Manager
Mae Lewis, Housing Manager
Nancy Hoehn, Transportation Manager
# Application / Project Staff Review for Environmental Assessment

**Project SAI No:** TX-R-20170905-0001-05  
**Date Received:** 9-01-17  
**Staff Assignment:** Paul Prange

**Applicant:** New Boston, Concrete, Inc.

**Project Description:** New Boston, Concrete, Inc. has applied to TCEQ for issuance of Air Quality Permit Number 148134, which would authorize the construction of a Concrete Batch Plant located at 100 South McCoy Boulevard, New Boston, Bowie County, Texas. The facility will emit particulate matter less than 10 microns in size and 2.5 microns in size.

## Project/EA Review:

**Area to be served:** New Boston, Bowie County, Texas.

**Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances?** Yes. The TCEQ executive director has determined that the application is administratively complete and will conduct a technical review of the application.

**Is the project consistent with state, area wide, and/or local planning or does it contribute toward goals or objectives identified at one or more of governmental levels?** Yes. This permit application meets all statutory and regulatory requirements.

**Has this project been coordinated through the Texas Commission on Environmental Quality?** Yes, coordination is in progress.

**Does the project address a clearly defined need and does the project take into account preservation of the environment?** There is a clearly defined need for this facility, which provides employment, helps stimulate the economy and is a local source of a necessary construction material, vital to the growth of our region. All guidelines required by TCEQ to protect the environment are being followed, thus minimal disruption of the environment is expected.

**Is the project likely to produce any significant adverse effects on the environment?** No. The facility is located at the intersection of South McCoy Boulevard and NE Front Street. All precautions to reduce the amount of air pollution associated with this operation will be taken, however some road dust and cement residue will be generated by the vehicle traffic at this site.

**Do the anticipated accomplishments of the project justify the disruption to the environment?** Yes. The operation of this concrete batch plant provides employment to residents in the surrounding area and helps facilitate construction projects which are ongoing within our region. The disruption of the environment is minimal compared to the accomplishments.

## Staff Assessment of Environmental Impact:

The permit renewal will not create any significant detrimental impact to the environment, as determined by TCEQ.

## Recommended Comment:

Staff recommends support of this permit renewal application by New Boston, Concrete, Inc.
RESOLUTION NO. __________

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND COMMENT ON THE PROPOSED ISSUANCE OF AIR QUALITY PERMIT NUMBER 148134, WHICH WOULD AUTHORIZE THE CONSTRUCTION OF A CONCRETE BATCH PLANT LOCATED AT 100 SOUTH MCCOY BOULEVARD, NEW BOSTON, BOWIE COUNTY, TEXAS BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), TO NEW BOSTON, CONCRETE, INC. THE FACILITY WILL EMIT PARTICULATE MATTER WITH DIAMETERS OF 10 AND 2.5 MICRONS OR LESS.

WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968, the Ark-Tex Council of Governments has been designated as the area wide agency to review certain projects; and

WHEREAS, it is desirable and in the public interest that certain development plans be reviewed by the Ark-Tex Council of Governments for their consistency with the overall development of the Region, and any environmental impacts resulting wherefrom.

NOW, THEREFORE BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board of Directors recognizes the Executive Director as the Authorized Official, and he has been given the power to comment upon projects having an environmental impact. This application has been reviewed by the Board of Directors and can reasonably be approved.

Section 2 - That the above-mentioned permit is desirable and needed for continued development in the Region.


____________________________________
L. D. Williamson, President
Ark-Tex Council of Governments

ATTEST:

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ARK-TEX COUNCIL OF GOVERNMENTS
APPLICATION / PROJECT STAFF REVIEW FOR
ENVIRONMENTAL ASSESSMENT

| Project SAI No: TX-R-20170914-0002-05 | Date Received: 9-14-17 | Staff Assignment: Paul Prange |

**Applicant:** La Frontera Holdings, LLC.

**Project Description:** La Frontera Holdings, LLC, which owns a combined-cycle steam-electric generating power plant, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004127000 to authorize the removal of copper monitoring via Outfall 001; changing the due date for discharge monitoring reports; and revisions to the monitoring location descriptions for Outfalls 001 and 002. The facility is located at 3205 FM 137, Paris, Lamar County, Texas. Discharge is from the plant site into the watershed of the North Sulphur River.

