AGENDA
ARK-TEX COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING
APRIL 27, 2017

The Executive Committee of the Board of Directors of the Ark-Tex Council of Governments (ATCOG) will meet at 10:00 a.m., Thursday, April 27, 2017, at the Titus County Extension Office, 1708 Industrial Road, Mt. Pleasant, Texas.

Item 1. Call to order.

Item 2. Invocation.


Item 4. Approve the minutes as submitted of the Ark-Tex Council of Governments Executive Committee Meeting held Thursday, February 23, 2017, in Mt. Pleasant, Texas.

Review and Comment

Item 5. Review and comment on an application to the Department of Health & Human Services, Office of Head Start by Sulphur Springs Independent School District for a grant in the amount of $1,290,911, to be matched with $322,725 in-kind, for continuation/refunding of Head Start. (See page 6 - to be presented by staff member Vickie Williamson)

Regular Business

Item 6. Review and consider approval of revisions to the ATCOG Policies and Procedures Manual as revised by the Board of Directors March 27, 2014. (See attachment 1 – page 9) (To be presented by staff member Sharon Pipes)

Item 7. Review and consider approval of revisions to the ATCOG Ethics Policy Manual dated December 16, 2010, with revisions. (See attachment 2 – page 13) (To be presented by staff member Sharon Pipes)

Item 8. Review applications and approve priorities/recommendations established by the Regional Criminal Justice Advisory Committee (RCJAC) concerning projects being submitted to the Office of the Governor, Criminal Justice Division, for funding consideration through Violence Against Women Justice & Training Program, General Victims Assistance – Direct Services Program, Juvenile Justice Grant Program and Justice Assistance Grant (JAG) Program. (See attachment 3 – page 21) (To be presented by staff member Patricia Haley)

Item 9. Review and consider approval to proceed in the creation of a non-profit corporation to administer various regional development projects, secure funding for those projects and make application to Texas Community Capital to being a Community Lending Center of Northeast Texas. (See attachment 4 – page 29)

Item 10. Review and consider approval of support of designation of May 2017 as Older Americans Month. (See attachment 5 – page 32) (To be presented by Executive Director Chris Brown)

Other Business

Item 11. Ratification of Services Agreement between Frontier Associates LLC and ATCOG. (See attachment 6 – page 33)

Item 12. Executive Director Report (For information only; see attachment 7 – page 41) (To be presented by Executive Director Chris Brown)


Announcements

The next Executive Committee Meeting will be held Thursday, May 25th, 2017, at 10:00 a.m., at the Titus County Extension Office, Mt. Pleasant, Texas.

Pursuant to the Texas Open Meeting Act, Government Code Chapter 551 one or more of the above items may be considered in executive session closed to the public, including but not limited to consultation with attorney pursuant to Texas Government Code Section 551.071 and Section 551.074 arising out of the attorney's ethical duty to advise ATCOG concerning legal issues arising from an agenda item. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Administration at 903-832-8636 two (2) work days prior to the meeting so that appropriate arrangements can be made.

All agendas are sent electronically and available at [www.atcog.org](http://www.atcog.org). Should any Board Member need a copy printed and available at the meeting, please call 903/255.3555 or email athurston@atcog.org.
The Executive Committee of the Board of Directors of the Ark-Tex Council of Governments (ATCOG) met at 10:00 a.m., Thursday, February 23, 2017 at the Mt. Pleasant Civic Center, in Mt. Pleasant, Texas.

Item 1. L.D. Williamson, Judge, Red River County, called the meeting to order.

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 Executive Committee meeting held Thursday, January 26, 2017, in Mt. Pleasant, Texas.

Motion to approve was made by Judge Scott Lee, and seconded by Ann Rushing, Mayor, City of Clarksville. 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 Renewals by Pilgrim’s Pride Corporation to authorize the continued operation of an existing lagoon flare at the facility located near US Highway 271 and FM 127, Mt. Pleasant, Titus County, Texas.

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

Regular Business

Item 6. Mary Beth Rudel, Public Safety Manager, presented for consideration approval of prioritization of 2017 Homeland Security Grant Program funds as recommended by the ATCOG Homeland Security Advisory Committee.

Motion to approve was made by Brady Fisher, Northeast Texas Resource Conservation & Development, and seconded by Lynda Munkres, Judge, Morris County. It was approved.

Item 7. Patricia Haley, Criminal Justice Coordinator, presented for consideration approval of authorizing the Executive Director, as the ATCOG Authorized Official, to submit an application to the Office of the Governor, Criminal Justice Division, for the purchase of Juvenile Justice Services Project for FY 2018.

Motion to approve was made by Ann Rushing, Mayor, City of Clarksville, and seconded by Judge Scott Lee. It was approved.

Item 8. Sharon Pipes, Director of Administration, presented for review the Transportation Program funding requirements pertaining to integrity and ethical behavior as mandated by the Texas Transportation Commission and Texas Department of Transportation. This item was for information only, so no action was taken.

Item 9. Chris Brown, Executive Director, asked to table this item until the verbiage is confirmed, on behalf of the requestor.

M.C. Superville, Jr., Judge, Lamar County, noted that this is an excellent project for the region, due to the potential for economic development & quality of life for the smaller towns surrounding the trail.
Motion to table was made by Judge Scott Lee and seconded by Mayor Rushing. It was tabled.

**Other Business**

Item 10. Ms. Haley provided an update on Computerized Criminal History (CCH) Eligibility for FY 2018. Each county is required to be at or above 90% in order to be considered eligible. Information showing the current averages was provided in the agenda. This item was for information only, so no action was taken.

Item 11. Chris Brown, Executive Director, presented for discussion Bylaws revision ideas and provided an additional handout.

The majority of the changes are formatting, clarification and minor wording changes, as noted on the handout provided during the meeting, and explained in detail by Mr. Brown.

Significant recommended changes include limiting membership to political subdivisions as defined by the State, expanding membership to include other public entities that utilize government funds, ex-officio clarification and voting privileges.

Mr. Fisher stated he is opposed to removing the special districts from the Board, which would include his organization, Northeast Texas Resource Conservation & Development. Mr. Brown clarified that the State of Texas removed the word “district” from the organization’s title, thus causing it to be ineligible per the current Bylaws. However, if approval to change the wording in the Bylaws was made, it would resolve that particular issue. Judge Williamson opposed wording concerning the appointment of members and suggested only elected officials be able to appoint members to the Board.

There were some questions as to what type of entities would be able to join if the wording were to include entities operated by government funds, i.e., housing authorities, economic development districts, etc. Judge Williamson suggested forming a Bylaws Committee in order to nail down specifics and bring the information back to the Board. Volunteers were Marc Reiter, Councilman, City of Hooks, A.M. “Rip” Benefield, Councilman, Queen City and Mr. Fisher. Judge Williamson stated he would contact those members to schedule a discussion.

As this was for information only, no action was taken.

Item 12. Mr. Brown presented a letter from Eric Gleason, Director, TXDoT Public Transportation Division, to Nancy Hoehn, ATCOG Transportation Manager, thanking her presenting at the regional transportation planning workshop in Austin. Mr. Fisher commended Ms. Hoehn for her efforts on the Paris Metro route.

He also provided an update on the upcoming Northeast Regional Coalition trip to Austin & handed out information regarding the visits. This visit will essentially create a larger presence for our region versus each county visiting on their own. There was some general discussion on what topics needed to be discussed during the Coalition trip.

**Announcements**

Judge Williamson announced the next Board of Directors Meeting will be held on March 30, 2017, at Sulphur Springs City Hall.

Amber Thurston, Executive Assistant, thanked Judge Brian Lee for reserving today’s meeting location and reminded each attendee to sign in before leaving.

There were no other announcements, so motion to adjourn was made by Councilman Reiter and seconded by 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
Lynda Munkres, Judge, Morris County
Robert Newsom, Judge, Hopkins County
Brian Lee, Judge, Titus County
Becky Wilbanks, Judge, Cass County
Ann Rushing, Mayor, City of Clarksville
A.M. “Rip” Benefield, Councilman, Queen City
Marc Reiter, Councilman, City of Hooks
Brady Fisher, Northeast Texas Resource Conservation & Development District

BOARD MEMBERS PRESENT
Ralph Robertson, Mayor Pro Tem, City of Mt. Vernon
Billy Trenado, Councilman, City of Paris

GUESTS PRESENT
Kathy Comer, Office of Senator John Cornyn
Reece DeWoody, Office of Senator John Cornyn
Robbin Bass, Office of Congressman John Ratcliffe
Shannon Barrentine, City of Clarksville
Robert McGee, Chief of Police, Queen City
Doyce Winchester, TDEM
Randy Reed, NETX Workforce Solutions
April Corbit, NETX Workforce Solutions
Jennifer Harland, SWEPCO/NETX Workforce Board
Mark Haslett, KETR-FM Commerce

STAFF PRESENT
Chris Brown, Executive Director
Sharon Pipes, Director of Administration
Mary Beth Rudel, Public Safety Manager
Paul Prange, Environmental Resources Coordinator
Patricia Haley, Criminal Justice Coordinator
Leslie McBride, Human Resources Coordinator
Vickie Williamson, Special Projects Coordinator
Whitney Fezell, Homeland Security Specialist
Amber Thurston, Executive Assistant
Kishon Daniels, ATCOG Intern
Wil Garrett, ATCOG Intern

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

ATTEST:
ARK-TEX COUNCIL OF GOVERNMENTS
APPLICATION / PROJECT STAFF REVIEW

<table>
<thead>
<tr>
<th>Project SAI No:</th>
<th>Date Received:</th>
<th>Staff Assignment:</th>
</tr>
</thead>
<tbody>
<tr>
<td>TX-R-20170417-0001-05</td>
<td>04-17-2017</td>
<td>Vickie Williamson</td>
</tr>
</tbody>
</table>

Applicant: Sulphur Springs Independent School District

<table>
<thead>
<tr>
<th>Project Title:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head Start Five Year Continuation/Refunding Application, 2017-18</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Description:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Activity: Continue to provide Head Start and restore enrollment for 179 three and four year old children and families within the Sulphur Springs ISD.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Budget:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount</td>
</tr>
<tr>
<td>Source / Funding Agency</td>
</tr>
<tr>
<td>Federal $1,290,911.00</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>Local</td>
</tr>
<tr>
<td>Applicant 322,728.00</td>
</tr>
<tr>
<td>Other</td>
</tr>
<tr>
<td>Total $1,613,639.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Personnel Required:</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 classroom teachers, 1 Health Specialist, 1 PE teacher, 1 campus secretary, 1 library aide, 1 Music Teacher, and 1 Director</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Review: (Provide Adequate Detail)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area to be served: Boundaries of Sulphur Springs Independent School District</td>
</tr>
</tbody>
</table>

Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances? Yes. Assurances included with application.

Is the project consistent with state, areawide, and / or local planning or does it contribute toward goals or objectives identified at one or more of governmental levels? Yes. Application approved by Policy Council and Board of Trustees.

Does the project address a clearly defined need? Yes. The needs are based on the most recent Community Assessment Update completed in November, 2016. The overall poverty rate is 18.7% of the population. There are approximately 540 children eligible for services in Hopkins County, with Head Start serving only 33% of those eligible. There continues to be a need for adult education and parent classes for Head Start parents to meet family goals, develop job skills, improve education levels, and acquire English language skills. The program’s school readiness skills are needed to support the local public school system as there are above average numbers of at-risk, and English Language learners. There is still a significant unmet need for child care. Additionally, the cost for child care services is out of reach for the majority of income-eligible families.
Is the project likely to produce any significant adverse effects on the environment?  
No.

