The Executive Committee of the Board of Directors of the Ark-Tex Council of Governments (ATCOG) will meet at 10:00 a.m., Thursday, February 23, 2017, at the Mt. Pleasant Civic Center, 1800 N. Jefferson, Mt. Pleasant, Texas. (See enclosed map.)

Item 1. Call to order.

Item 2. Invocation.


Item 4. Approve the minutes as submitted of the Ark-Tex Council of Governments Executive Committee Meeting held Thursday, January 26, 2017, in Mt. Pleasant, Texas.

Review and Comment

Item 5. Review and comment on an Environmental Assessment to the Texas Commission on Environmental Quality (TCEQ) for proposed Air Quality Permit Renewals by Pilgrim’s Pride Corporation to authorize continued operation of an existing lagoon flare at the facility located near US Highway 271 and FM 127, Mt. Pleasant, Titus County, Texas. (See page 7 – to be presented by staff member Paul Prange)

Regular Business

Item 6. Review and consider approval of prioritization of 2017 Homeland Security Grant Program funds as recommended by the ATCOG Homeland Security Advisory Committee. (See attachment 1 – page 9) (To be presented by staff member Mary Beth Rudel)

Item 7. Review and consider authorizing the Executive Director, as ATCOG Authorized Official, to submit an application of the Governor, Criminal Justice Division, for the purchase of Juvenile Justice Services Project for FY 2018. (See attachment 2 – page 11) (To be presented by staff member Patricia Haley)

Item 8. Review Transportation Program funding requirements pertaining to integrity and ethical behavior as mandated by the Texas Transportation Commission and Texas Department of Transportation. (See attachment 3 – page 13) (To be presented by staff member Sharon Pipes, as information only)

Item 9. Review and consider approval of Resolution of Support for the Texas Parks & Wildlife Commission and the Texas parks and Wildlife Department to accept and designate the North East Texas Trail (NETT) as a Linear State Park under the TPWD. (See attachment 4 – page 14) (To be presented by Executive Director Chris Brown)

Other Business

Item 10. Update on CCH Eligibility for FY2018. (See attachment 5 – page 16) (To be presented by staff member Patricia Haley, as information only)

Item 11. Discussion of Bylaws revision ideas. (See attachment 6 – page 17) (To be presented by Executive Director Chris Brown)

Item 12. Executive Director Report (For information only; see attachment 7 – page 26) (To be presented by Executive Director Chris Brown)

- Update on TxDOT regional planning workshop
Announcements

The next Executive Committee Meeting will be held Thursday, March 30, 2017, at 10:00 a.m., in Clarksville, Texas, hosted by the Honorable Ann Rushing, Mayor, City of Clarksville.

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. Should any Board Member need a copy printed and available at the meeting, please call 903/255.3555 or email athurston@atcog.org.
MINUTES
ARK-TEX COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING
JANUARY 26, 2017

The Executive Committee of the Board of Directors of the Ark-Tex Council of Governments (ATCOG) met at 10:00 a.m., Thursday, January 26, 2017 at the Titus County Extension Office, in Mt. Pleasant, Texas.

Item 1. Vice-President M.C. Superville, Jr., Judge, Lamar County, called the meeting to order.


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, October 27, 2016, in Mt. Pleasant, Texas.

Motion to approve was made by Lynda Munkres, Judge, Morris County, 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 the following:

a) International Paper, to authorize modifications and the continued operation of the pulp and paper mill located at 9978 FM 3129, Queen City, Cass County, Texas.

b) TXI Operations, LP, to authorize the continued operation of a concrete batch plant located at 1301 Loop 301, Sulphur Springs, Hopkins County, Texas.

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

Regular Business

Item 6. Mary Beth Rudel, Public Safety Manager, presented for consideration approval for ATCOG’s Executive Director to submit an application for FY17 State Homeland Security Program grant funds through the Office of the Governor, Homeland Security Division.

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


Motion to approve was made by Judge Munkres and seconded by Becky Wilbanks, Judge, Cass County. It was approved.

Item 8. Ms. Reeve presented for consideration approval of the appointment of four new members to the AAA Regional Advisory Council.

Motion to approve was made by Judge Scott Lee and seconded by Emily Glass, Mayor, City of Sulphur Springs. It was approved.
Item 9. Patricia Haley, Criminal Justice Coordinator, presented for consideration approval of revisions to the Regional Criminal Justice Advisory Committee (RCJAC) local priorities and the grant application scoring instrument (VOCA and VAWA scoring instruments only).