**PROJECT/EA REVIEW:**

**Area to be served:** Paris, Lamar County, Texas

**Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances?** The TCEQ executive director has determined that the application is administratively complete, and will conduct a technical review.

**Is the project consistent with state, area wide, and/or local planning or does it contribute toward goals or objectives identified at one or more of governmental levels?** Yes. This permit application meets all statutory and regulatory requirements.

**Has this project been coordinated through the Texas Commission on Environmental Quality?** Yes, coordination is in progress.

**Does the project address a clearly defined need and does the project take into account preservation of the environment?** There is a clearly defined need for the continued production of electricity at this site, which provides power to the City of Paris and the surrounding area. All guidelines required by TCEQ to protect the environment are being followed and minimal disruption of the environment is expected.

**Is the project likely to produce any significant adverse effects on the environment?** No. The wastewater released from this site is treated and monitored before being introduced into the environment.

**Do the anticipated accomplishments of the project justify the disruption to the environment?** Yes. The continued operation of this site is necessary to provide electrical power to entire population of Central Lamar County. The disruption of the environment is minimal compared to the benefits provided.

**STAFF ASSESSMENT OF ENVIRONMENTAL IMPACT:** The permit amendment will not create any significant detrimental impact to the environment, as determined by TCEQ.

**RECOMMENDED COMMENT:** Staff recommends support of this permit amendment application by La Frontera Holdings, LLC.
RESOLUTION NO. __________

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND
COMMENT ON AN AMENDMENT TO TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM
(TPDES) PERMIT NO. WQ0004127000 TO AUTHORIZE THE REMOVAL OF COPPER
MONITORING VIA OUTFALL 001; CHANGING THE DUE DATE FOR DISCHARGE MONITORING
REPORTS; AND REVISIONS TO THE MONITORING LOCATION DESCRIPTIONS FOR
OUTFALLS 001 AND 002, FOR LA FRONTERA HOLDING, LLC. THE POWER PLANT FACILITY
IS LOCATED AT 3205 FM 137 IN PARIS, LAMAR COUNTY, TEXAS. THE DISCHARGE ROUTE
IS FROM THE PLANT SITE TO THE WATERSHED OF THE NORTH SULPHUR RIVER.

WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of
1966 and Title IV of the Intergovernmental Cooperation Act of 1968, the Ark-Tex Council of
Governments has been designated as the area wide agency to review certain projects; and

WHEREAS, it is desirable and in the public interest that certain development plans be reviewed by
the Ark-Tex Council of Governments for their consistency with the overall development of the
Region, and any environmental impacts resulting wherefrom.

NOW, THEREFORE BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board of Directors recognizes the Executive Director as the Authorized
Official, and he has been given the power to comment upon projects having an
environmental impact. This application has been reviewed by the Board of Directors
and can reasonably be approved.

Section 2 - That the above-mentioned permit is desirable and needed for continued
development in the Region.


____________________________________
L.D. Williamson, President
Ark-Tex Council of Governments

ATTEST:

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# Application / Project Staff Review for Environmental Assessment

**Project SAI No:** TX-R-20170914-0001-05  
**Date Received:** 9-14-17  
**Staff Assignment:** Paul Prange

**Applicant:** City of Linden, Texas.

**Project Description:** The City of Linden, Texas has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010429004 to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 250,000 gallons per day. The domestic wastewater treatment facility is located approximately 1,600 feet southwest of the intersection of State Highway 155 and Hamilton Street in Cass County Texas. The discharge route is from the plant site to an unnamed tributary of James’ Bayou; thence to James’ Bayou.

## Project/EA Review:

### Area to be Served:
Linden, Cass County, Texas.

### Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances?
Yes. The TCEQ executive director has determined that the application is administratively complete and will conduct a technical review of the application.

### Is the project consistent with state, area wide, and/or local planning or does it contribute toward goals or objectives identified at one or more of governmental levels?
Yes. These permits application meet all statutory and regulatory requirements.

### Has this project been coordinated through the Texas Commission on Environmental Quality?
Yes, coordination is in progress.

### Does the project address a clearly defined need and does the project take into account preservation of the environment?
There is a clearly defined need for this TPDES Permit renewal to allow the operation of the domestic wastewater treatment facility. This facility serves the needs of the residents of Linden, TX. All guidelines required by TCEQ to protect the environment are being followed, thus minimal disruption of the environment is expected.

### Is the project likely to produce any significant adverse effects on the environment?
No. The renewal of this permit will not authorize an increase in the number gallons of treated wastewater that can be discharged into the environment and the plant is in good operational condition.