Are the project's goals identified, specific, measurable, and achievable?  
Yes  
Mission of the Head Start program, in collaboration with staff, parents, and community members, is to provide a safe, orderly, and nurturing environment, which develops every child into a lifelong learner; thus, enabling them to become effective communicators, complex thinkers, and productive citizens, ready to meet the challenges and uncertainties of the future.

Does the proposal demonstrate a feasible delivery strategy?  
Yes  
The Head Start program is a center based program to best meet the needs of the community. The design offers full day, 5 days per week, part year program and operates 6 hours per day. The yearly schedule corresponds with the SSISD board-approved calendar over the course of 10 months. Children attend class 180 days annually to meet state instructional standards. The program is currently 179 three and four-year-old children. The Head Start program is located in the SSISD ECLC which is located at 390 Hillcrest Street.

Does the project contribute to a balanced delivery of services among political subdivisions covered by the application?  
Yes  
Areas served are within the boundaries of the Sulphur Springs ISD.

Do the anticipated accomplishments of the project justify the amount of funds requested?  
Cost / Benefit Analysis)  
Yes  
Costs include: Personnel - $1,014,615; Fringe Benefits - $170,559; Travel - $5,000; Supplies - $19,050; Contractual - $46,500; Other - $15,049, Technical and Training Assistance - $20,138; In-Kind - $322,728 (includes salaries and fringe benefits for 17 staff that are partially funded with Head Start funds, and fringe benefits totals for employees that are not paid with Head Start funds, fuel/diesel costs, utilities, and routine maintenance costs.)

Does the applicant's prior performance indicate high probability that the proposed objectives will be accomplished?  
Yes  
This grant application is for Year Four of a Five Year grant. The program has been in operation over 20 years serving 179 children and families.

Additional Information:

**STAFF RECOMMENDATIONS:**  
Staff recommends approval.
RESOLUTION NO. ______________

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND COMMENT ON AN APPLICATION BY SULPHUR SPRINGS INDEPENDENT SCHOOL DISTRICT TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF HEAD START, FOR A GRANT IN THE AMOUNT OF $1,290,911.00, TO BE MATCHED WITH $322,728.00 IN-KIND, FOR CONTINUATION /REFUNDING OF HEAD START.

WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperative Act of 1968, the Ark-Tex Council of Governments has been designated as the area wide agency to review certain applications for which federal financial assistance is requested, 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.

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

Section 1 - That the submission of an application by Sulphur Springs Independent School District to the Department of Health and Human Services, Office of Head Start, for a grant in the amount of $1,290,911.00, to be matched with $322,728.00 in-kind, for continuation/refunding of Head Start has been reviewed by the Board of Directors and can reasonably be expected to become part of the overall regional plan.

Section 2 – That the above mentioned improvements are desirable and urgently needed for public safety and welfare.

REVIEWED THIS 27th DAY OF APRIL, 2017.

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

ATTEST:

__________________________________________
ITEM 6:

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 wording regarding our ethics and compliance program, yearly ethics training, external audits and background checks on prospective employees as required by the Texas Department of Transportation Compliance Division; and to include wording about vendors as required by the Health and Human Services Commission.

DISCUSSION

ATCOG has adhered to our ethics and compliance program since our Ethics Policy Manual was approved by our Board of Directors in 2010. However, our Policies and Procedures Manual did not specifically spell out some of the actions that were being taken by ATCOG. We are proposing the following revisions to our policy manual:

3.04 Employee Behavior Standard. Section 1 has been added to specify that our employees abide by the Code of Ethics. Section 2 has been added to specify that employees are given the Ethics Policy Manual during hire orientation and are then trained on a yearly basis. Section 3 has been added to specify that the Board of Directors will renew the Ethics Policy Manual annually and receive training on ethical and compliance standards expected of them. Section 4 has been added to address the requirement for an external audit of ATCOG’s financial and material resources on a yearly basis.

3.08 Conflict of Interest. Section 2, Item b has been revised to include “providers” with contractors and vendors. This revision is required by the Health and Human Services Commission.

4.03 Hiring and Application Processing Procedures. Section 6, item f (3) has been revised to include the requirement for driver’s record and criminal background checks on all perspective employees prior to job offer.

All of these actions regarding ethical compliance and background checks were already a part of ATCOG’s daily functions; however, there was nothing in writing to show that we were performing these actions. 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
3.04 EMPLOYEE BEHAVIOR STANDARD

It is the ATCOG policy to maintain the highest standards of professional conduct, courtesy, and respect to our membership, the public, and our fellow employees at all times and to refrain from any irregularity, deception, or action constituting fraud. It shall be the responsibility of each and every employee to adopt an attitude of professional and courteous behavior.

1. ATCOG employees will abide by the Code of Ethics published by the American Society for Public Administration that incorporates the fourteen general principles of ethical conduct set forth in Executive Order 12674 (Attachment A of this manual).

2. ATCOG utilizes an Ethics Policy Manual that was approved by our Board of Directors in December 2010, with amendments as necessary. This manual reinforces ethical standards expected of all staff and provides information on the compliance program used to detect and report any violations. All employees review and are given the Ethics Policy Manual on date of hire. In addition, ethics and compliance training is conducted for all ATCOG staff on a yearly basis in February.

3. The ATCOG Board of Directors is required to renew the Ethics Policy Manual in September each year, at which time members of the Board are trained on ethical and compliance standards expected of them and all staff.

4. In order to protect ATCOG’s financial and material resources, all financials are audited by an external, independent auditing firm yearly. These audits are performed not only to ensure ATCOG employees are abiding by the various state and/or federal agencies’ financial and grant requirements, but also to ensure ethical standards are exhibited by the staff performing those duties.

ATCOG reserves the right to discipline, up to and including termination, any employee for either conduct which it finds inappropriate or unacceptable when it bears on the reputation of the agency, its employees and its Board members.

(Rev. 4/27/2017)

3.05 TIMELINESS AND ATTENDANCE

Employees shall be punctual in reporting for work, keeping appointments, and meeting schedules for completion of work in accordance to guidelines set out in Section 9.00, WORK SCHEDULES AND TIME REPORTING. Employees who expect to be late for or absent from work must report the expected tardiness or absence to his or her supervisor in accordance with established procedures.

3.06 OUTSIDE ACTIVITIES

Employees shall not engage in any outside employment, activity, or business enterprise determined by the Executive Director to be inconsistent or incompatible with employment with ATCOG, or which adversely affects the employee’s job performance. An employee must have the advance written approval of his or her supervisor and the Executive Director to engage in any outside employment, including self-employment.
3.08 CONFLICT OF INTEREST

1. Officers or employees of ATCOG will neither have financial interests in the profits of any contract, service, or other work performed for ATCOG nor derive personal profit directly or indirectly from any contract, purchase, sale, or service between the ATCOG and any person or company.

2. An officer or employee shall not:
   
a. Participate in the selection, award, or administration of a contract in which public funds are used where, to their knowledge, they or their immediate families or partners or organizations in which their immediate families or partners have a financial interest or with whom they are negotiating or have any arrangement concerning prospective employment.

b. Solicit nor accept gratuities, favors or anything of monetary value from potential or existing contractors, vendors, or providers.

   (Rev. 4/27/2017)

c. Solicit or accept or agree to accept a financial benefit, other than from ATCOG, that might reasonably tend to influence his or her performance of duties for the COG or that he knows or should know is offered with intent to influence the officer or employee’s performance;

d. Accept employment or compensation that might reasonably induce him to disclose confidential information acquired in the performance of official duties;

e. Accept outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for ATCOG;

f. Make any personal investment that might reasonably be expected to create a substantial conflict between the officer or employee’s private interest and duties for ATCOG; or

g. Solicit or accept or agree to accept a financial benefit from another person in exchange for having performed duties as an ATCOG officer or employee in favor of that person.
Selection Process: Once the interviews are complete and the interview scores tallied, the HRO will take to the appropriate Director the folder containing applications, completed interview questionnaires, test scores, if any, and interviewers’ scoring sheets for each interview.

(1) The Director, program manager or supervisor, as appropriate, will review all interview documents and make a tentative selection, normally the interviewee with the highest interview scores. It is recognized that not all candidates interview alike and the most qualified candidate may not have scored the highest during the interview. Therefore, any one of the three (3) highest scoring interviewees may be recommended for selection provided justification is based on bona fide occupational qualifications (the most qualified candidate).

(2) The selecting manager or supervisor will complete the applicant selection portion of the Application Processing form. The form will include the grade level of the job and grade step to be offered. Generally, Step “A” is offered to entry-level employees, but a higher step may be offered initially based on level of experience and proficiency possessed. The Executive Director will make the final decision if there is a question about the beginning grade and/or step. Once the Executive Director approves the Application Processing form it will be forwarded to the HRO.

(3) Upon final approval of selected applicant, the HRO will conduct a check of the applicant’s work and personal references. In addition, the HRO will conduct a driver’s record check and a criminal background check on all perspective employees. Once completed, the HRO will notify the Hiring Authority or designee that applicant is “acceptable” or “not acceptable.”

(Rev. 4/27/2017)

(4) If the reference check is acceptable, the HRO will make an offer of employment to the selected applicant in accordance with the procedures herein.
ITEM 7:


BACKGROUND

The Board of Directors is required to approve all revisions to the Ethics Policy Manual. We request to update our manual to add “providers” in any section that states “vendors” and “contractors,” in order to comply with wording required by the Health and Human Services Commission. We also propose to add a section on “bullying” in the “Sexual Harassment and Sexual Misconduct” portion of the manual.

DISCUSSION

II. Fraud. The word “provider” has been added in Section B, Scope of Work, and D, Actions Constituting Fraud. The Health and Human Services Commission has changed the wording from “Vendors” to “Providers” for anyone who contracts with the Area Agency on Aging to provide services.

IV. Sexual Harassment, Sexual Misconduct and Bullying. Section D, Bullying, has been added to our sexual harassment and sexual misconduct portion of the Ethics Manual. Also, the word “bullying” has been added to all sections that pertain to sexual harassment and sexual misconduct, as needed.

V. Conflicts of Interest. The word “or providers” has been added to C, Public Officials, to comply with Health and Human Services Commission’s requirements.

VII. Gifts and Honoraria. The word “or provider’s” has been added to C, Gifts to Officers, to comply with Health and Human Services Commission’s requirements.

The last page of the manual has been updated to include today’s revision date and our president’s and vice-president’s names as approving authorities.

RECOMMENDATION

Staff recommends approval of all revisions to the Ethics Policy Manual in the sections as outlined above.

Attachments
II. FRAUD

A. GENERAL POLICY

Fraud is broadly defined and may include any type of intentional deception for the purpose of personal or business gain or damage to an individual or organization. Engaging in acts of fraud may result in civil or criminal liability to any employee of Ark-Tex Council of Governments (ATCOG) committing such acts.

This Fraud Policy is established to facilitate the development of controls that will aid in the detection and prevention of fraud against ATCOG. It is the intent of ATCOG to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

B. SCOPE OF WORK

This Fraud Policy applies to any irregularity, or suspected irregularity, involving employees, consultants, vendors, providers, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with ATCOG.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to ATCOG.

C. POLICY RESPONSIBILITY

Management is responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud includes the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her benefit. Examples of fraud include lying on an employment application, falsifying records, or providing false receipts for reimbursement from ATCOG.

Each member of management should be familiar with the types of improprieties that might occur within his or her area of responsibility and should be alert for any indication of irregularity. Any irregularity that is detected or suspected must be reported immediately to the Executive Director, the Director of Administration, or the Human Resources Office, who coordinates all investigations with the appropriate authorities, both internal and external.