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

Item 10. Sharon Pipes, Director of Administration, presented for consideration approval of a resolution approving termination of the ATCOG American Funds Salary Deferral 403b Plan.

Ms. Pipes explained there were only a very small amount of employees, both former and current, who would be affected by this termination. She also explained there was no penalty to ATCOG for termination of this plan.

Motion to approve was made by Judge Munkres and seconded by Mayor Rushing. It was approved.

**Other Business**

Item 11. Ms. Haley presented an update on Law Enforcement Training. Northeast Police Academy/Northeast Texas Community College, the original contracted training provider, will be combining forces with East Texas Police Academy/Kilgore College to provide training for our region. She explained she would be sending information, along with a finalized schedule, as soon as becomes available. This item was for information only, so no action was taken.

Item 12. Chris Brown, Executive Director, presented for discussion Bylaws revision ideas.

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.

There was some general discussion, mainly concerning the size of the Executive Committee and quorum requirements. Due to the absence of the Board President, recommendations to wait on his input were made by the Board. As this was for information only, no action was taken.

Item 13. Mr. Brown provided an update on the following items:

- Financial Report
- Homeland Security Quarterly Report
- CSEC Single Audit Report – 9-1-1
- Area Agency on Aging RAC Meeting minutes
- Update on Finance Manager Position due to Linda Moore’s retirement.

All items were for information only, with each report listed in the agenda for review. Mr. Brown explained that Melinda Tickle, ATCOG Senior Accounting Specialist, would act as the interim Finance manager until that position could be filled.

**Announcements**

Mr. Brown announced three officers are needed for the Texas Silver-haired Legislature, a nonprofit group who advocates for Seniors in the State. If anyone has interest or knows of someone interested, please contact Ms. Reeve.

Amber Thurston, Executive Assistant, announced the next Executive Committee Meeting would be held on Thursday, February 23, 2017, at the Mt. Pleasant Civic Center. She extended a thank you to Judge Brian Lee for securing the location. She also announced Mayor Rushing would be hosting the March Full Board meeting in Clarksville.
Ms. Thurston notified the Board of the upcoming NADO Washington Policy Conference and asked for anyone interested to contact her as soon as possible for reservations.

There were no other announcements, so motion to adjourn was made by Mayor Rushing and seconded by Judge Munkres. The meeting was adjourned.

EXECUTIVE COMMITTEE MEMBERS PRESENT
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
Jason Murray, Judge, Delta County
Emily Glass, Mayor Pro Tem, City of Sulphur Springs
Ann Rushing, Mayor, City of Clarksville
Brady Fisher, Northeast Texas Resource Conservation & Development District

BOARD MEMBERS PRESENT
Ralph Robertson, Mayor Pro Tem, City of Mt. Vernon
Stan Wyatt, Northeast Texas MWD
Nick Holloway, City of Blossom

GUESTS PRESENT
Kathy Comer, Office of Senator John Cornyn
Robbin Bass, Office of Congressman John Ratcliffe
Shannon Barrentine, City of Clarksville
Randy Reed, NETX Workforce Solutions
April Corbit, NETX Workforce Solutions
Kiann Richards, NETX Workforce Solutions

STAFF PRESENT
Chris Brown, Executive Director
Sharon Pipes, Director of Administration
Lisa Reeve, Area Agency on Aging Manager
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
Amber Thurston, Executive Assistant
Kishon Daniels, ATCOG Intern
Wil Garrett, ATCOG Intern

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

ATTEST:

__________________________________
L.D. Williamson, President
Ark-Tex Council of Governments
ARK-TEX COUNCIL OF GOVERNMENTS
APPLICATION / PROJECT STAFF REVIEW FOR
ENVIRONMENTAL ASSESSMENT

<table>
<thead>
<tr>
<th>Project SAI No: TX-R-20170207-0001-05</th>
<th>Date Received: 01-23-17</th>
<th>Staff Assignment: Paul Prange</th>
</tr>
</thead>
</table>

**Applicant:** Pilgrim’s Pride Corporation

**Project Description:** Pilgrim’s Pride Corporation has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Air Quality Permit Number 144789, which would authorize continued operation of an existing anaerobic lagoon flare at the Pilgrim’s Pride Wastewater Treatment Plant, located at the southwest corner of US Hwy 271 and FM 127, Mount Pleasant, Titus County, Texas 75455. The existing facility will emit the following air contaminants: organic compounds, nitrogen oxides, carbon monoxide, sulfur dioxide, hydrogen sulfide and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

**PROJECT/EA REVIEW:**

**Area to be served:** Titus County, Texas.

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

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

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

**Does the project address a clearly defined need and does the project take into account preservation of the environment?** There is a clearly defined need for the issuance of this Air Quality Permit to allow the continued operation of the facility. This facility provides much needed employment to numerous residents of Titus County, Texas. All guidelines required by TCEQ to protect the environment are being followed, thus minimal disruption of the environment is expected.