### Do the anticipated accomplishments of the project justify the disruption to the environment?
Yes. The renewal of this permit will allow the operation of the facility, which serves the residents of the City of Linden, TX. The disruption of the environment is minimal compared to the accomplishments.

## Staff Assessment of Environmental Impact:
The permit renewal will not create any significant detrimental impact to the environment, as determined by TCEQ.

## Recommended Comment:
Staff recommends support of this permit renewal application by the City of Linden, TX.
RESOLUTION NO. __________

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND COMMENT ON THE PROPOSED RENEWAL OF TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. WQ0010429004, BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), FOR THE CITY OF LINDEN, CASS COUNTY, TEXAS TO AUTHORIZE THE DISCHARGE OF TREATED WASTEWATER AT A VOLUME NOT TO EXCEED AN ANNUAL DAILY FLOW OF 250,000 GALLONS. THE DOMESTIC WASTEWATER TREATMENT FACILITY IS LOCATED APPROXIMATELY 1,600 FEET SOUTHWEST OF THE INTERSECTION OF STATE HIGHWAY 155 AND HAMILTON STREET IN CASS COUNTY, TEXAS. THE DISCHARGE ROUTE IS FROM THE PLANT SITE TO AN UNNAMED TRIBUTARY OF JAMES' BAYOU; THENCE TO JAMES' BAYOU.

WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968, the Ark-Tex Council of Governments has been designated as the area wide agency to review certain projects; and

WHEREAS, it is desirable and in the public interest that certain development plans be reviewed by the Ark-Tex Council of Governments for their consistency with the overall development of the Region, and any environmental impacts resulting wherefrom.

NOW, THEREFORE BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board of Directors recognizes the Executive Director as the Authorized Official, and he has been given the power to comment upon projects having an environmental impact. This application has been reviewed by the Board of Directors and can reasonably be approved.

Section 2 - That the above-mentioned permit is desirable and needed for continued development in the Region.


L. D. Williamson, President
Ark-Tex Council of Governments

ATTEST:

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13
**Project SAI No:** TX-R-20170905-0002-05  
**Date Received:** 09-01-17  
**Staff Assignment:** Paul Prange  

**Applicant:** Riverbend Water Resources District  

**Project Description:** Riverbend Water Resources District, 228A Texas Avenue, New Boston, Texas, which owns a wastewater collection and treatment system facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004664000 to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 1,500,000 gallons per day. The facility is located 2.4 miles south of the intersection of Bowie Parkway and U.S. Highway 82 and approximately 10 miles east of New Boston, Bowie County, Texas. The discharge route is from the plant site to East Fork Elliot Creek; thence to Elliot Creek; thence to Wright Patman Lake.  

**PROJECT/EA REVIEW:**  

- **Area to be served:** Red River Army Depot.  
  
- **Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances?** Yes. The TCEQ executive director has determined that the application is administratively complete and will conduct a technical review of the application.  
  
- **Is the project consistent with state, area wide, and/or local planning or does it contribute toward goals or objectives identified at one or more of governmental levels?** Yes. This permit application meets all statutory and regulatory requirements.  
  
- **Has this project been coordinated through the Texas Commission on Environmental Quality?** Yes, coordination is in progress.  
  
- **Does the project address a clearly defined need and does the project take into account preservation of the environment?** There is a clearly defined need for the renewal of this TPDES Permit to allow the continued operation of the domestic wastewater treatment facility. This facility serves the employees of Red River Army Depot. All guidelines required by TCEQ to protect the environment are being followed, thus minimal disruption of the environment is expected.  
  
- **Is the project likely to produce any significant adverse effects on the environment?** No. The renewal of this permit will not authorize an increase in the number gallons of treated wastewater that can be discharged into the environment. This facility is in excellent operational condition. Before being discharged, the water is chemically treated, passes through particulate filters and is then piped to a sedimentation pond located at this facility.  
  
- **Do the anticipated accomplishments of the project justify the disruption to the environment?** Yes. The renewal of this permit will allow the continued operation of this facility, which serves the employees at Red River Army Depot. The disruption of the environment is minimal compared to the accomplishments.  

**STAFF ASSESSMENT OF ENVIRONMENTAL IMPACT:** The permit renewal will not create any significant detrimental impact to the environment, as determined by TCEQ.  