D. ACTIONS CONSTITUTING FRAUD

The terms defalcation, misappropriation, and other fiscal irregularities refer to, but are not limited to:

- Any dishonest or fraudulent act;
- Misappropriation of funds, securities, supplies, or other assets;
- Improperly in the handling or reporting of money or financial transactions;
- Accepting or seeking anything of material value from contractors, vendors, providers, or persons providing services/materials to ATCOG (Exception: Gifts less than $50 in value that can be used/enjoyed by all employees, i.e., cookies at Christmas);
- Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment; and/or
- Any similar or related irregularity.
IV. SEXUAL HARASSMENT, SEXUAL MISCONDUCT AND BULLYING

A. GENERAL POLICY

It is the policy of Ark-Tex Council of Governments (ATCOG) to provide an employment environment free of sexual harassment, sexual misconduct or bullying. Any and all forms of sexual harassment, and/or sexual misconduct and/or bullying are strictly prohibited and ATCOG will not tolerate any such form(s) of harassment, or misconduct or bullying in the workplace.

B. SEXUAL HARASSMENT

Sexual harassment may include sexual advances, sexual solicitation, requests for sexual favors, or other verbal or physical conduct of a sexual nature where any of the three criteria exist:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment or continued employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or,

3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

C. SEXUAL MISCONDUCT

Sexual misconduct includes behavior that is short of sexual harassment, but may include offensive language, offensive jokes, offensive bantering or any other behavior of a sexual nature deemed to be offensive and unwelcomed by the employee who is offended. This sexual misconduct is unprofessional and inappropriate and it will not be tolerated at ATCOG.

D. BULLYING

Any and all forms of bullying are strictly prohibited. Bullying is defined as any form of intimidation or aggressive behavior in which someone intentionally and repeatedly causes another person injury or discomfort. Bullying can take the form of physical contact, words or more subtle actions or attacks.

E. CONDUCT EXPECTATIONS

It is the expectation of ATCOG that all employees will treat each other and the general public with professionalism, respect and fairness. Employees must conduct themselves with courtesy and restraint at all times on the job and at all times when they may be perceived in any manner as representing ATCOG.
REPORTING PROCEDURES

1. Any employee who feels he/she is being subjected to sexual harassment, sexual misconduct or bullying by any person in the workplace must report the incident to the appropriate supervisor or manager immediately. Likewise, any employee who witnesses any incident that appears to be a violation of sexual harassment, sexual misconduct or bullying policies is also required to report the incident immediately. If the subject of a complaint is the employee’s supervisor or manager, the employee must report the complaint directly to the Human Resources Office, the Director of Administration or the Executive Director.

2. Supervisors or managers who receive reports of sexual harassment, sexual misconduct or bullying must report the complaint(s) to the Human Resources Office, the Director of Administration or to the Executive Director, regardless of the form of the complaint (formal or informal) or whether it precisely follows ATCOG’s complaint procedures. Ignoring a report of sexual harassment, sexual misconduct or bullying is unacceptable.

3. Accurate records of all complaints must be kept. Supervisors or managers will work with the Human Resources Office, the Director of Administration and the Executive Director to ensure appropriate action that actually stops the harassment, sexual misconduct or bullying is taken.

PROTECTION FROM RETALIATION

ATCOG encourages its employees to report any sexual harassment, sexual misconduct or bullying in the workplace. Employees who report any form of sexual harassment, sexual misconduct or bullying are protected against retaliation by state and federal laws. (See III. Equal Opportunity Employment, E. Whistleblowers Protection)

TERMINATION

Sexual harassment, sexual misconduct and/or sexual misconduct bullying will not be tolerated. Disciplinary action will be taken against any employee who is proven through investigation to have engaged in such activity, up to and including termination.

ADMINISTRATION

The Human Resources Office, the Director of Administration and the Executive Director are responsible for the receipt, documentation, investigation and report of all such complaints of sexual harassment, sexual misconduct or bullying.

(Rev. 3/30/2017)
C. PUBLIC OFFICIALS

Local public officials, including a member of the ATCOG governing body or another officer, whether elected, appointed, paid or unpaid, are subject to the Conflict of Interest provisions in Chapter 171 of the Texas Local Government Code. Chapter 171 establishes the standard for determining when a local official has a conflict of interest that would affect his or her ability to discuss, decide or vote on a particular item.

1. Officers of ATCOG will neither have financial interests in the profits of any contract, service, or other work performed for ATCOG nor derive personal profit directly or indirectly from any contract, purchase, sale, or service between the ATCOG and any person or company.

2. An officer shall not:

   a. Participate in the selection, award, or administration of a contract in which public funds are used where, to their knowledge, they or their immediate families or partners or organizations in which their immediate families or partners have a financial interest or with whom they are negotiating or have any arrangement concerning prospective employment.

   b. Solicit or accept gratuities, favors or anything of monetary value from potential or existing contractors or vendors.

   c. Solicit or accept or agree to accept a financial benefit, other than from ATCOG, that might reasonably tend to influence his or her performance of duties for ATCOG or that he knows or should know is offered with intent to influence the officer’s performance;

   d. Accept employment or compensation that might reasonably induce him to disclose confidential information acquired in the performance of official ATCOG duties or that might reasonably tend to impair independence of judgment in performance of official ATCOG duties;

   e. Make any personal investment that might reasonably be expected to create a substantial conflict between the officer’s private interest and responsibilities for ATCOG; or

   f. Solicit or accept or agree to accept a financial benefit from another person in exchange for having performed duties as an ATCOG officer in favor of that person.
VII. GIFTS AND HONORARIA

A. GENERAL POLICY

Employees and officers of Ark-Tex Council of Governments (ATCOG) are prohibited from accepting any favor or gift from a person who wants, or may want, or may be seen to want, an official favor within the authority of that employee or officer.

B. GIFTS TO EMPLOYEES

It is unethical for any ATCOG employee to accept or give a gift that is meant to sway a decision in favor of the gift-giver. Employees may not:

1. Solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, or any other thing of monetary value, from a person who has, or is seeking to obtain, contractual or other business or financial relations with ATCOG.

2. Solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than the employee. However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

3. Any such gift or gratuity, the receipt of which is prohibited by this policy, shall be returned to the donor with a written explanation as to why the return is necessary.

C. GIFTS TO OFFICERS

Officers or other members of the governing body are prohibited from accepting any gift that would sway a decision in favor of the gift-giver.

1. Officers and members of the governing body must disclose a vendor’s or provider’s offer of gifts worth a value of $250 or more to them or to any family member using the Conflict of Interest Form approved by the Texas Ethics Commission.

2. Local Government Code Chapter 176 requires that the officer or member of the governing body disclose this offer of a gift even if the offer is refused.

3. An officer or member of the governing body who knowingly violates the disclosure requirements and violates Local Government Code Chapter 176 commits a Class C misdemeanor.
1. ATCOG employees are prohibited from offering or conferring any benefit to a state employee in exchange for the recipient’s decision, opinion, recommendation, vote or other exercise of discretion as a public servant that would benefit either ATCOG or the employee.

2. “Benefit” is defined as anything reasonably regarded as financial gain or financial advantage, including a benefit to any other person in whose welfare the beneficiary has an interest. Benefit does not include an item with a value of less than $50 or a small gift or other benefit conferred on account of kinship or an independent relationship.

3. ATCOG employees may be held criminally liable for violation of this Policy.

E. ADMINISTRATION

The Executive Director and Director of Administration are responsible for administration and interpretation of this Policy and will investigate any report of wrongdoing.

AS REVISED -
January 31, 2013
March 27, 2014
March 30, 2017

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

ATTEST:

Brian Lee, Treasurer
M. C. Superville, Jr., Vice-President
Ark-Tex Council of Governments
## Violence Against Women Justice & Training Projects

### CJD’s Reasonable Budget Expectation for ATCOG Region $65,601.00

<table>
<thead>
<tr>
<th>Funding Source ID</th>
<th>Ranking</th>
<th>Score</th>
<th>Grant Number</th>
<th>Agency</th>
<th>Project Title</th>
<th>Project Details</th>
<th>Applicant's Requested Amount</th>
<th>COG/RCJAC Recommended Amount</th>
<th>Local Priorities Addressed</th>
<th>Applicant's Requested ADDITIONAL Yrs. of Funding for This Project (FOR FY18 &amp; LATER)</th>
<th>COG/RCJAC Recommended ADDITIONAL Yrs. of Funding for This Project (FOR FY18 &amp; LATER)</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>WF 1</td>
<td>1</td>
<td>95-632</td>
<td>2816604</td>
<td>Bowie County</td>
<td>CSCD Specialized DV Caseload</td>
<td>Specialized Caseload Officer Position, supplies &amp; training</td>
<td>$37,500.00</td>
<td>$37,500.00</td>
<td>Legal consultation, representation and/or assistance with protective order processing, as well as assistance with Crime Victim Compensation (CVC) and Texas Victim Information &amp; Notification Everyday (VINE), in relation to violent crime victims.</td>
<td>8 yrs - A sustainment plan for Bowie County to fully fund a specialized caseload for offenders placed on probation for violent crimes against women is not possible at this time. Bowie County is a rural county with limited resources and violent misdemeanor offenses are increasing. Bowie County’s misdemeanor violent crime rate during FY 2014 was more than five percent higher than the state average for misdemeanor violent crime. Prior to this caseload, offenders on probation for violent crimes against women either received a new offense (often with the same victim) or failed to report to within the first 30 days of probation. This caseload should also help the prosecutor enhance misdemeanor crimes to felonies. A specialty court is in the process of being implemented to provide enhanced judicial intervention.</td>
<td>As long as funding is available and the project is requested, necessary, and most effective.</td>
<td></td>
</tr>
</tbody>
</table>
### General Victim Assistance - Direct Services

CJD’s Reasonable Budget Expectation for ATCOG Region $1,210,722.00

* Acceptable “Quality” Project Line

* Allocated Funding Depletion Line

**2-YEAR PROJECTS & BUDGET AMOUNTS**

<table>
<thead>
<tr>
<th>Funding Source ID</th>
<th>Ranking</th>
<th>Score</th>
<th>Grant Number</th>
<th>Agency</th>
<th>Project Title</th>
<th>Project Details</th>
<th>Applicant's Requested Amount</th>
<th>COG/RCJAC Recommended Amount</th>
<th>Local Priorities Addressed</th>
<th>Applicant's Requested ADDITIONAL Yrs. of Funding for This Project (FOR FY19 &amp; LATER)</th>
<th>COG/RCJAC Recommended ADDITIONAL Yrs. of Funding for This Project (FOR FY19 &amp; LATER)</th>
<th>Additional Information</th>
</tr>
</thead>
</table>
| VA                | 1       | 98.55 | 2453106      | Shelter Agencies For Families in East Texas | Children & Youth Services/Domestic Violence & Sexual Assault | Shelter services, expenses, personnel | $609,019.57 | $609,019.57 | 2-YEAR BUDGET TOTAL | **Legal consultation, representation and/or assistance with protective order processing, as well as assistance with Crime Victim Compensation (CVC) and Texas Victim Information & Notification Everyday (VINE), in relation to violent crime victims.** | **Provide a safe child-friendly atmosphere for child abuse victims, while fostering collaborative working relationships with investigative agencies, thus reducing the trauma experienced by child victims and their non-offending family member when interviewed and provide follow up services.** | **6 yrs - Three years ago the Board of Directors wanted to start a reserve fund that would not be part of the operating funds unless directed by the Board. The SAFE-T Thrift store has created unrestricted funds which along with unrestricted donation was used to open this account. The account currently is $350,000. The goal is to have at least 6-9 month of working capital which is projected to take 5-7 years saving $30-$40,000 per year. If in any one year we lost a grant we could sustain the program for 6 months while we reorganized our agency, so as not to compromise services.** 

As long as funding is available and the project is requested, necessary, and most effective.