**Is the project likely to produce any significant adverse effects on the environment?** No. The issuance of this permit will not authorize an increase in the amount of emissions, nor will it allow for any new construction onsite.

**Do the anticipated accomplishments of the project justify the disruption to the environment?** Yes. The issuance of this permit will allow the continued operation of this facility, which produces food that is consumed throughout the region. Furthermore, this facility is essential to the economy of Northeast Texas. The disruption of the environment is minimal compared to the accomplishments.

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

**RECOMMENDED COMMENT:** Staff recommends support of this Air Quality Permit application by Pilgrim’s Pride Corporation.
RESOLUTION NO. __________

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND COMMENT ON THE PROPOSED ISSUANCE OF AIR QUALITY PERMIT NUMBER 144789, BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), FOR PILGRIM’S PRIDE CORPORATION IN TITUS COUNTY, TEXAS TO AUTHORIZE CONTINUED OPERATION OF AN EXISTING ANAEROBIC LAGOON FLARE AT THE PILGRIM’S PRIDE WASTEWATER TREATMENT PLANT LOCATED AT THE SOLUTHWEST CORNER OF US HWY 271 AND FM 127, MOUNT PLEASANT, TITUS COUNTY, TEXAS 75455. THE EXISTING FACILITY AND / OR RELATED FACILITIES ARE AUTHORIZED TO EMIT THE FOLLOWING AIR CONTAMINANTS: ORGANIC COMPOUNDS, NITROGEN OXIDES, CARBON MONOXIDE, SULFUR DIOXIDE, HYDROGEN SULFIDE, AND PARTICULATE MATTER WITH DIAMETERS OF 10 MICRONS OR LESS AND 2.5 MICRONS OR LESS.

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

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

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

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

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

REVIEWED AND APPROVED THIS 23RD DAY OF FEBRUARY, 2017.

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

ATTEST:
ITEM 6:

Review and consider approval of prioritization of 2017 Homeland Security Grant Program funds as recommended by the ATCOG Homeland Security Advisory Committee.

BACKGROUND:

The State instructed the regions to use the allocation numbers provided last year as a guide for this year’s funding. A funding allocation amount of $353,357.20 was used as the maximum allocation amount. ATCOG has to submit project allocations not to exceed this allocation amount. Once the Federal guidance is released from FEMA and the State determines each regions’ allocation, the State will then review each jurisdiction’s project individually and approve or disapprove each one.

DISCUSSION:

The Homeland Security Advisory Committee met on February 16, 2017 and reviewed the 2017 funding requests. Projects were submitted in the categories of ‘Regional Planning’, ‘Interoperable Communications’, ‘Intelligence Information and Sharing’, and ‘Special Response Teams and First Responder Capabilities’, which are all in line with the State priorities for 2017 grant funds. Jurisdictions applied for funding based on the allocation amounts as determined by the ATCOG Regional Funding Allocation formula that was approved for use by the ATCOG Board in October 2016. The HSAC prioritized the projects via ballot, but it is only a procedural requirement from the State and has no bearing on whether or not a project is funded. The projects will all be reduced or increased proportionately to our final allocation amount.

The proposed 2017 funding distribution list is being provided at the meeting.

The Homeland Security Advisory Committee approved this item on February 16, 2017.

RECOMMENDATION:

ATCOG staff and the Homeland Security Advisory Committee recommend approval of this item.
RESOLUTION NO. __________

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH APPROVAL OF THE PRIORITIZATION OF PROJECTS FOR 2017 HOMELAND SECURITY GRANT PROGRAM FUNDS.

WHEREAS, the ATCOG Board of Directors must approve the prioritization of projects for Homeland Security Grant Program funds to be allocated to the jurisdictions in the ATCOG region; and

WHEREAS, only jurisdictions that meet the 2017 Homeland Security Grant Program requirements are eligible to receive these funds;

NOW, THEREFORE BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS THROUGH VOTE AND APPROVAL BY THE ATCOG EXECUTIVE COMMITTEE:

Section 1 - That the jurisdictions on the attached list meet the requirements of the 2017 Homeland Security Grant Program.

Section 2 - That the prioritization of projects on the attached list will be provided to the State by the set deadline.

REVIEWED THIS 23rd DAY of FEBRUARY, 2017.