**RECOMMENDED COMMENT:** Staff recommends support of this permit renewal application by Riverbend Water Resources District.
RESOLUTION NO. __________

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND COMMENT ON THE PROPOSED RENEWAL OF TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. WQ0004664000, BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), FOR RIVERBEND WATER RESOURCES DISTRICT, 228A TEXAS AVENUE, NEW BOSTON, BOWIE COUNTY, TEXAS TO AUTHORIZE THE DISCHARGE OF TREATED WASTEWATER AT A VOLUME NOT TO EXCEED A DAILY AVERAGE FLOW OF 1,500,000 GALLONS PER DAY. THE FACILITY IS LOCATED 2.4 MILES SOUTH OF THE INTERSECTION OF BOWIE PARKWAY AND U.S. HIGHWAY 82 AND APPROXIMATELY 10 MILES EAST OF NEW BOSTON, BOWIE COUNTY, TEXAS. THE DISCHARGE ROUTE IS FROM THE PLANT SITE TO EAST FORK ELLIOT CREEK; THENCE TO ELLIOT LAKE; THENCE TO WRIGHT PATMAN LAKE.

WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968, the Ark-Tex Council of Governments has been designated as the area wide agency to review certain projects; and

WHEREAS, it is desirable and in the public interest that certain development plans be reviewed by the Ark-Tex Council of Governments for their consistency with the overall development of the Region, and any environmental impacts resulting wherefrom.

NOW, THEREFORE BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board of Directors recognizes the Executive Director as the Authorized Official, and he has been given the power to comment upon projects having an environmental impact. This application has been reviewed by the Board of Directors and can reasonably be approved.

Section 2 - That the above-mentioned permit is desirable and needed for continued development in the Region.


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L. D. Williamson, President
Ark-Tex Council of Governments

ATTEST:
## Project Description
The City of Mount Vernon has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ001122001 to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 20,000 gallons per day. The domestic water treatment facility is located at 408 FM 115, Mount Vernon, Franklin County, Texas. The discharge route is from the plant site to Denton Creek; thence to Big Creek; thence to White Oak Bayou; thence to Sulphur / South Sulphur River.

## PROJECT/EA REVIEW:

**Area to be served:** Mount Vernon, Franklin County, Texas.

Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances? Yes. The TCEQ executive director has determined that the application is administratively complete and will conduct a technical review of the application.

Is the project consistent with state, area wide, and/or local planning or does it contribute toward goals or objectives identified at one or more of governmental levels? Yes. This permit application meets all statutory and regulatory requirements.

Has this project been coordinated through the Texas Commission on Environmental Quality? Yes, coordination is in progress.

Does the project address a clearly defined need and does the project take into account preservation of the environment? There is a clearly defined need for the renewal of this TPDES Permit to allow the continued operation of the domestic wastewater treatment facility. This facility serves the entire population of Mont Vernon. All guidelines required by TCEQ to protect the environment are being followed, thus minimal disruption of the environment is expected.

Is the project likely to produce any significant adverse effects on the environment? No. The renewal of this permit will not authorize an increase in the number gallons of treated wastewater that can be discharged into the environment. This facility is currently in good operational condition.

Do the anticipated accomplishments of the project justify the disruption to the environment? Yes. The renewal of this permit will allow the continued operation of this facility, which directly serves the needs of all citizens Mount Vernon. The disruption of the environment is minimal compared to the accomplishments.

## STAFF ASSESSMENT OF ENVIRONMENTAL IMPACT:
The permit renewal will not create any significant detrimental impact to the environment, as determined by TCEQ.

## RECOMMENDED COMMENT:
Staff recommends support of this permit renewal application by the City of Mount Vernon.
RESOLUTION NO. __________

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND COMMENT ON THE PROPOSED RENEWAL OF TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. WQ0011122001, BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), FOR THE CITY OF MOUNT VERNON, FRANKLIN COUNTY, TEXAS TO AUTHORIZE THE DISCHARGE OF TREATED WASTEWATER AT A VOLUME NOT TO EXCEED A DAILY AVERAGE FLOW OF 20,000 GALLONS PER DAY. THE FACILITY IS LOCATED AT 408 FM 115, MOUNT VERNON, FRANKLIN COUNTY, TEXAS. THE DISCHARGE ROUTE IS FROM THE PLANT SITE TO DENTON CREEK; THENCE TO BIG CREEK; THENCE TO WHITE OAK BAYOU; THENCE TO SULPHUR / SOUTH SULPHUR RIVER.

WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968, the Ark-Tex Council of Governments has been designated as the area wide agency to review certain projects; and

WHEREAS, it is desirable and in the public interest that certain development plans be reviewed by the Ark-Tex Council of Governments for their consistency with the overall development of the Region, and any environmental impacts resulting therefrom.

NOW, THEREFORE BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board of Directors recognizes the Executive Director as the Authorized Official, and he has been given the power to comment upon projects having an environmental impact. This application has been reviewed by the Board of Directors and can reasonably be approved.

Section 2 - That the above-mentioned permit is desirable and needed for continued development in the Region.


____________________________________
L. D. Williamson, President
Ark-Tex Council of Governments

ATTEST:

____________________________________

17
FY 2018 Financial Plan Highlights

- This is a Work Plan and Financial Plan combined. It is not technically a budget because ATCOG does not have taxing or oversight authority.

- As required by legislation, it presents each grant’s objectives, work tasks, performance measures, implementation schedules, human resource requirements and budget information.

- Within each State or Federal grant that we administer, the funding agency regulates the categories in which we are allowed to spend funds. The funding source has complete oversight for the individual grant programs.

1. This Plan includes recommended merit step increases for several staff as funds permit within the separate grant programs. The last COLA was given for FY2017.

2. Changes in funding from the prior year include: Transportation Systems will utilize an increase of $390,716, Housing Program will experience a increase of $137,747, Aging will increase $11,227, Criminal Justice decreased by $2,121; 9-1-1 Emergency Communications will experience a $64,812 decrease, Homeland Security funding will decrease $108,759, Regional Special Grant Programs show a decrease of $36,293, Economic Development has a decrease of $932, and Environmental decreased $2,167.
3. ATCOG’s health care provider continues to be Texas Municipal League (TMLIEBP). Premiums for our basic medical plan were increased for this coming year by 9%. Rates for dental, life and AD&D were unchanged and all paid by ATCOG. ATCOG will pay a defined contribution amount of $642.74 per month for each employee’s basic medical rate of $592.74 with the remaining $50.00 deposited into a Health Savings Account (HSA) and $32.66 per month for employee’s dental insurance. Employees have the option to “buy up” to a medical plan with less deductible and/or out of pocket and to make extra contributions to their HSA. Additional premium cost over $642.74 per month will be paid by the employee.

4. The published Indirect rate increased from 4%, to 6.6%.

5. The Benefit rate decreased from 62%, to 49.55%.

6. ATCOG’s mileage reimbursement remains $.45 per mile.

7. Hotel reimbursement and out-of-town meal allowances will continue to follow the General Appropriations Act, Senate Bill 1, Article IX. The Act requires agencies to use the General Services Administration federal travel rates to determine the maximum lodging reimbursement rates. Allowable GSA meal rates were increased for FY2017, but ATCOG currently maintains a cap on the meal rate in our Policies and Procedure Manual.
ITEM 8:

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) FOR REVIEW AND ADOPTION OF THE ATCOG FLEXIBLE BENEFITS PLAN (FBP) CAFETERIA PLAN FOR FY 2018.

WHEREAS, the Ark-Tex Council of Governments (ATCOG) is a Regional Planning Commission established pursuant to the authority granted by Article 1011m, Revised Civil Statutes of Texas, and Arkansas Interlocal Cooperation Act 430; and

WHEREAS, ATCOG wishes to adopt the form of Cafeteria Plan, as authorized under Section 125 of the Internal Revenue Code of 1986, such Plan presented to the Board of Directors this date; and

WHEREAS, the Plan Year shall be for a period beginning on October 1, 2017, and ending September 30, 2018; and

WHEREAS, ATCOG, the Employer, shall submit to the Plan amounts collected from participating employees sufficient to meet their obligation under the Cafeteria Plan, in accordance with the terms of the Plan Document, and shall notify the Plan Administrator to which periods said contributions shall be applied; and

WHEREAS, ATCOG, the Employer, shall notify employees immediately of the adoption of the Cafeteria Plan by making available for review to each employee the Summary Plan Description, such form presented and approved at this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS:

Section 1 - That the Board of Directors approves the Ark-Tex Council of Governments FBP Cafeteria Plan.

Section 2 - That Exhibits A and B attached hereto are true copies of the Plan Document and Summary Plan Description for Ark-Tex Council of Governments FBP Cafeteria Plan.