Since additional funding is available, consider allowing the applicant to extend their project beyond 2 years or expand the scope of their current requested project.

If less funding is available, this project should still receive it’s requested amount since their project total is a fraction of CJD’s Reasonable Budget Expectation (RBE) for the ATCOG Region ($1,210,722).
### Juvenile Justice Grant Program

<table>
<thead>
<tr>
<th>Funding Source ID</th>
<th>Ranking</th>
<th>Score</th>
<th>Grant Number</th>
<th>Agency</th>
<th>Project Title</th>
<th>Project Details</th>
<th>Applicant's Requested Amount</th>
<th>COG/RCJAC Recommended Amount</th>
<th>Local Priorities Addressed</th>
<th>Applicant's Requested ADDITIONAL Yrs. of Funding for This Project (FOR FY18 &amp; LATER)</th>
<th>COG/RCJAC Recommended ADDITIONAL Yrs. of Funding for This Project (FOR FY18 &amp; LATER)</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>JA 1</td>
<td>1</td>
<td>99.150</td>
<td>1426819</td>
<td>Ark-Tex Council of Governments</td>
<td>Purchase of Juvenile Justice Services</td>
<td>Funding assistance to ATCOG counties for juvenile mental health services (counseling, psychiatric/psychological evals, sex offender counseling/treatment, anger management counseling, parent/family training &amp; parent/family support services), Criminal Justice Coordinator (partial), mileage, supplies &amp; operating expenses</td>
<td>$57,000.00</td>
<td>$56,023.00</td>
<td>Resources for sex offender treatment, psychological/psycho-sexual evaluations, and other mental health and substance abuse services for at-risk youth, including psychiatric evaluations, counseling, and treatment.</td>
<td>10 yrs. - At this time, ATCOG is not able to provide a sustainment plan due to the fact that the organization does not have a contributing tax base and neither the ATCOG Criminal Justice Department nor the Purchase of Juvenile Justice Services program generates income. This program simply provides much needed services to referred juveniles in our 9-county region and assistance to those counties in providing them. ATCOG hopes to provide this program for years to come but it is only possible as long as this funding is available. We are unaware of any other grant funds available to us for these types of services.</td>
<td>As long as funding is available and the project is requested, necessary, and most effective.</td>
<td></td>
</tr>
</tbody>
</table>
### Justice Assistance Grant (JAG) Program

#### CJD's Reasonable Budget Expectation for ATCOG Region $149,118.00

#### 1-YEAR PROJECTS & BUDGET AMOUNTS

<table>
<thead>
<tr>
<th>Funding Source ID</th>
<th>Ranking</th>
<th>Score</th>
<th>Grant Number</th>
<th>Agency</th>
<th>Project Title</th>
<th>Project Details</th>
<th>Applicant's Requested Amount</th>
<th>COG/RCJAC Recommended Amount</th>
<th>Local Priorities Addressed</th>
<th>Applicant's Requested ADDITIONAL Yrs. of Funding for This Project (FOR FY18 &amp; LATER)</th>
<th>COG/RCJAC Recommended ADDITIONAL Yrs. of Funding for This Project (FOR FY18 &amp; LATER)</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>DJ</td>
<td>1</td>
<td>95.421</td>
<td>3012402</td>
<td>Cass County</td>
<td>In-Car Video Camera System Replacement</td>
<td>In-car camera system (4)</td>
<td>$20,080.00</td>
<td>$18,659.72</td>
<td>Updated comprehensive systems, allowing for agency and interagency communication and cooperation.</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DJ</td>
<td>2</td>
<td>95.000</td>
<td>3310701</td>
<td>City of DeKalb</td>
<td>In-Car Camera Equipment Upgrade</td>
<td>In-car camera system (4)</td>
<td>$21,008.90</td>
<td>$18,659.72</td>
<td>Updated comprehensive systems, allowing for agency and interagency communication and cooperation.</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DJ</td>
<td>3</td>
<td>94.850</td>
<td>3381001</td>
<td>Rivercrest ISD</td>
<td>Equipment Grant</td>
<td>1 - Police Vehicle (USED Chevy Tahoe)</td>
<td>$18,500.00</td>
<td>$18,500.00</td>
<td>Updated and adequate equipment for law enforcement purposes.</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DJ</td>
<td>4</td>
<td>93.750</td>
<td>3371101</td>
<td>Delta County</td>
<td>Communications Interoperability System</td>
<td>Repeater, Remote Repeater, 6 mobile radios, programming/installation</td>
<td>$29,930.00</td>
<td>$18,659.72</td>
<td>Updated comprehensive systems, allowing for agency and interagency communication and cooperation.</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DJ</td>
<td>5</td>
<td>93.158</td>
<td>3313501</td>
<td>City of Naples</td>
<td>Patrol Vehicle Replacement</td>
<td>2 - Police Vehicles (NEW SUV/Pickup)</td>
<td>$58,500.00</td>
<td>$18,659.71</td>
<td>Updated and adequate equipment for law enforcement purposes.</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DJ</td>
<td>6</td>
<td>93.105</td>
<td>3301801</td>
<td>City of Daingerfield</td>
<td>Patrol Vehicle Project</td>
<td>1 - Police Vehicle (NEW Dodge Charger)</td>
<td>$27,022.63</td>
<td>$18,659.71</td>
<td>Updated and adequate equipment for law enforcement purposes.</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DJ</td>
<td>7</td>
<td>92.850</td>
<td>3070502</td>
<td>City of Lone Star</td>
<td>Patrol Vehicles</td>
<td>1 - Police Vehicle (NEW Ford Explorer)</td>
<td>$30,000.00</td>
<td>$18,659.71</td>
<td>Updated and adequate equipment for law enforcement purposes.</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DJ</td>
<td>8</td>
<td>92.105</td>
<td>3246601</td>
<td>Red River County</td>
<td>Red River County Inclement Weather Response Unit</td>
<td>- Police Vehicle (NEW 4/wheel drive)</td>
<td>$61,917.00</td>
<td>$18,659.71</td>
<td>Updated and adequate equipment for law enforcement purposes.</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DJ</td>
<td>9</td>
<td>91.000</td>
<td>3378201</td>
<td>City of Mt. Vernon</td>
<td>Law Enforcement Safety and Evidence Security Project</td>
<td>In-car &amp; Body-worn cameras, server, data storage, software, installation, and other expenses</td>
<td>$107,084.00</td>
<td>$0.00</td>
<td>Applicant is ineligible due to not attending a CJ grant application workshop</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>DJ</td>
<td>10</td>
<td>91.000</td>
<td>3248401</td>
<td>Franklin County</td>
<td>Law Enforcement Safety and Evidence Security Project</td>
<td>In-car &amp; Body-worn cameras, hardware/software, installation, and other expenses</td>
<td>$200,304.00</td>
<td>$0.00</td>
<td>Applicant is ineligible due to not attending a CJ grant application workshop</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION NO.


WHEREAS, the rules and regulations of the Office of the Governor - Criminal Justice Division require that these applications be reviewed and priorities be established by the Ark-Tex Council of Governments, and

WHEREAS, it is desirable and in the public interest that certain projects/programs be reviewed by the Ark-Tex Council of Governments for their consistency with the overall plans of the Region.

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

Section 1 - That the applications being submitted to the Officer of the Governor - Criminal Justice Division for funding consideration through the Violence Against Women Justice & Training Projects category for FY 2018 have been reviewed.

Section 2 - That the applications be given priority as indicated on the Attachment.

REVIEWED THIS 27TH DAY OF APRIL, 2017.

________________________________________
L.D. Williamson, President
ATCOG Board of Directors

ATTEST:

________________________________________
RESOLUTION NO.


WHEREAS, the rules and regulations of the Office of the Governor - Criminal Justice Division require that these applications be reviewed and priorities be established by the Ark-Tex Council of Governments, and

WHEREAS, it is desirable and in the public interest that certain projects/programs be reviewed by the Ark-Tex Council of Governments for their consistency with the overall plans of the Region.

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

Section 1 - That the applications being submitted to the Officer of the Governor - Criminal Justice Division for funding consideration through the General Victim Assistance – Direct Services category for FY 2018 have been reviewed.

Section 2 - That the applications be given priority as indicated on the Attachment.

REVIEWED THIS 27TH DAY OF APRIL, 2017.

________________________________________
L.D. Williamson, President
ATCOG Board of Directors

ATTEST:

________________________________________
RESOLUTION NO.


WHEREAS, the rules and regulations of the Office of the Governor - Criminal Justice Division require that these applications be reviewed and priorities be established by the Ark-Tex Council of Governments, and

WHEREAS, it is desirable and in the public interest that certain projects/programs be reviewed by the Ark-Tex Council of Governments for their consistency with the overall plans of the Region.

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

Section 1 - That the applications being submitted to the Officer of the Governor - Criminal Justice Division for funding consideration through the Juvenile Justice Grant Program category for FY 2018 have been reviewed.

Section 2 - That the applications be given priority as indicated on the Attachment.

REVIEWED THIS 27TH DAY OF APRIL, 2017.

________________________________________
L.D. Williamson, President
ATCOG Board of Directors

ATTEST:

____________________________
RESOLUTION NO.


WHEREAS, the rules and regulations of the Office of the Governor - Criminal Justice Division require that these applications be reviewed and priorities be established by the Ark-Tex Council of Governments, and

WHEREAS, it is desirable and in the public interest that certain projects/programs be reviewed by the Ark-Tex Council of Governments for their consistency with the overall plans of the Region.

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

Section 1 - That the applications being submitted to the Officer of the Governor - Criminal Justice Division for funding consideration through the Justice Assistance Grant (JAG) Program category for FY 2018 have been reviewed.

Section 2 - That the applications be given priority as indicated on the Attachment.

REVIEWED THIS 27TH DAY OF APRIL, 2017.

_________________________________________
L.D. Williamson, President
ATCOG Board of Directors

ATTEST:

_________________________________________
BRIEFING PAPER - ACTION ITEM

ITEM 9:

Review and consider approval to proceed in the creation of a non-profit corporation, Northeast Texas Regional Development Corporation, to administer various regional development projects, secure funding for those projects, and make application to Texas Community Capital to begin a Community Lending Center of Northeast Texas.

BACKGROUND:

We have applied for various grants addressing community and social issues in our region the past two years for which we’ve not received consideration because the funding agencies have preferred to fund non-profits rather than COG’s. Additionally, we would like to offer an alternative to payday and title loan to assist our residents in working out of those loans. We are interested in partnering with Texas Community Capital to begin a Community Loan Center for our region, which would require a non-profit corporation.

DISCUSSION:

The payday/title loan industry is a $5.78 Billion Dollar industry in the state of Texas. Texas residents pay more than other states for these loans because Texas does not have caps on the interest and fees these businesses can charge. They prey on the most vulnerable of our population in their most desperate circumstances, and as a result, those residents require even more assistance for basic necessities. While most money spent in a community has a multiplier effect in that community to build economic development, every dollar of interest paid to these loans removes $.25 from the local economy.

We would include a technical assistance component to the lending and offer training such as Bridges Out of Poverty to aide our residents in planning and implementing strategies to move them forward financially and become self-sustaining, job-ready, homeowners, etc. We would also report their payment history to credit bureaus to build credit scores that would make them candidates for conventional lending.

Once this program is established, we would like to utilize this non-profit to work in other troubling areas such as homelessness, job skills for at-risk youth, and other issues which currently are a drain on your local economies and a blight for our region. Most grants offer larger funding amounts for regional organizations, which, in turn, provides more assistance to each of our members. Finally, there are grants, for which this non-profit would be eligible, that could assist our Section 8 Housing Department and Area Agency on Aging in offering services that they can’t at this time or expand on the services already offered.