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

ATTEST:

____________________________________
ITEM 7:
Review and consider 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.

BACKGROUND:
The Purchase of Juvenile Justice Services Project provides necessary funds to allow county juvenile probation departments in the ATCOG nine-county region to purchase quality services for juveniles that have been referred to them. Services to be purchased include psychological and psychiatric evaluations, as well as professional therapy and mental health counseling services, anger management, and juvenile sex offender counseling/treatment.

DISCUSSION:
Upon approval, ATCOG will be applying for a total of $57,000 for this project.

Proposed Contractual Services will include an approximate total of:
$40,000 for Juvenile Justice Services

RECOMMENDATION:
The staff recommends approval of authorization for the Executive Director, as the Authorized Official, to submit the application for the Purchase of Juvenile Justice Services.
RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND COMMENT ON AN APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A GRANT TO PROVIDE THE PURCHASE OF JUVENILE JUSTICE SERVICES FOR BOWIE, CASS, DELTA, FRANKLIN, HOPKINS, LAMAR, MORRIS, RED RIVER, AND TITUS COUNTIES IN TEXAS. THIS RESOLUTION IS EFFECTIVE FOR FY 2018.

WHEREAS, the rules and regulations of the Texas Criminal Justice Division require that this application be reviewed and approved by the Ark-Tex Council of Governments Board of Directors.

WHEREAS, the Ark-Tex Council of Governments finds it in the best interest of the citizens of the Region that the Purchase of Juvenile Justice Services Project be operated for FY 2018.

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

Section 1 - That the Board of Directors recognizes the Executive Director as the Authorized Official, and he has been given the power to apply for, accept, reject, alter, or terminate a grant with the Office of the Governor, Criminal Justice Division; for a grant to provide the Purchase of Juvenile Justice Services for Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus Counties in Texas. This grant project has been reviewed by the Board of Directors and can reasonably be expected to become part of the overall Regional Plan, and is approved for submission to the Office of the Governor, Criminal Justice Division.

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

Section 3 - That the Board of Directors agrees that, in the event of loss or misuse of funds, that funds will be returned to the Office of the Governor, Criminal Justice Division.

REVIEWED AND APPROVED THIS 23RD DAY OF FEBRUARY, 2017.

L.D. Williamson, President
ATCOG Board of Directors

ATTEST:
ITEM 8

Review Transportation Program funding requirements pertaining to integrity and ethical behavior as mandated by the Texas Transportation Commission and Texas Department of Transportation (TXDOT).

BACKGROUND:

On January 29, 2009, the Texas Transportation Commission adopted administrative rules that require outside entities to implement internal ethics and compliance programs. In addition, another rule adopted on March 25, 2010, requires public transportation entities to implement and enforce a compliance program meeting the minimum rules in order to be eligible for state and federal funding awarded after January 1, 2011, by the Texas Transportation Commission.

DISCUSSION:

The rules adopted by the Texas Transportation Commission established a framework for the internal ethics and compliance program of any entity that receives financial assistance from the department. The compliance program must satisfy certain requirements, with the goal of discouraging fraud and illegal activity. TXDOT also instituted an internal ethics and compliance program designed to further encourage ethical behavior within the department, as well as compliance with the law and departmental policies.

As a result of these rules, the Ark-Tex Council of Governments (ATCOG) compiled an “Ethics Policy Manual” consisting of sections covering all requirements, to include Record Retention, Fraud, Equal Opportunity Employment, Sexual Harassment and Sexual Misconduct, Conflicts of Interest, Personal Use of Property, and Gifts and Honoraria. The manual also includes a copy of the Code of Ethics which mirrors that established by the American Society for Public Administration and incorporates the general principles of ethical conduct set forth in Executive Order 12674. This Ethics Policy Manual was approved by the Board of Directors on December 16, 2010, making our agency eligible to apply for and receive state and federal funding.

ATCOG enforces a compliance program by reviewing and providing all employees a copy of the “Ethics Policy Manual” during new hire orientation; by conducting yearly Ethics Manual Training that is mandatory for all employees; by reminding Board members of the standard of ethical behavior that our employees and board members must meet; by internal controls used to monitor activities; and by conducting investigations of any alleged misconduct. A copy of the Ethics Policy Manual is also available on the shared administration computer folder for constant access by employees.

RECOMMENDATION:

There is no action required on this item. This is for information only as a reminder to all Board members of the ethical requirements we must meet to receive Transportation funding and what is expected of them in their role as a member of the Board of Directors.
ITEM 9:

Review and consider approval of a Resolution in support of asking the Texas Parks and Wildlife Commission and Texas Parks and Wildlife Department to accept and designate the NorthEast Texas Trail (NETT) as a Linear State Park under the TPWD.