Section 3 - That this Plan shall be made available for review by all employees of Ark-Tex Council of Governments upon its approval.

Section 4 - That this Resolution shall be in effect immediately upon its execution.

REVIEWED AND APPROVED THIS 28th DAY OF SEPTEMBER 2017.

L. D. Williamson, President
Ark-Tex Council of Governments
BRIEFING PAPER – ACTION ITEM

ITEM 9:

Review and consider approval of Equal Employment Opportunity Plan as required by the Texas Department of Transportation.

BACKGROUND:

ATCOG Transportation Department now has over 50 employees. As a result, ATCOG is now required to have an Equal Employment Opportunity Plan in place per the Texas Department of Transportation.

DISCUSSION:

The purpose of the Equal Employment Opportunity Plan is to affirm that ATCOG will provide a work environment that is free from discrimination, including harassment, based on race, color, national origin, religion, creed, sex, age, genetic information or disability.

The plan provides guidelines for the following:

Employment Practices-This section provides guidance to ensure no discrimination occurs in the recruitment and testing process, job descriptions, transfer procedures, interview procedures, promotions, wage procedures, salary level and other benefits, disciplinary procedures, termination and layoff, and training.

Goals and Timetables-This section provides actions that should be performed annually to ensure ATCOG is in compliance with the EEO Plan. These actions include analyzing the ATCOG workforce, reviewing the plan, and keeping logs of each applicant.

EEO Complaint Process-This section provides information to individuals who would like to discuss and/or file a complaint alleging discrimination and what could happen with those complaints. This includes counseling, filing a formal complaint, the rejection of a complaint, investigation, informal resolution, complaint disposition, appeal of disposition, and special provisions.

These guidelines ensure ATCOG does not discriminate for any reason and that individuals understand what actions they can take if they feel like they are being discriminated against.

Also included in the plan is data representing the ATCOG workforce. This data includes demographics of employees in each job category, salary ranges by job category, and employment practices such as separations, disciplinary actions, promotions, and hiring.

By approving the Equal Employment Opportunity Plan, ATCOG hereby affirms to commit to equal employment for all persons, regardless of race, color, creed, national origin, genetic information, sex or age.

RECOMMENDATION:

The Texas Department of Transportation has reviewed and approves the plan. Staff recommends approval of the Equal Employment Opportunity Plan as required by the Texas Department of Transportation.
RESOLUTION NO. __________


WHEREAS, the Ark-Tex Council of Governments is a Regional Planning Commission established pursuant to the authority granted by Article 1011m, Revised Civil Statutes of Texas, and Arkansas Interlocal Cooperation Act 430; and

WHEREAS, the Texas Department of Transportation requires adoption of an Equal Employment Opportunity Plan for any entity with 50 or greater transit-related employees in order to continue to receive funding (as defined in circular FTA C4704.1A); and

WHEREAS, adoption of the Equal Employment Opportunity Plan is now required for ATCOG because our Transportation Program exceeds 50 employees.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS:


Section 2 - That the Equal Employment Opportunity Plan meets or exceeds the minimum requirements provided by the Texas Department of Transportation.

Section 3 - That all ATCOG employees will be informed of the Equal Employment Opportunity Plan and will be given access to the plan on the web site and in designated locations throughout the office buildings.

Section 3 - That this Resolution shall be in effect immediately upon its execution.

REVIEWED AND APPROVED THIS 28th DAY OF SEPTEMBER 2017.

L. D. Williamson, President
Ark-Tex Council of Governments

ATTEST:
ITEM 10:

Review and consider approval of revisions to the Ark-Tex Council of Governments (ATCOG) Policies and Procedures Manual as revised by the Board of Directors March 27, 2014.

BACKGROUND

The Board of Directors is required to approve all revisions to the Policies and Procedures Manual. We request to update our manual to include revisions in the equal opportunity employment policy, hiring and application processing procedures, administrative leave policy, and overtime policy. Sections 2.01, 4.03, 6.26, and 9.07 proposed revisions are attached.

DISCUSSION

We are proposing the following revisions to our policy manual:

2.01 Equal Opportunity Employment. We are proposing adding the Equal Employment Opportunity (EEO) Plan Policy Statement to section two of the policy manual. Per ATCOG’s EEO Plan, we are required to include this information in our policy manual.