RECOMMENDATION

Staff recommends Board approve the creation of Northeast Texas Regional Development Corporation and authorize proceeding with the necessary paperwork for such, as well as the application to Texas Community Capital.
COMMUNITY LOAN CENTER LOCATIONS

- CLC of Austin, operated by BCL of Texas
- CLC of the Brazos Valley, operated by Brazos Valley Affordable Housing
- CLC of Dallas, operated by BCL of Texas
- CLC of Greater Houston, operated by Neighborhood Recovery CDC
- CLC of Greater Laredo, operated by Azteca Economic Development & Preservation Corporation
- CLC of Rio Grande Valley, operated by Rio Grande Valley Multibank
- CLC of Texas, operated by Texas Community Capital
- CLC of Northeast Indiana, operated by Brightpoint
- CLC of West Central Indiana, operated by HomesteadCS
- CLC of the Chesapeake, operated by NHS of Baltimore

HOW TO BRING THE COMMUNITY LOAN CENTER TO YOUR COMMUNITY

The CLC loan program is designed to be a viable social enterprise for the Local Lenders. Texas Community Capital (TCC) is the network administrator authorized to recruit organizations to become Community Loan Center Local Lenders and market the program to employers in their assigned service territory.

Each Local Lender receives access to the online software, use of trademarks, a logo, marketing materials, loan processing and loan servicing, technical assistance, and training.

FOR ADDITIONAL INFORMATION PLEASE CONTACT:

Howard Porter, Program Manager
Texas Community Capital
1910 E. Martin Luther King, Jr. Blvd
Austin, Texas 78702
512.916.0508
www.tccapital.org
howard@tccapital.org

COMMUNITY LOAN CENTER ADVISORY COMMITTEE

As part of TCC’s efforts to expand the program statewide, we have formed an Advisory Committee of professionals interested in seeing the CLC Program Loan Center succeed. These members represent funders, policy advocates, CLC participants, and regulators committed to providing ongoing guidance and support to the program.

Current members:

Ann Baddour, Texas Appleseed (Chair)
Nick Mitchell Bennett, Rio Grande Valley Multibank
Alfreda Norman, Federal Reserve Bank of Dallas
Shannon Van Zandt, Texas A&M University
Debbie Taylor, Citigroup
Susan Hoff, United Way of Metropolitan Dallas
Eliza Platts-Mills, University of Texas Law Clinic
Woody Widrow, RAISE Texas
Kevin Jewell, Consultant
Tom Wilkinson, Brazos Valley Council of Governments

COMMUNITY LOAN CENTER OF TEXAS

Affordable Small Dollar Loans

The Community Loan Center of Texas is recruiting lenders across the state to provide a sustainable and scalable alternative to predatory loans.

THE TROUBLE WITH PAYDAY LOANS

In the last few years payday and auto title lenders have converged on Texas neighborhoods where loopholes in our state finance laws allow lenders to charge much higher interest rates than most other states. Texas payday and auto title lenders extract over one billion dollars per year in fees from those who can least afford it, with interest rates as high as 660% APR. Payday lenders require payment of the entire loan balance from the borrower’s next paycheck. These usurious interest rates and fees trap borrowers in a cycle of debt requiring them to sometimes repay thousands of dollars to borrow only a few hundred. Lower paid consumers need credit solutions that consider what is best for the consumer, rather than what is best for the lender.

THE PROBLEM WITH PAYDAY/AUTO TITLE LOANS

- Up to 660% interest charged in Texas
- 44,052 cars repossessed in Texas in 2014
- $1.49 billion in fees
- Payday lenders don’t report timely repayment history to credit bureaus
- Average payday loan refinanced 2 times in Texas

THE COMMUNITY LOAN CENTER

People need short-term loans that are quick and easily accessible. To address this need, the Rio Grande Valley Multibank and Texas Community Capital created the Community Loan Center Small Dollar Loan Program. The Community Loan Center provides workers with an alternative to predatory loans, and demonstrates that an inexpensive small dollar loan product can be a successful social enterprise for non profits. The Community Loan Center is designed around proprietary software that enables scalability and sustainability. With over 14,000 loans in multiple markets in Texas, we know that the program can work in your area.

COMMUNITY LOAN CENTER AT A GLANCE

- 18% interest, $20 admin fee
- $1,000 maximum
- Employer based model
- Online loan application & servicing
- 52 week term
- Repaid through payroll deduction
- Financial Counseling
No direct costs to employers for providing the CLC program to employees.

- Reduces distractions to HR staff from employee debtors,
- Reduces employee turnover by building employer loyalty

Community Loan Center loans feature:
- quick approval
- streamlined underwriting
- no credit reports
- no collateral
- affordable repayment options
- no pre-payment penalties

CLC borrowers may access their account through the CLC website. This innovative website eliminates the need for storefronts and high overhead costs resulting in much lower loan costs. The CLC program provides free, no obligation financial counseling to all CLC borrowers. The CLC financial counselors help borrowers become more financially empowered to manage their personal finances and to use credit responsibly.

The CLC model is customer centric and engages community lenders who understand the needs of consumer loan borrowers. The overarching goal is to help CLC borrowers meet current and ongoing financial obligations and achieve a sense of security in their financial future.
RESOLUTION NO. ________

Older Americans Month 2017

Whereas, Ark-Tex Council of Government includes older Americans who richly contribute to our community; and

Whereas, we acknowledge that what it means “to age” has changed—for the better.

Whereas, Ark-Tex Council of Governments and the Area Agency on Aging are committed to supporting older adults as they take charge of their health, explore new opportunities and activities, and focus on independence; and

Whereas, Ark-Tex Area Agency on Aging can provide opportunities to enrich the lives of individuals of all ages by:

- involving older adults in the redefinition of aging in our community;
- promoting home- and community-based services that support independent living;
- encouraging older adults to speak up for themselves and others; and
- providing opportunities for older adults to share their experiences.

Now therefore, We, the Ark-Tex Council of Governments Board of Directors, do hereby proclaim May 2017 to be Older Americans Month. We urge every resident to take time during this month to acknowledge older adults and the people who serve them as influential and vital parts of our community.

Dated this 27th day of April, 2017

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

ATTEST:

___________________________________
SERVICES AGREEMENT
BETWEEN
FRONTIER ASSOCIATES LLC AND
ARK-TEX COUNCIL OF GOVERNMENTS

This consulting agreement is between Frontier Associates LLC, a Texas Limited Liability Company, (Frontier, Company) and Ark-Tex Council of Governments (ATCOG, AGENCY).

Whereas, Frontier has been engaged by Texas New Mexico Power, a Texas corporation, (TNMP) to assist with delivery of energy efficiency services to certain income-qualified TNMP customers; and

Whereas, Frontier has an existing contract with 6 the “Contract”; and

Whereas, Frontier desires to obtain from AGENCY the services described herein and in the Scope of Work, attached to this Agreement ("Agreement") as Appendix A, and AGENCY desires to provide such services:

THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Scope of Services. AGENCY will provide services (the “Authorized Work”) to Frontier with respect to Frontier’s obligations under the Agreement, as described in Appendix A, Scope of Work. The Scope of Work may be modified during the term of this Agreement, based on changes to the Contract between TCC and Frontier. If the Scope of Work is modified, the AGENCY will have the option to continue providing services under the terms of the revised Scope of Work and this Agreement, or may terminate this Agreement, in accordance with Section 6b.

2. Term. The term of this Agreement shall terminate on December 31, 2017, unless extended per mutual written consent by Frontier and AGENCY. All Authorized Work shall be completed by November 30, 2017, unless a modified timetable is agreed to in writing by both parties.

3. Independent Contractor and Subcontractors. AGENCY shall be fully responsible for all acts and omissions of its Personnel and its Subcontractors, and shall be specifically responsible for sufficient and competent supervision and inspection to assure compliance in every respect with Agreement requirements. Frontier shall not be responsible for the payment of any sums to any of the AGENCY’s subcontractors or suppliers.
4. **Standards, Codes, Laws And Regulations.** AGENCY shall comply with all applicable laws, rules, regulations, codes and standards of all federal, state, local and municipal Governmental Authority having jurisdiction over the Work covered by this Agreement.

   a. AGENCY shall ensure that all permits, governmental fees and licenses necessary for proper execution and completion of the Work unless otherwise specified in the Agreement Documents are secured.

5. **Termination for Cause.** If AGENCY fails to perform a material term or condition of this Agreement, and fails to cure such default within 30 calendar days after receipt of written Notice of Default and Termination from Frontier, Frontier may declare this Agreement terminated, effective on the last day of said notice period (“Termination Date”). AGENCY shall be paid for all undisputed work performed prior to the Termination Date, which payment shall not be unreasonably withheld. Grounds for termination for cause include, but are not limited, to the following situations:

   a. the failure, refusal or inability of the AGENCY to perform any material aspect of the Authorized Work in accordance with the Scope of Work (except as specified in Section 22, “Force Majeure”); or

   b. AGENCY has become insolvent, has exhibited a pattern of failure to pay its bills, or has had checks for payment of its bills returned from suppliers and subcontractors due to insufficient funds; or

   c. a court of law has enjoined AGENCY from performing the Authorized Work; or

   d. In Frontier’s reasonable judgment, the Authorized Work will not be completed within the specified time and/or budget and Frontier has reasonably requested AGENCY to take steps necessary to accomplish the required progress and completion and/or cost containment, and AGENCY has failed to do so; or

   e. AGENCY has misused the corporate name, brand, or logo associated with TNMP or Frontier Associates.
6. **Termination for Convenience.** Notwithstanding anything to the contrary, Frontier reserves the right to terminate or suspend this contract at any time, for any reason. If, however, after consulting with Frontier, it is AGENCY’s opinion that any of the Work is in a state such that interruption thereof would result in substantially increased costs upon resumption of the Work, AGENCY, with Frontier's written concurrence, may complete that portion of the Work.

   a. AGENCY shall resume any of the Work so interrupted, suspended or delayed when directed to do so by Frontier, provided, however, that the schedule and the time for performance shall be revised by a period of time reasonably necessary to overcome the effect of the interruption, suspension or delay. Other provisions of this Agreement, such as the delivery dates and terms of payment, will also be adjusted if necessary and as appropriate. AGENCY shall make every reasonable effort to minimize any additional expense pursuant to this Section.

   b. AGENCY may terminate the terms of this agreement without cause upon forty-five (45) days written notice to Frontier. Failure to provide such notice will maintain the agreement in full effect with all provisions included herein.

7. **Reporting.** AGENCY will provide data and draft materials for inclusion in periodic progress reports. The following supporting documentation is required to substantiate Agreement expenditures:

   a. Summary of completed weatherized homes, submitted through Frontier’s online reporting systems.

   b. Copies of signed Customer Certification forms, Income Verification forms and NEAT audit report forms, uploaded to the Program database.

   c. Other Direct Costs. All AGENCY costs shall be recovered as weatherization and allowable repair expenses, unless previously approved in writing as an authorized non-weatherization expense.

8. **Payment.** Frontier shall reimburse AGENCY for actual costs incurred in the performance of the Authorized Work, plus an administrative fee of eight percent
For the initial term specified in Section 2.0, the AGENCY will be allocated $60,000 in funding to perform Authorized Work under the terms of this Agreement. This allocation is subject to the AGENCY’s ability to expend allocated funds in a consistent and timely manner. Frontier reserves the right to reduce any or all of the allocated funds due to untimely expenditure of funds or non-compliance with any term or terms of this Agreement. Frontier also reserves the right to reduce or cancel any of the allocated funds if the Contract Term or other terms of Frontier’s Contract with TNMP are modified. Upon the timely expenditure of the funds initially allocated to AGENCY, Frontier may allocate additional funding to AGENCY for Authorized Work under the terms of this Agreement. Frontier will make advance payments for Authorized Work upon receipt of properly-completed work orders submitted via the on-line database. AGENCY will have 45 days from the date the work order was submitted to complete Authorized Work for each work order and update installation information via the on-line database. Any amounts over or underpaid to AGENCY based on the difference between Authorized Work on a work order and actual work performed will be subject to reconciliation on the next work order, or in the case of work completed near the end of Agreement Term, within 30 days. Timely reimbursement of costs is contingent on AGENCY’s submitting work orders, invoices and supporting documentation.