BACKGROUND

The ATCOG Board of Directors has approved two past resolutions supporting requests for funding by the NETT. The trail is a former railroad ROW that spans 130 miles passing through Delta, Lamar, Red River and Bowie Counties.

DISCUSSION

The Resolution will be a part of a petition asking for the TPWD designation. It will not commit ATCOG to financial or other support for the trail. The intent is to help show the progress, outreach and regional impact of the NETT.

RECOMMENDATION

Staff recommends approval of the resolution.
RESOLUTION

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) IN SUPPORT FOR TEXAS PARKS & WILDLIFE COMMISSION AND THE TEXAS PARKS AND WILDLIFE DEPARTMENT TO ACCEPT AND DESIGNATE THE NORTHEAST TEXAS TRAIL (NETT) AS A LINEAR STATE PARK UNDER THE TEXAS PARKS AND WILDLIFE DEPARTMENT.

WHEREAS, the North East Texas Trail (NETT) is a 130 mile trail that runs on a former railroad ROW between Farmersville, Collin County, Texas and New Boston, Bowie County, Texas passing through seven counties and 19 small Texas towns; and

WHEREAS, the North East Texas Trail is currently managed by eight rail banked agencies under the National Trails Systems Act; and

WHEREAS, the creation of the North East Texas Trail State Park would be an educational and healthy lifestyle opportunity as well as an economic boon for the people of Northeast Texas, a rural and economically distressed area.

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

Section 1 That we support the adoption and acceptance by the Texas Parks and Wildlife Commission and Department of the North East Texas Trail as a linear Texas State Park to be developed, managed and maintained by the Texas Parks and Wildlife Department of Texas.

Section 2 That the Texas State Legislature approve sufficient funds for the development, management and maintenance of the North East Texas Trail as a State Park.

SIGNED AND APPROVED THIS 23rd DAY OF FEBRUARY, 2017.

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

ATTEST:

___________________________________
CCH Eligibility Update for all FY2018 applications (as listed in the RFA’s as well):

1) In order for an applicant to be eligible, the county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions to the Texas Department of Public Safety for calendar years 2011 through 2015. This requirement must be met by August 1, 2017.

**As of this past August 2016, all of the counties in our ATCOG region were in compliance with this requirement, having a 90% and above average on both adult and juvenile criminal history dispositions. However, after receiving the most current (January) CCH report, there are several counties in our region that have since dropped below the 90% average. See the list below for the current percentages. Each county will have to be at 90% or above by August 1, 2017 in order for projects/agencies/applications within the county to be eligible.

<table>
<thead>
<tr>
<th>As of February 1, 2017</th>
<th>Adult criminal history disposition completeness avg.</th>
<th>Juvenile criminal history disposition completeness avg.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowie*</td>
<td><em>89</em></td>
<td><em>77</em></td>
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<tr>
<td>Cass</td>
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<td>97</td>
</tr>
<tr>
<td>Delta</td>
<td>93</td>
<td>100</td>
</tr>
<tr>
<td>Franklin*</td>
<td><em>89</em></td>
<td>100</td>
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<td>Hopkins</td>
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<td>Lamar</td>
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</tr>
<tr>
<td>Morris*</td>
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<td><em>84</em></td>
</tr>
<tr>
<td>Red River</td>
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<td>100</td>
</tr>
<tr>
<td>Titus*</td>
<td><em>89</em></td>
<td>99</td>
</tr>
</tbody>
</table>
BYLAWS

ARK-TEX COUNCIL OF GOVERNMENTS

ARTICLE 1

Name and Organization

There is hereby organized pursuant to the authority granted by Article 1011m, Revised Civil Statutes of Texas, and Arkansas Interlocal Cooperation Act 430, an Interstate Regional Planning Commission, hereafter called Council, which shall be known as the Ark-Tex Council of Governments, a voluntary association of local governmental units located in the Texarkana, Texas area.

ARTICLE II

Purpose and Objectives

1. It shall be the purpose of the Council: (1) to encourage and permit local units of government to join and cooperate with one another to improve the health, safety and general welfare of their citizens; (2) to plan for the future development of the region to the end that transportation systems may be more carefully planned; that the communities, areas and regions grow with adequate streets, utilities and health, educational, recreational and other essential facilities; that needs of agriculture, business and industry be recognized; that residential areas provide health surroundings for family life; that historical and cultural value be preserved; and that the growth of the communities, areas and regions is commensurate with and promotive of the efficient and economical use of public funds; and (3) to eliminate duplication and promote economy and efficiency in the coordinated development of the area.