4.03 Hiring and Application Processing Procedures. We are proposing exceptions to the procedures for the hiring and application process for drivers. These exceptions ensure ATCOG is following the EEO Plan.

6.26 Administrative Leave. We are proposing adding information to clarify scheduled leave during the time administrative leave is awarded. Standard practice has always been that if you are scheduled to be on annual, personal, or sick leave when administrative leave is awarded, you will still be charged for the scheduled leave. However, Section 6.25 of the policies manual only reflected these leaves would be charged if administrative leave was granted during inclement weather. We are proposing adding this policy to clarify that leave will be charged at any time administrative leave is granted.

9.07 Overtime-General. We are proposing to add numbers four and five to the policy. The law requires that compensatory time accrued over 12 months previous must be paid in wages. This policy will ensure employees schedule compensatory time within a reasonable amount of time.

If approved by the Board, the policy revisions will be distributed to all employees and added to our Policies and Procedures Manual on the shared administration folder.

RECOMMENDATION

Staff recommends approval of all revisions to the Policies and Procedures Manual in the sections as outlined above.

Attachments
Introductory Information

Policy Statement
The Ark-Tex Council of Governments (ATCOG) will provide a work environment that is free from discrimination, including harassment, based on race, color, national origin, religion, creed, sex, age, genetic information, disability, or other protected class. The prohibition against employment discrimination and harassment may extend to conduct that employees are subjected to from vendors, contractors, providers, customers, or others who enter the workplace. Unlawful discrimination may include, but is not limited to, employment actions related to recruitment, hiring, examination, transfer, appointment, training, promotion, demotion, compensation, termination, layoffs, or the administration of employee benefits. ATCOG shall give a veteran's preference in employment to applicants who are eligible under state statutes, and may give preference to applicants who are spouses or immediate family members of eligible veterans. The degree of such preference shall be determined by the ATCOG Executive Director and/or other supervisor(s) involved in the selection process for the position being filled. ATCOG intends to continue giving preference to veterans and their spouses or immediate family members until such time as at least 40% of the employees of ATCOG are members of this category. An applicant must meet the minimum standards for the position being filled, or must be capable of meeting such standards within a reasonable time, or that applicant cannot be considered for employment, regardless of any preference that may apply. ATCOG is committed to complying with all applicable federal, state, and local civil rights laws that pertain to employment. Any person employed by ATCOG who fails to comply with this policy is subject to disciplinary action.

Further, ATCOG affirms:
- ATCOG and contractors commit to equal employment for all persons, regardless of race, color, creed, national origin, genetic information, sex, sexual orientation, pregnancy, or age;
- A commitment to undertake an affirmative action program, including goals and timetables, in order to overcome the effects of past discrimination on minorities and women;
- Commit to develop a written nondiscrimination program that sets forth the policies, practices, and procedures, with goals and timetables, to which the agency is committed and make the EEO Program available for inspection by any employee or applicant for employment upon request;
- That the responsibility for the implementation of the EEO Program is assigned to the Human Resources Coordinator, who is the designated EEO Officer;
- That all management/ supervisory personnel share in this responsibility and will be assigned specific tasks to assure that compliance is achieved;
- That applicants and employees have the right to file complaints alleging discrimination with the appropriate official;
- That performance by managers, supervisors, etc., will be evaluated on the success of the EEO program the same way as their performance on their agency's goals; and
- That successful achievement of EEO goals will provide benefits to ATCOG through the fuller utilization and development of previously underutilized human resources.
ATCOG is also committed to making reasonable accommodation for individuals to practice or observe their religion or for the known physical or mental limitations of qualified individuals with disabilities and qualified veterans with disabilities, unless such accommodation would impose an undue hardship on the conduct of ATCOG business. ATCOG is equally committed to engaging in an interactive process with any person requesting accommodation as needed to determine a reasonable accommodation.

Additionally, colleagues and applicants shall not be subjected to any harassment, threats, coercion, intimidation, retaliation, or discrimination because they have requested reasonable accommodation; filed a complaint; and assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state or local law requiring equal employment opportunity; opposed any act or practice made unlawful by any federal, state or local law requiring equal opportunity; or exercised any other right protected by federal, state or local law requiring equal employment opportunity.