9. **Milestones.** As a benchmark for determining the AGENCY’s ability to expend allocated funds in a timely manner, the following performance milestones shall be set:
   
a. As of May 31, 2017, the total amount spent and/or encumbered should be equal to at least 25 percent of the allocated amount referenced in the above paragraph.

   b. As of August 1, 2017, the total amount spent and/or encumbered should be equal to at least 50 percent of the allocated amount referenced in the above paragraph.

   c. As of September 30, 2017, the total amount spent and/or encumbered should be equal to at least 75 percent of the allocated amount referenced in the above paragraph.

10. **Maximum Payment per Home.** The maximum payment, inclusive of all AGENCY costs for work performed under this Agreement is $6,500 per home.
11. **Unanticipated Costs.** Each party shall be separately responsible for any unanticipated fees, taxes, or costs necessary for the completion of that party’s scope of work.

12. **Warranty.** AGENCY warrants that all work be performed in a good and workmanlike manner using material of suitable quality.

13. **Inspection.** All Work performed by AGENCY shall be subject to the inspection and approval of TNMP, Frontier, or their authorized representatives after project completion, but such approval shall not relieve AGENCY of responsibility for the proper performance of the Work. AGENCY shall provide sufficient, safe and proper facilities at all times for such inspection of the Work and shall furnish all information concerning the Work and grant Frontier or its duly authorized representative free access at all reasonable times to AGENCY’s facilities where the Work under this Agreement is performed.

14. **Records and Audit.** AGENCY’s books, records, correspondence, accounting procedures and practices and any other supporting evidence relating to this Agreement (all of the foregoing hereinafter referred to as "Records") shall be open to inspection and subject to audit and/or reproduction, during normal working hours, by Frontier or its authorized representative to the extent necessary to adequately permit evaluation and verification of customer eligibility forms, income documentation, customer agreement, or certification forms, or of any invoices, payments or claims based on AGENCY’s actual costs incurred, or units expended, directly in the performance of the Work under this Agreement. Frontier or its authorized representative shall have access to said Records from the effective date of this Agreement, for the duration of the Work and until three (3) years after the date of final payment by Frontier to AGENCY pursuant to this Agreement.

15. **Use of Name.** AGENCY may not use TNMP’s or Frontier’s corporate name, trademark, trade name, logo, identity or any affiliation for any reason, including soliciting customers for participation in its project, without TNMP’s or Frontier’s prior written consent.

16. **Publicity.** Information relating to this Agreement may be released for publication and/or advertising only with the prior written approval of Frontier. AGENCY is
expressly prohibited from using TNMP’s or Frontier’s name in any publication, advertising, or promotion without written approval TNMP’s and Frontier’ prior written consent.

17. **Indemnity.** AGENCY agrees to defend, hold harmless and indemnify Frontier and TNMP, their officers, directors, employees, agents and independent contractors, and each of TNMP’s affiliates and each of their respective officers, directors, employees, agents and independent contractors (Company Group) from all claims, damages or causes of action by AGENCY, AGENCY’s employees and any other person or entity arising in any way from this contract or Work performed hereunder.

18. **Certification.** Prior to conducting any assessments, AGENCY shall submit to Frontier for its review and approval the name of the person or persons who will be performing assessments, along with proof of qualifying certification. Below is a list of the certifications and certifying organizations that shall be considered to be qualifying.

   i. HERS Rater: Residential Energy Services Network (RESNET)  
   ii. HESP (Home Energy Service Professional): RESNET  
   iii. Smart Contractor: RESNET  
   iv. Building Analyst Professional: Building Performance Institute (BPI)  
   v. Building Envelope Professional: BPI

   Additional types of certification and/or summary statement of qualifications may be considered for approval at the sole discretion of Frontier.

19. **Insurance.** Prior to beginning any services, AGENCY shall submit to Frontier, Certificates of Insurance evidencing the coverages listed by the AGENCY in its application. The insurance coverages set forth in AGENCY’s application shall be maintained during the term of this agreement, and for coverages provided on a claims-made basis, for a period of not less than six months from the termination date of this agreement.

20. **Notices.** All notices required or permitted under this Agreement shall be in writing and shall be deemed delivered when delivered in person or deposited in the United States mail, postage prepaid, addressed as follows:
21. **Entire Agreement.** This Agreement constitutes the entire understanding of the parties with respect to the Authorized Work, and there shall be no modification or waiver hereof except by writing, signed by the party asserted to be bound thereby. There are no oral representations or agreements between the parties.

22. **Time is of the Essence.** The Parties hereby acknowledge that time is of the essence in performing the duties under this Agreement. Failure to comply with stated deadlines or milestones may result in termination of this Agreement, payments being withheld, or other contractual modifications.

23. **No Waiver.** The failure of either party to enforce or insist upon compliance with any of the terms or conditions of this Agreement shall not constitute a general waiver or relinquishment of any such terms or conditions, but the same shall be and remain at all times in duly force and effect.

24. **Applicable Law.** This Agreement shall be governed by the laws of the State of Texas, without application of its conflict of laws provisions. Venue shall lie exclusively in the state courts of Travis County, Texas, unless such cause of action is within the jurisdiction of the Public Utility Commission of Texas (PUCT), in which case the proper venue and jurisdiction will be at the PUCT.

25. **Assignment Prohibited.** This Agreement may not be assigned without the written consent of Frontier. Arrangements between AGENCY and subcontractor or subcontractors which result in the assumption of substantial contractual
obligations by the subcontractor shall be considered as an assignment, and shall be subject to the provisions of this paragraph.

26. **Modification.** This Agreement may not be modified except by written agreement.

27. **Force Majeure.** Neither Party shall be liable to the other for any delay in or failure of performance, nor shall any such delay in or failure of performance constitute default, if such delay or failure is caused by “Force Majeure.” As used in this Section, Force Majeure is defined as: Acts of war and acts of god such as earthquakes, floods and other natural disasters, or actions of others, including but not limited to strikes, lockouts or other industrial disturbance, not within the control or arising from the fault of the Party claiming Force Majeure.

28. **No Joint Enterprise.** Each party shall perform its obligations under this Agreement as independent contractors, and nothing contained herein shall be deemed to create, nor does it create, any association, partnership, joint venture, or relationship of principal and agent or master and servant between the parties, or to provide either party with the right, power or authority, whether express or implied, to create any duty or obligation on behalf of the other party.

29. **Attorney’s Fees.** In the event of any legal action or other proceeding between the Parties arising out of this Agreement or the transactions contemplated herein, the prevailing Party in such legal action or proceeding shall be entitled to have and recover from the other Party all costs and expenses incurred therein, including reasonable in-house and outside attorneys’ fees.

AGREED as of ____________, 2017.

**FRONTIER ASSOCIATES LLC**

By: _________________________
Name: Jay Zarnikau
Title: Senior VP

**ATCOG**

By: _________________________
Name: Chris Brown
Title: Executive Director
### DIRECTORS REPORT

Ark Tex Council of Governments
Fiscal year thru period ending 03/31/2017

#### 0010 17 000 Executive

<table>
<thead>
<tr>
<th>Description</th>
<th>Month to date</th>
<th>Year to date</th>
<th>Ytd encum</th>
<th>Annual budget</th>
<th>Annual variance</th>
<th>% used</th>
</tr>
</thead>
<tbody>
<tr>
<td>0010 00 17 000 50110 00 SALARIES</td>
<td>10,451.90</td>
<td>56,588.84</td>
<td>-</td>
<td>125,972.00</td>
<td>69,383.10</td>
<td>0.45</td>
</tr>
<tr>
<td>0010 00 17 000 50210 00 BENEFITS</td>
<td>6,438.38</td>
<td>34,858.75</td>
<td>-</td>
<td>77,599.00</td>
<td>42,740.20</td>
<td>0.45</td>
</tr>
<tr>
<td>0010 00 17 000 50310 00 STAFF TRAVEL</td>
<td>2,330.77</td>
<td>5,330.20</td>
<td>-</td>
<td>11,000.00</td>
<td>5,669.80</td>
<td>0.49</td>
</tr>
<tr>
<td>0010 00 17 000 50312 00 REGISTRATION</td>
<td>-</td>
<td>1,099.00</td>
<td>-</td>
<td>-</td>
<td>(1,099.0)</td>
<td>-</td>
</tr>
<tr>
<td>0010 00 17 000 50410 00 RENT/SPACE</td>
<td>1,089.80</td>
<td>4,782.84</td>
<td>-</td>
<td>8,952.00</td>
<td>4,169.16</td>
<td>0.53</td>
</tr>
<tr>
<td>0010 00 17 000 50420 00 TELEPHONE</td>
<td>456.24</td>
<td>2,063.20</td>
<td>-</td>
<td>4,000.00</td>
<td>1,936.80</td>
<td>0.52</td>
</tr>
<tr>
<td>0010 00 17 000 50430 00 POSTAGE</td>
<td>17.38</td>
<td>432.08</td>
<td>-</td>
<td>550.00</td>
<td>117.92</td>
<td>0.79</td>
</tr>
<tr>
<td>0010 00 17 000 50440 00 COPIER</td>
<td>3.82</td>
<td>96.74</td>
<td>-</td>
<td>200.00</td>
<td>103.26</td>
<td>0.48</td>
</tr>
<tr>
<td>0010 00 17 000 50510 00 OTHER DIRECT</td>
<td>(8.00)</td>
<td>7,971.04</td>
<td>-</td>
<td>13,000.00</td>
<td>5,028.96</td>
<td>0.61</td>
</tr>
<tr>
<td>0010 00 17 000 50511 00 OFFICE SUPPLIES</td>
<td>1,107.71</td>
<td>1,706.29</td>
<td>88.52</td>
<td>5,200.00</td>
<td>3,405.19</td>
<td>0.35</td>
</tr>
<tr>
<td>0010 00 17 000 50514 00 PERIODICALS &amp; PU</td>
<td>-</td>
<td>75.00</td>
<td>-</td>
<td>920.00</td>
<td>845.00</td>
<td>0.08</td>
</tr>
<tr>
<td>0010 00 17 000 50525 00 INTEREST</td>
<td>222.78</td>
<td>1,714.85</td>
<td>-</td>
<td>2,140.00</td>
<td>425.15</td>
<td>0.80</td>
</tr>
<tr>
<td><strong>Total EXPENSE</strong></td>
<td><strong>22,110.78</strong></td>
<td><strong>116,718.83</strong></td>
<td><strong>88.52</strong></td>
<td><strong>249,533.00</strong></td>
<td><strong>132,725.00</strong></td>
<td><strong>0.47</strong></td>
</tr>
<tr>
<td>Description</td>
<td>Month to date</td>
<td>Year to date</td>
<td>Ytd encum</td>
<td>Annual budget</td>
<td>Annual variance</td>
<td>% used</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>---------------</td>
<td>--------------</td>
<td>-----------</td>
<td>---------------</td>
<td>-----------------</td>
<td>--------</td>
</tr>
<tr>
<td>0020 00 17 000 50110 00 SALARIES</td>
<td>14,256.14</td>
<td>73,862.31</td>
<td>-</td>
<td>171,924.00</td>
<td>98,061.60</td>
<td>0.43</td>
</tr>
<tr>
<td>0020 00 17 000 50210 00 BENEFITS</td>
<td>8,781.75</td>
<td>45,499.13</td>
<td>-</td>
<td>105,962.00</td>
<td>60,462.80</td>
<td>0.43</td>
</tr>
<tr>
<td>0020 00 17 000 50310 00 STAFF TRAVEL</td>
<td>176.40</td>
<td>2,212.18</td>
<td>-</td>
<td>4,000.00</td>
<td>1,787.82</td>
<td>0.55</td>
</tr>
<tr>
<td>0020 00 17 000 50312 00 REGISTRATION</td>
<td>130.00</td>
<td>399.00</td>
<td>-</td>
<td></td>
<td>(399.00)</td>
<td>-</td>
</tr>
<tr>
<td>0020 00 17 000 50410 00 RENT/SPACE</td>
<td>1,486.42</td>
<td>6,250.47</td>
<td>-</td>
<td>10,300.00</td>
<td>4,049.53</td>
<td>0.61</td>
</tr>
<tr>
<td>0020 00 17 000 50420 00 TELEPHONE</td>
<td>538.88</td>
<td>2,233.93</td>
<td>-</td>
<td>3,800.00</td>
<td>1,566.07</td>
<td>0.59</td>
</tr>
<tr>
<td>0020 00 17 000 50430 00 POSTAGE</td>
<td>59.93</td>
<td>308.14</td>
<td>-</td>
<td>1,700.00</td>
<td>1,391.86</td>
<td>0.18</td>
</tr>
<tr>
<td>0020 00 17 000 50440 00 COPIER</td>
<td>7.59</td>
<td>190.07</td>
<td>-</td>
<td>750.00</td>
<td>559.93</td>
<td>0.25</td>
</tr>
<tr>
<td>0020 00 17 000 50510 00 OTHER DIRECT</td>
<td>-</td>
<td>770.00</td>
<td>-</td>
<td>3,312.00</td>
<td>2,542.00</td>
<td>0.23</td>
</tr>
<tr>
<td>0020 00 17 000 50511 00 OFFICE SUPPLIES</td>
<td>-</td>
<td>304.77</td>
<td>-</td>
<td>1,700.00</td>
<td>1,395.23</td>
<td>0.18</td>
</tr>
<tr>
<td>0020 00 17 000 50514 00 PERIODICALS &amp; PU</td>
<td>-</td>
<td>1,610.97</td>
<td>-</td>
<td>1,600.00</td>
<td>(10.97)</td>
<td>1.01</td>
</tr>
<tr>
<td>0020 00 17 000 50516 00 ADVERTISEMENT</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>200.00</td>
<td>200.00</td>
<td>-</td>
</tr>
<tr>
<td>0020 00 17 000 50522 00 INSURANCE/BONDIN</td>
<td>-</td>
<td>7,079.46</td>
<td>-</td>
<td>6,983.00</td>
<td>(96.46)</td>
<td>1.01</td>
</tr>
<tr>
<td>0020 00 17 000 50523 00 COMPUTER SOFTWARE</td>
<td>251.32</td>
<td>251.32</td>
<td>-</td>
<td>825.00</td>
<td>573.68</td>
<td>0.31</td>
</tr>
<tr>
<td>0020 00 17 000 50524 00 BANKING SERVICES</td>
<td>-</td>
<td>305.83</td>
<td>-</td>
<td>410.00</td>
<td>104.17</td>
<td>0.75</td>
</tr>
<tr>
<td>0020 00 17 000 50525 00 INTEREST</td>
<td>303.88</td>
<td>2,248.00</td>
<td>-</td>
<td>2,920.00</td>
<td>672.00</td>
<td>0.77</td>
</tr>
<tr>
<td><strong>Total EXPENSE</strong></td>
<td><strong>25,992.31</strong></td>
<td><strong>143,525.58</strong></td>
<td><strong>-</strong></td>
<td><strong>316,386.00</strong></td>
<td><strong>172,860.00</strong></td>
<td><strong>0.45</strong></td>
</tr>
</tbody>
</table>
Ark Tex Council of Governments  
DIRECTORS REPORT