2. In achieving these objectives, the Council may: (1) exercise any powers heretofore or hereafter conferred upon it by state law; (2) undertake studies, collect data and develop area plans and programs; (3) engage in such other activities as the Council finds necessary or desirable to accelerate area development and correct area problems; (4) receive and expend gifts, contributions and donations which may be made to the Council to accomplish its purposes; (5) apply and contract for, receive and expend funds from Council members, as provided in the Bylaws, to finance the costs of operations; and (6) assist, encourage, and coordinate the activities of all parties concerned both public and private, in implementing those plans and programs which affect the growth and development of the area.
ARTICLE III

Membership

1. Membership shall consist of local governmental units as defined in Section 18 of Article 1011m of Vernon’s Annotated Civil Statutes, Chapter 391 of the Texas Local Government Code and of the Arkansas Interlocal Cooperation Act 430, which may join by passage of an ordinance, resolution, order or other means, upon payment of dues as provided in Article XI of the Bylaws and approval of the Board of Directors of the Ark-Tex Council of Governments.

2. Local governmental units eligible for membership shall be geographically situated in whole or in part, within Bowie, Cass, Morris, Red River, Lamar, Delta, Franklin, Hopkins, and Titus Counties in Texas, and Miller County in Arkansas, and adjoining counties upon the approval of the Board of Directors of the Council, and may include counties, cities, towns, villages, hospital authorities, districts or other political subdivisions of the State.

3. A member which is more than six months in arrears in its dues as herein provided may be denied its voting privileges until such time as the dues are paid.

4. A member may withdraw from the Council upon notifying the Executive Committee by resolution or other appropriate legal action of the governing body of such withdrawing member. In the event of withdrawal by a member of the Council, said member shall not be entitled to a return of any portion of previously paid annual dues.

5. As an honor, past presidents who are no longer member representatives may be recognized as ex-officio, non-voting, non-dues paying, non-entity representative members by the Board in the capacity of citizen advisors.

6. Associate Membership may consist of a State Public University, an Economic Development Corporation as defined in Chapter 501 of the LGC or similar organization, or a Regional Service Organization that utilizes government funding for a majority of their operations, and be located within the region as described in Article III.2
ARTICLE IV

Board of Directors

1. The Board of Directors shall be composed of members elected or appointed by the membership within the area specified in these Bylaws, and shall be elected or appointed as may be determined by each respective member in the following manner according to the requirements of the Board: The Board maintains two-thirds of the membership be elected officials of member cities or counties (LGC 391.006):

   a. Each member County Government shall have one Director who shall be an elected official appointed by the Commissioner’s Court;

   b. Each member City Government with a population of 10,000 or more shall have three Directors who shall be elected officials appointed by the City Council;

   c. Each member City Government with a population of less than 10,000 shall have one Director who shall be an elected official appointed by the City Council;

   d. Each member Community/Junior College District and School District shall be entitled to have one member on the Board of Directors who shall be appointed from the elected governing body, who is a governing body member or the College President, from the area described in Article III.2 of these Bylaws;

   e. Each member Special District shall be entitled to have one member on the Board of Directors who shall be appointed from the governing body, who is a governing body member, or President/Executive Director, from the area described in Article III.2 of these Bylaws;

   f. Each member Authority shall be entitled to have one member on the Board of Directors who shall be appointed from the governing body, who is a governing body member, or President/Executive Director of the Authority and shall be from the area described in Article III.2 of these Bylaws.

   g. All members of the Texas Legislature whose districts include all or part of the Ark-Tex Council of Governments’ region shall be an ex officio, nonvoting member to serve on the Board of Directors.

   h. Each member State Public University shall be entitled to have one member on the Board of Directors who shall be appointed by their governing body from the area described in Article III.6 of these Bylaws.

   i. Each member Economic Development Corporation shall be entitled to have one member on the Board of Directors who shall be appointed by their governing body from the area described in Article III.6 of these Bylaws.

   j. Each member Regional Service Organization shall be entitled to have one member on the Board of Directors who shall be appointed from their governing body from the area described in Article III.6 of these Bylaws.
2. The term “elected officials” used herein means a mayor or member of the governing body of a municipality, a county judge, a county commissioner, a member of the board of trustees of a school district or a member of the elected governing body of a special district.

3. Each Director may represent multiple organizations, but shall have only one vote and shall be appointed for a period of two years, beginning on June 1 of the year appointed. Each may serve until his successor is duly qualified or installed. A member of the Board of Directors must be physically present to vote at any regular or special meeting of the Board of Directors. No proxy votes, meetings via telephone conference calls, or live video transmission meetings are allowed per Opinion rulings of the Office of the Attorney General of the State of Texas.