The Human Resources Coordinator shall act as the EEO Officer and be responsible for implementing the EEO Program. The Human Resources Coordinator reports directly to the Director of Administration who reports directly to the Executive Director. The EEO Officer’s contact information is below:

Leslie McBride, Human Resources Coordinator
Ark-Tex Council of Governments
4808 Elizabeth Street, Texarkana, Texas 75503
Telephone: (903) 255-3513
Fax: (903) 793-0420
Email address: lmcbride@atcog.org

The adoption of this EEO plan by the ATCOG Executive Committee is a reaffirmation of adherence to and promotion by the Committee of the policy of nondiscrimination in all action affecting ATCOG employees. The guidelines and objectives contained in this plan are designed to assist ATCOG and all of its employees in adhering to that policy.

Chris Brown, Executive Director
Ark-Tex Council of Governments

Date
ITEM 11:

Review and consider approval to combine the November Executive Committee and December Full Board Meetings of Ark-Tex Council of Governments and consider approval of Thursday, December 7, 2017 as the date for the full Board to meet.

BACKGROUND:

According to our Bylaws, Article V, Section 2, our Executive Committee shall meet monthly, and our Board Meetings have been set as the last Thursday of each month. This has always been a problem around the holiday season. This year, the dates fall on Thanksgiving Day in November and Christmas week December.

DISCUSSION:

We are proposing that the November and December meetings be combined into one meeting, which would be a Full Board meeting on Thursday, December 7, 2017.

Board approval is required to change a meeting date.

RECOMMENDATION:

Staff recommends approval for the requested change in dates for the Board Meeting.
ITEM 12:

Review and consider approval to enter an Interlocal Contract with East Texas Council of Governments (ETCOG).

BACKGROUND:

ATCOG and ETCOG have joined forces to provide transportation across Service Area Boundaries, particularly as it relates to Veteran Transportation needs. This effort is evidenced by the attached Interlocal Contract.

DISCUSSION:

TxDOT awarded a Regional Planning Demonstration Grant for this work. The actual TxDOT agreement will be with ETCOG and ATCOG’s involvement is documented in the Interlocal Contract. The amount of the grant is $106,250 with ½ budgeted for ETCOG staff time and ½ budgeted for ATCOG staff time. The specifics of the grant are detailed in the attachment as is the budget. The Interlocal Contract has been drafted in such a way to allow on-going efforts to collaborate with specifics evidenced in Addendums to the Contract. In that way more opportunities can be pursued over time. The term is annually renewable with a 60 day termination provision.

RECOMMENDATION:

Staff recommends approval.
BRIEFING PAPER - ACTION ITEM

ITEM 13:

Review and consider approval of Bylaws revisions.

BACKGROUND:

Proposed changes have been discussed by the Executive Committee and by the Bylaws Committee.

DISCUSSION:

Minor changes and been discussed and a general consensus has been reached to update the formatting and make updated to the list below. The draft bylaws attached have those changes highlighted in green.

Updates and cleanup:

I  Updated code
III.A Updated code
IV.A.7 make State Legislative members ex officio
.C clarifies only one vote – (e.g., could represent a water district and city)
V.E formally allows the Board Secretary to assign duties to staff
.F formally allows the Board Treasurer to assign duties to staff
.H allows the Exe. Committee flexibility without a bylaws change
.I adding “appointed” allows the quorum to adjust between election and full board meetings
.J Change 1 to A due to formatting changes
VII.D adding “appointed” allows the % to not be based on unfilled positions by members
X.B checks are signed by ED or DA, then Board President
.D along with XI.A and B – updates to “Strategic Work Program and Financial Plan”

Major Changes are listed below and highlighted in yellow in the draft bylaws.

III.F would allow other additions to the Board (quarterly meetings)
(e.g.) TAMU Texarkana or Commerce, local EDCs, 2-1-1, RC&D, Community Services, NET Workforce

This would give broader input in fulfilling our Purpose and Objectives

G same as F, but a broader scope and no voting rights. Essentially allows us flexibility to build partnerships as needed and give some official recognition.

(Legislative visits with Chambers)

III.F Adds Associate Membership for RC&D based on direction from Governor and other options
IV.A reinforces that 2/3 of the members must be from our Cities and Counties
.A.4 still requires all local school districts to appointed elected officials, but allows for the College President the option to be appointed
5-6 - these boards are generally not elected
8 defines membership if III.F is considered

V.A,B,I opens the EC to 23 total members, up from 16. Would hold a position for each County, and One City in each county. It would also open three additional seats under another category defined by IV.A

V.I New definition of quorum

RECOMMENDATION:

Upon consensus of draft, recommend to full Board of Directors for approval.