Fiscal year thru period ending 03/31/2017

<table>
<thead>
<tr>
<th>Description</th>
<th>Month to date</th>
<th>Year to date</th>
<th>Ytd encum</th>
<th>Annual budget</th>
<th>Annual variance</th>
<th>% used</th>
</tr>
</thead>
<tbody>
<tr>
<td>0030 00 17 000 50310 00 BOARD TRAVEL</td>
<td>514.45</td>
<td>3,903.01</td>
<td>-</td>
<td>20,000.00</td>
<td>16,096.90</td>
<td>0.20</td>
</tr>
<tr>
<td>0030 00 17 000 50312 00 BOARD REGISTRATI</td>
<td>-</td>
<td>1,245.00</td>
<td>-</td>
<td>-</td>
<td>(1,245.00)</td>
<td>-</td>
</tr>
<tr>
<td>Total EXPENSE</td>
<td>514.45</td>
<td>5,148.01</td>
<td>-</td>
<td>20,000.00</td>
<td>14,851.90</td>
<td>0.26</td>
</tr>
</tbody>
</table>

0030 17 000  Board
### DIRECTORS REPORT

**Finance**

<table>
<thead>
<tr>
<th>Description</th>
<th>Month to date</th>
<th>Year to date</th>
<th>Ytd encum</th>
<th>Annual budget</th>
<th>Annual variance</th>
<th>% used</th>
</tr>
</thead>
<tbody>
<tr>
<td>0040 00 17 000 50110 00 SALARIES</td>
<td>5,303.16</td>
<td>42,412.28</td>
<td>-</td>
<td>112,900.00</td>
<td>70,487.70</td>
<td>0.38</td>
</tr>
<tr>
<td>0040 00 17 000 50210 00 BENEFITS</td>
<td>3,266.76</td>
<td>26,125.99</td>
<td>-</td>
<td>69,584.00</td>
<td>43,458.00</td>
<td>0.38</td>
</tr>
<tr>
<td>0040 00 17 000 50310 00 STAFF TRAVEL</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2,500.00</td>
<td>2,500.00</td>
<td>-</td>
</tr>
<tr>
<td>0040 00 17 000 50410 00 RENT/SPACE</td>
<td>552.93</td>
<td>3,660.17</td>
<td>-</td>
<td>7,450.00</td>
<td>3,789.83</td>
<td>0.49</td>
</tr>
<tr>
<td>0040 00 17 000 50420 00 TELEPHONE</td>
<td>212.58</td>
<td>1,277.79</td>
<td>-</td>
<td>2,800.00</td>
<td>1,522.21</td>
<td>0.46</td>
</tr>
<tr>
<td>0040 00 17 000 50430 00 POSTAGE</td>
<td>236.72</td>
<td>1,557.52</td>
<td>-</td>
<td>3,000.00</td>
<td>1,442.48</td>
<td>0.52</td>
</tr>
<tr>
<td>0040 00 17 000 50440 00 COPIER</td>
<td>26.23</td>
<td>130.77</td>
<td>-</td>
<td>120.00</td>
<td>(10.77)</td>
<td>1.09</td>
</tr>
<tr>
<td>0040 00 17 000 50510 00 OTHER DIRECT</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>984.00</td>
<td>984.00</td>
<td>-</td>
</tr>
<tr>
<td>0040 00 17 000 50511 00 OFFICE SUPPLIES</td>
<td>291.10</td>
<td>1,546.73</td>
<td>-</td>
<td>3,000.00</td>
<td>1,453.27</td>
<td>0.52</td>
</tr>
<tr>
<td>0040 00 17 000 50514 00 PERIODICALS &amp; PU</td>
<td>-</td>
<td>429.00</td>
<td>-</td>
<td>410.00</td>
<td>(19.00)</td>
<td>1.05</td>
</tr>
<tr>
<td>0040 00 17 000 50515 00 MEMBERSHIP DUES</td>
<td>-</td>
<td>80.00</td>
<td>-</td>
<td>230.00</td>
<td>150.00</td>
<td>0.35</td>
</tr>
<tr>
<td>0040 00 17 000 50516 00 ADVERTISING</td>
<td>-</td>
<td>111.72</td>
<td>-</td>
<td>150.00</td>
<td>38.28</td>
<td>0.75</td>
</tr>
<tr>
<td>0040 00 17 000 50520 00 AUDIT &amp; ACCOUNTI</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>38,000.00</td>
<td>38,000.00</td>
<td>-</td>
</tr>
<tr>
<td>0040 00 17 000 50523 00 COMPUTER SOFTWAR</td>
<td>251.32</td>
<td>328.82</td>
<td>-</td>
<td>5,800.00</td>
<td>5,471.18</td>
<td>0.06</td>
</tr>
<tr>
<td>0040 00 17 000 50525 00 INTEREST</td>
<td>113.04</td>
<td>1,413.40</td>
<td>-</td>
<td>1,950.00</td>
<td>536.60</td>
<td>0.73</td>
</tr>
</tbody>
</table>

**Total EXPENSE**

| 10,253.84 | 79,074.19 | 248,878.00 | 169,803.00 | 0.32 |

---

Fiscal year thru period ending 03/31/2017

Ark Tex Council of Governments

Run date: 04/10/2017
Bus date: 03/31/2017
## Special Projects

<table>
<thead>
<tr>
<th>Description</th>
<th>Month to date</th>
<th>Year to date</th>
<th>Ytd encum</th>
<th>Annual budget</th>
<th>Annual variance</th>
<th>% used</th>
</tr>
</thead>
<tbody>
<tr>
<td>0050 00 17 000 50110 00 SALARIES</td>
<td>651.64</td>
<td>14,696.44</td>
<td>-</td>
<td>47,025.00</td>
<td>32,328.50</td>
<td>0.31</td>
</tr>
<tr>
<td>0050 00 17 000 50210 00 BENEFITS</td>
<td>401.43</td>
<td>9,053.12</td>
<td>-</td>
<td>28,983.00</td>
<td>19,929.80</td>
<td>0.31</td>
</tr>
<tr>
<td>0050 00 17 000 50310 00 STAFF TRAVEL</td>
<td>352.51</td>
<td>1,280.68</td>
<td>-</td>
<td>3,800.00</td>
<td>2,519.32</td>
<td>0.34</td>
</tr>
<tr>
<td>0050 00 17 000 50410 00 RENT/SPACE</td>
<td>67.94</td>
<td>1,206.08</td>
<td>-</td>
<td>2,300.00</td>
<td>1,093.92</td>
<td>0.52</td>
</tr>
<tr>
<td>0050 00 17 000 50420 00 TELEPHONE</td>
<td>41.71</td>
<td>500.18</td>
<td>-</td>
<td>985.00</td>
<td>484.82</td>
<td>0.51</td>
</tr>
<tr>
<td>0050 00 17 000 50430 00 POSTAGE</td>
<td>836.37</td>
<td>1,069.83</td>
<td>-</td>
<td>400.00</td>
<td>(669.83)</td>
<td>2.68</td>
</tr>
<tr>
<td>0050 00 17 000 50440 00 COPIER</td>
<td>-</td>
<td>187.15</td>
<td>-</td>
<td>100.00</td>
<td>(87.15)</td>
<td>1.87</td>
</tr>
<tr>
<td>0050 00 17 000 50510 00 OTHER DIRECT</td>
<td>-</td>
<td>80.00</td>
<td>-</td>
<td>404.00</td>
<td>324.00</td>
<td>0.20</td>
</tr>
<tr>
<td>0050 00 17 000 50511 00 SUPPLIES</td>
<td>-</td>
<td>306.09</td>
<td>-</td>
<td>400.00</td>
<td>93.91</td>
<td>0.77</td>
</tr>
<tr>
<td>0050 00 17 000 50514 00 PERIODICALS &amp; PU</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>345.00</td>
<td>345.00</td>
<td>-</td>
</tr>
<tr>
<td>0050 00 17 000 50516 00 ADVERTISING</td>
<td>222.60</td>
<td>399.91</td>
<td>-</td>
<td>1,000.00</td>
<td>600.09</td>
<td>0.40</td>
</tr>
<tr>
<td>0050 00 17 000 50523 00 COMPUTER SOFTWAR</td>
<td>71.81</td>
<td>71.81</td>
<td>-</td>
<td>128.00</td>
<td>56.19</td>
<td>0.56</td>
</tr>
<tr>
<td>0050 00 17 000 50525 00 INTEREST</td>
<td>13.89</td>
<td>478.18</td>
<td>-</td>
<td>671.00</td>
<td>192.82</td>
<td>0.71</td>
</tr>
</tbody>
</table>