4. A vacancy in office because of death, resignation, removal, disqualification or otherwise may be filled by the member from which such Director received his selection by election or appointment.

**ARTICLE V**

**Executive Committee**

1. There will be an Executive Committee chosen from the Board of Directors, consisting of President, Vice-President, Secretary, Treasurer and other members maintaining two-thirds of the membership be elected officials of member cities or counties. These Committee members are to be elected by the Directors at the Annual Meeting which shall be the regular meeting in September and will serve a two-year term beginning at the regular Executive Committee meeting in October, with no limitations for successions. No Board member may be elected to the Executive Committee if the entity which he represents is in arrears of dues, payments or other fees owed to the Ark-Tex Council of Governments. Vacancies on the Executive Committee because of death, resignation, removal, disqualification or otherwise may be filled immediately by vote of the Board of Directors at a regular meeting of the Ark-Tex Council of Governments on recommendation of a nominating committee of not less than three Directors appointed by the highest officer of the then active Executive Committee.

   a. Each member County Government, and one member City Government within each county shall have the availability of a seat on the Executive Committee. There shall be a seat available for one District Member, one Authority Member and one Associate Member.

   b. The President shall be the principal executive officer of the Council, and in general, shall supervise and control all the business and affairs of the Council. He shall preside at all meetings of the members and of the Board of Directors. He and/or the Secretary, Treasurer or any other proper office of the Council authorized by the Board of Directors may sign any deeds, mortgages, bonds, contracts, checks, drafts or other instruments which the Board of Directors has authorized to be executed, and in general, he shall perform all duties incident to the office of President and other such duties as may be prescribed by the Board of Directors from time to time. The Board of Directors may authorize, upon occasion, the Executive Director to act in its behalf and sign documents as described above.
c. In the absence of the President or in the event of his inability or refusal to act, the Vice-President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to the restrictions upon the President. The Vice-President shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

d. The Secretary shall keep the minutes of the meetings of the members and the Board of Directors in one or more books provided for that purpose; see that all notices are duly given in accordance with provisions of these Bylaws or as required by law; be custodian of the records and ensure execution of such as duly authorized in accordance with the provisions of these Bylaws; keep a register of the post office address of each member which shall be furnished to the Secretary by such members; and in general perform, or assign to be performed, all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

e. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine. He shall have charge and custody of and be responsible for all funds and securities of the Council; receive and give receipts for monies due and payable to the Council from any source whatsoever; and deposit all such monies in the name of the Council in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article X of these Bylaws; and in general, perform, or assign to be performed all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

f. No entity member may have more than one Director serve on the Executive Committee.

2. The Executive Committee, unless otherwise determined by the Board of Directors, shall normally meet monthly, and shall be responsible for the implementation of policies established by the Board of Directors. Such meetings, unless otherwise determined by the Executive Committee, shall be held in the City of Mount Pleasant shall be in a consistent, centralized location as determined by the Executive Committee. Actions to the Executive Committee may be appealed to the Board of Directors upon the written request of any member.

3. (consider 8 or 10 Members of the EC) A majority of the appointed members of the sixteen-member Executive Committee shall constitute a quorum and the President shall vote only in case of tie vote of other members.

4. A member missing more than three (3) consecutive, regular Executive Committee meetings must have a legitimate excuse, approved by the Executive Committee for his/her third consecutive absence or he/she shall forfeit his/her position on the Executive Committee. A position made vacant by such forfeiture shall be filled as described in Article V, para. (1) above. Regular membership on the Board of Directors shall not be affected by the provisions of this paragraph.
ARTICLE VI

Executive Director and Staff

1. The Board of Directors shall employ an Executive Director who shall serve at the pleasure of the Board.

2. The Executive Director shall be the chief administrative officer of the Council, appoint and remove all subordinate employees and, subject to the rules and regulations of the Board of Directors, act for and in the name of the Council.

3. The Executive Director shall prepare the annual budget and work program of the Council and shall faithfully execute all other duties and responsibilities vested in or required of him by the Board of Directors.

ARTICLE VII

Meetings

1. The Board of Directors shall hold regular and/or special meetings at such times and places as it may determine and said meetings shall be open to the public. Normally such meetings shall be held quarterly, unless otherwise determined by the Board of Directors and, in terms of location, shall be rotated throughout the region.

2. Special meetings may be called by the President or upon the written request of twenty percent (20%) of the members of the Board of Directors for the purpose of transacting any business specified in the call. The call for a special meeting must be in writing and mailed to each Director at least five days before such meeting.