**Total EXPENSE**

|                        | 2,659.90 | 29,329.47 | -       | 86,541.00 | 57,211.50 | 0.34 |

Ark Tex Council of Governments

Fiscal year thru period ending 03/31/2017
Ark Tex Council of Governments
DIRECTORS REPORT

Fiscal year thru period ending 03/31/2017

<table>
<thead>
<tr>
<th>Description</th>
<th>Month to date</th>
<th>Year to date</th>
<th>Ytd encum</th>
<th>Annual budget</th>
<th>Annual variance</th>
<th>% used</th>
</tr>
</thead>
<tbody>
<tr>
<td>0070 00 17 000 50110 00 SALARIES</td>
<td>298.01</td>
<td>1,371.85</td>
<td>-</td>
<td>3,881.00</td>
<td>2,509.15</td>
<td>0.35</td>
</tr>
<tr>
<td>0070 00 17 000 50210 00 BENEFITS</td>
<td>183.59</td>
<td>845.16</td>
<td>-</td>
<td>2,392.00</td>
<td>1,546.84</td>
<td>0.35</td>
</tr>
<tr>
<td>0070 00 17 000 50410 00 RENT/SPACE</td>
<td>31.07</td>
<td>121.33</td>
<td>-</td>
<td>-</td>
<td>(121.33)</td>
<td>-</td>
</tr>
<tr>
<td>0070 00 17 000 50420 00 TELEPHONE</td>
<td>10.58</td>
<td>41.30</td>
<td>-</td>
<td>-</td>
<td>(41.30)</td>
<td>-</td>
</tr>
<tr>
<td>0070 00 17 000 50525 00 INTEREST</td>
<td>6.35</td>
<td>43.53</td>
<td>-</td>
<td>-</td>
<td>(43.53)</td>
<td>-</td>
</tr>
</tbody>
</table>

Total EXPENSE
529.60  2,423.17  -  6,273.00  3,849.83  0.39
ARK-TEX AREA AGENCY ON AGING (AAA)
Regional Advisory Council Meeting

MINUTES

The Ark-Tex Council of Governments (ATCOG) Area Agency on Aging (AAA) Regional Advisory Council met at 10:00 a.m. on Thursday, March 2, 2017, at Titus Medical Plaza in Mount Pleasant, Texas. Jane Helberg, Chairperson, called the meeting to order at 10:02 a.m.

Jenny Butler, AAA Administrative Assistant, called roll. Regional Advisory Council members present were as follows:

Bill Collins, Lamar County Representative
Dorothy Young, Franklin County Representative
Grover Godfrey, Bowie County Representative
Jane Helberg, Private Sector
Judge Williamson, Elected Official
Ken Kunkel, Veteran’s Administration
Pat Dorrough, Red River County Representative
Ruth Brown, Health Care Organization
Terry Landers, Delta County Representative
Judge Munkres, Elected Official
Stephanie Sonnier, Social Service Agency (APS)
Linda Strickland, Morris County Representative

It was determined that a quorum was present.

Guests present were as follows:

Nancy Hoehn, ATCOG Transportation
Emily Green, ATCOG Transportation

Approval of Minutes of Last Meeting

A motion was made by Bill Collins to approve the minutes of the December 1, 2016, meeting. Motion was seconded by Grover Godfrey. All members present were in favor.

Overview of the Ombudsman Program

Lisa Reeve presented information regarding the ombudsman program. A long-term care ombudsman advocates for residents rights, visits with residents, observes staff, participates in activities, and builds relationships to help resolve issues without going to state regulatory office. Before an ombudsman can take any action, a resident must be in agreement, even in cases of abuse. They learn all circumstances involved in a case to determine the entire story. The majority of ombudsmen are housed in Area Agency on Aging offices, the Ark-Tex AAA has Audrey Willis, the Managing Local Ombudsman. Vanessa Conway is a staff ombudsman and visits Assisted Living
Facilities. There are 36 nursing facilities and 26 assisted living facilities in the Ark-Tex nine-county region.

**How can we protect seniors in our community?**
Stephanie Sonnier, APS Community Engagement Specialist, spoke about Adult Protective Services. Stephanie has been with APS for 12 years, covers 23 counties, and stated the APS Mission Statement: “To protect older adults and persons with disabilities from abuse, neglect and exploitation by investigating and providing or arranging for services as necessary to alleviate or prevent further maltreatment.” They investigate cases involving those over the age of 18 and work on a service plan with other agencies to help in situations. One of her main goals is to educate the community regarding APS due to many residents being scared of the agency and what they do. The APS Bowie County Advisory Board is a newly formed committee to help change the Adult Protective Services image. The APS Advisory Board meets once a month and officers are now in place. There are two case workers that cover the Bowie/Cass area alone. Velvet Archield is the supervisor for the Ark-Tex region. There is currently a hiring freeze for APS. In cases of financial exploitation, APS can access bank records through Chapter 48 of the Texas Human Resource Code if needed to validate allegations. There is also a Silver Star supply room that has donated items that can help seniors. It is a maintained supply area with a check in/check out system. The Health and Human Services office recently moved in Texarkana to a new location, the APS office was included in that move. The new address is 3103 Summerhill Road, Texarkana, TX 75503. Stephanie also stated there are seniors that live in deplorable conditions, have no water or utilities and are choosing between food and medications. Rhonda Rogers asked if there were any other Boards in her 23-county area. There are other APS Advisory Boards in Smith, Henderson, and Gregg counties. Lisa Reeve mentioned that APS can help with wheelchair ramps and bed bug extermination, but the client must qualify. Jane Helberg stated that in order for any complaints to be made to DADS, they are required to go through APS first and wondered if there was anything that could be done to change that. Pat Dorrough had a concern that APS tells client who reported them, even if it was supposed to be anonymous. Stephanie assured Pat Dorrough that that is something they are absolutely not allowed to do and is cause for termination if that were to happen.

**Senior Transportation – Planning Update**
Nancy Hoehn, ATCOG Transportation, presented information regarding the transportation services and Coordination Plan. They also manage urban transit in Texarkana and demand/response rides throughout the region except Paris, TX. There are offices located in Texarkana and Paris as well as satellite offices. Transportation is equipped with ADA vehicles and all the drivers receive extensive training including FTA/DOT testing. Paris, TX recently implemented a new program, Paris Metro that is working very well. There are four routes which also include para-transit. Transportation services try to help maintain senior independence with the rides they provide and they are working on educating the community about their services. Every five years they are required to establish a coordination plan where they collaborate with stakeholders throughout the region. Nancy provided a handout of the current plan and some key areas they are working on. They just received a $25,000 grant in Red River County to keep a driver in Clarksville to help with the rides in that rural area, but will not start until September 2017. Transportation is applying for other grant money to help with services throughout the region. A partnership with ATCOG and East Texas Council of Governments (ETCOG) is in progress
to coordinate getting clients from Titus County to Camp County and from Camp County to Titus County. There is a great need for some clients to cross over region lines to get to doctor appointments that the current boundaries deny. Transportation provides 100,000 rides annually, which includes a lot of seniors. Stephanie Sonnier asked if there would be an opportunity for an in-service for the drivers with APS since they see different circumstances out in the field. Judge Williamson stated that in regards to the Paris Metro program starting up and working so well is due to the local community being key to making that a success.

Announcements
Lisa Reeve provided a handout that showed a flowchart that explained where different programs aligned under HHSC. Area Agencies on Aging are under Community Supports heading, whereas Aging & Disability Resource Centers and 2-1-1 are under Community Access heading, for example. Judge Williamson stated that Red River County had a preventable hospitalization grant program that would save the State thousands. The program would help with general things such as flu shots and medications for COPD, CHF and diabetes, in order to minimize the number of hospital trips and length of hospital stays. Unfortunately, the grant is being cut. Rhonda Rogers passed out information on the TSHL that members could provide to those that would be interested in becoming a THSL as well as the current top 10 resolutions adopted in April 2016. She stated members should also pay attention to HB 959 that relates “to the benefits provided to the survivors of certain public employees killed in the line of duty.” Ken Kunkel stated that the VA has contracts with some nursing facilities but need more. The VA is also looking to lease a building in Texas. Arkansas is closing their county service offices. He currently sees clients from AR and OK; saw a total of 1300 clients last year and will likely exceed that number this year.

Adjourn
A motion was made to adjourn by Grover Godfrey and seconded by Bill Collins. The meeting was adjourned at 11:28 pm

The next RAC meeting is June 1, 2017.
**Profile Number:** 1  
**Points Earned:** 125  
**Total Possible Points:** 135  
**Overall Score (in %):** 93  
**Overall Rating:** High  
**Profile Status:** Final Rating  
**Profile Type:** New Certification

<table>
<thead>
<tr>
<th>Indicator #</th>
<th>Previous Rating</th>
<th>Current Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>NA</td>
<td>15</td>
</tr>
<tr>
<td>2</td>
<td>NA</td>
<td>20</td>
</tr>
<tr>
<td>3</td>
<td>NA</td>
<td>20</td>
</tr>
<tr>
<td>4</td>
<td>NA</td>
<td>5</td>
</tr>
<tr>
<td>5</td>
<td>NA</td>
<td>5</td>
</tr>
<tr>
<td>6</td>
<td>NA</td>
<td>10</td>
</tr>
<tr>
<td>7</td>
<td>NA</td>
<td>5</td>
</tr>
<tr>
<td>8</td>
<td>NA</td>
<td>5</td>
</tr>
<tr>
<td>9</td>
<td>NA</td>
<td>5</td>
</tr>
<tr>
<td>10</td>
<td>NA</td>
<td>5</td>
</tr>
<tr>
<td>11</td>
<td>NA</td>
<td>0</td>
</tr>
<tr>
<td>12</td>
<td>NA</td>
<td>10</td>
</tr>
<tr>
<td>13</td>
<td>NA</td>
<td>20</td>
</tr>
<tr>
<td>14</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Bonus</td>
<td>NA</td>
<td>0</td>
</tr>
</tbody>
</table>

**MTCS Extract Details**
Hello All,
I just wanted to share with you 2 different phone calls that I received this morning complementing our drivers. One was from Majel Reddick in Sulphur Springs complimenting all of the drivers for their assistance and care, especially after her recent hip replacement. The other was from Laura Rutland in Bowie County complimenting Ernest Briggs for going the extra mile when her key wouldn’t work in her front door and he helped her around to the back door and made sure that she was safely inside before leaving.

These are just a couple of examples of the great work that you all do every day. We appreciate it and so do your passengers. Keep it up & have a great weekend.

Nancy L. Hoehn
Transportation Manager

Ark-Tex Council of Governments

903-255-3535
903-661-5072
rhoehn@atcog.org
www.facebook.atcog
www.atcog.org
4808 Elizabeth Street
Texarkana, TX 75503

“ALONE WE CAN DO SO LITTLE; TOGETHER WE CAN DO SO MUCH.”
- Helen Keller