3. There shall be an annual meeting of the Council at a time and place to be determined by the Board of Directors. Normally this meeting shall be held during the month of September, as herein described, and shall constitute one of the Board of Directors’ normal quarterly meetings.

4. Ten percent (10%) of the appointed positions on the Board of Directors will constitute a quorum at any meeting of the Council; provided, however, that a quorum may not be less than the number required by the Bylaws for a quorum of the Executive Committee.

ARTICLE VIII

Waiver of Notice

1. Whenever any notice is required to be given under the provisions of the Bylaws to any member, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent thereto.
ARTICLE IX

Books and Records

1. The Council shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, and Board of Directors, and shall keep at the registered or principal office a record giving names and addresses of members entitled to vote. All books and records of the Council may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

ARTICLE X

Contracts, Checks, Deposits, Funds and Other Business

1. The Board of Directors may authorize any officer or officers, agent or agents of the Council, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and behalf of the Council, and such authority may be general or confined to specific instances.

2. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Council shall be signed by such officer or officers, agent or agents of the Council and in such manner as shall from time to time be determined by resolution of the Board of Directors. Such instruments shall be signed by the Treasurer or an Assistant Treasurer and countersigned by the President or Vice President of the Council, Executive Director or Director of Administration and countersigned by the President or Treasurer.

3. All funds of the Council shall be deposited from time to time to the credit of the Council in such banks, trust companies or other depositories as the Board of Directors may select.

4. The Board of Directors shall be responsible for the review, approval and adoption of all Council policy documents, including but not limited to an annual budget, as herein described, action/implementation plans, annual work program, affirmative action and personnel plans and rules.
ARTICLE XI
Finances, Budget and Payments

1. The Council shall adopt an annual budget Strategic Work Program and Financial Plan on or before September 30th of each year and its fiscal period shall begin on the first day of October in each year.

2. Each year upon adoption of the annual budget Strategic Work Program and Financial Plan, the Council shall fix the dues for all member governmental units. Dues shall be in sufficient amounts to provide funds as required by the budget.

3. New governmental units may join the Council upon the payment of dues prorated for the remaining portion of the Council’s fiscal year.

4. The dues for each city shall be 20 cents per capita based on the most current census that is a Council-recognized census estimate with a minimum of one hundred dollars ($100.00) annually (see paragraph 5). County governmental units shall pay 15 cents per capita of population for non-member incorporated areas and 15 cents per capita of population for unincorporated areas of the county.

5. All other governmental units shall pay a minimum of one hundred dollars ($100.00) annually.

ARTICLE XII
Parliamentary Rule

“Robert’s Rules of Order Revised” shall be the authority of all questions of parliamentary procedure not covered by these Bylaws.
ARTICLE XIII

Amendments

1. Amendments by the Board of Directors. These Bylaws may be amended by a vote of the Board of Directors approving the amendment at any meeting, provided that the proposed amendment has been submitted in writing to each member of the Board at least ten days in advance of each meeting and ratified by a majority vote of three-fourth (3/4) of the Directors at any meeting.

These Bylaws adopted by the Directors of the Ark-Tex Council of Governments at a meeting thereof at Texarkana, Texas, this the 24th day of June, 1969.

AS AMENDED - November 7, 1974
June 3, 1976
May 3, 1976
December 6, 1979
September 24, 1981
September 9, 1982
September 24, 1985
June 25, 1987
January 12, 1993
March 30, 2000
February 23, 2006
June 30, 2011
March 27, 2014

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

ATTEST:

Laura Mabey, Secretary
Judge Linda Munkres, Secretary
Ark-Tex Council of Governments
January 18, 2017

Ms. Nancy Hoehn
Transportation Manager
Ark-Tex Council of Governments
P. O. Box 5307
Texarkana, TX 75505

Dear Ms. Hoehn:

Thank you for presenting at the November, 2016 “You’ve Got the Power” regional transportation planning workshop in Austin. The conference presentations were rich with helpful information and impressively delivered. We received many positive comments.

Also, thank you for Ark-Tex Council of Governments' ongoing commitment to meeting people's transportation needs in Planning Region 5.

We know that you have a busy calendar and appreciate you taking the time to participate in the workshop.

Sincerely,

Eric L. Gleason
Director, Public Transportation Division

cc: Chris Brown, Executive Director, Ark-Tex Council of Governments
Sonya Hudson, Public Transportation Coordinator, Public Transportation Division
Steve Wright, Program Manager, Public Transportation Division