AGENDA
ARK-TEX COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING
MAY 28, 2015

The Executive Committee of the Board of Directors of the Ark-Tex Council of Governments will meet at 10:00 a.m., Thursday, May 28, 2015, at the Luminant Community Room, 209 N. Madison, 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, April 30, 2015, in Mt. Pleasant, Texas.

Review and Comment

Item 5. Review and comment on an application by the City of Sulphur Springs to the U.S. Department of Agriculture, Office of Agriculture Marketing Service, for 2015 Farmers Market Promotion Program Grant, in the amount of $99,900, for promotion of local Farmers Markets. (To be presented by staff member Vickie Williamson)

Item 6. Review and comment on an application by the City of Paris to the U.S. Department of Agriculture, Office of Agricultural Marketing Service, in the amount of $97,000, for a Farmers Market and Local Food Promotion Program grant. (To be presented by staff member Vickie Williamson)

Item 7. Review and comment on an application by the Ark-Tex Council of Governments to the U.S. Department of Agriculture, Office of Agriculture Marketing Service, for a grant in the amount of $100,000, to be matched with $33,333 in-kind, for a total of $133,333, for promotion of regional food production. (To be presented by staff member Paul Prange)

Item 8. Review and comment on an Environmental Assessment by Southwestern Electric Power Company, which owns Lone Star Power Plant, who has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Water Quality Permit renewal to authorize the discharge of treated wastewater from the facility located at 6866 State Highway 259 South, Lone Star, Morris County, Texas, ultimately to Big Cypress Creek below Lake Bob Sandlin. (To be presented by staff member Paul Prange)

Item 9. Review and comment on an Environmental Assessment by the City of Avery, who has applied to TCEQ for proposed Water Quality Permit renewal to authorize the discharge of treated wastewater from the facility located on Mill Creek, approximately 0.5 miles northeast of Avery, Red River County, Texas, ultimately to Red River below Lake Texoma. (To be presented by staff member Paul Prange)

Item 10. Review and comment on an Environmental Assessment by Prairiland Independent School District, who has applied to TCEQ for proposed Water Quality Permit renewal to authorize the discharge of treated wastewater from the facility located near the intersection of U.S. Highway 271 and FM 196 in Lamar County, Texas, ultimately to Sulphur/South Sulphur River. (To be presented by staff member Paul Prange)

Item 11. Review and comment on an Environmental Assessment by Delta County Municipal Utility District, who has applied to TCEQ for proposed Water Quality Permit renewal to authorize the discharge of treated wastewater from the facility located west of South Third Street in Delta County, Texas, ultimately to Cooper Lake. (To be presented by staff member Paul Prange)
Item 12. Review and comment on an Environmental Assessment by Nalco Company, who has applied to TCEQ for proposed Water Quality Permit renewal to authorize the discharge of treated wastewater from the facility located at 3901 Terry Street, Texarkana, Texas, ultimately to Days Creek in the Sulphur River Basin. (To be presented by staff member Paul Prange)

**Regular Business**

Item 13. Review and consider nomination (replacement of current member) to the Regional Criminal Justice Advisory Committee (RCJAC) to serve through December 31, 2015. (See attachment 1) (To be presented by staff member Patricia Haley)

Item 14. 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 2) (To be presented by Executive Director Chris Brown)

Item 15. Review and consider approval and certification of the HUD 5-Year Plan. (See attachment 3) (To be presented by staff member Mae Lewis)

Item 16. Review and consider approval of revisions to the Homeland Security Advisory Committee (HSAC) Bylaws. (See attachment 4) (To be presented by staff member Noah Gilliam)

Item 17. Review and consider action on agreement with Northeast Texas Opportunities, Inc. and/or letter to TxDOT. (See attachment 5) (To be presented by Executive Director Chris Brown)

**Other Business**

Item 18. Report on the Titus County Prosperity Summit. (For information only) (To be presented by staff members Chris Brown and Vickie Williamson)

Item 19. Appointment of Bylaws Committee to review and suggest necessary updates to Board Bylaws (For information only – an electronic version of the Bylaws is available for review at www.atcog.org) (To be presented by Judge L.D. Williamson)

**Announcements**

The next Board of Directors Meeting will be held Thursday, June 25, 2015, at 10:00 a.m., in Daingerfield, Texas, at a location to be determined.

There will also be an Audit Committee meeting held at 9:00 a.m. prior to the Board meeting in the same location.

*All agendas are sent by email and full Board packets are posted on the website. 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
APRIL 30, 2015

The Executive Committee of the Board of Directors of the Ark-Tex Council of Governments (ATCOG) met at 10:00 a.m., Thursday, April 30, 2015, at the Luminant Community Room in Mt. Pleasant, Texas.

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

Item 2. James Carlow, Judge, Bowie County, gave the invocation.

Item 3. The next order of business was to approve the minutes as submitted in the mail of the Ark-Tex Council of Governments Executive Committee meeting held Thursday, February 26, 2015, in Mt. Pleasant, Texas.

Motion to approve was made by Lynda Munkres, Judge, Morris County, and seconded by Judge Carlow. The minutes were approved as submitted.

Review and Comment

Item 4. Paul Prange, Environmental Resources Coordinator, presented for consideration an Environmental Assessment by the City of DeKalb, who has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Water Quality Permit authorizing the discharge of treated wastewater from the facility located at the intersection of U.S. Highway 82 and FM 992 in Bowie County, Texas.

Motion to approve was made by Judge Carlow and seconded by Saundra Dunn, Mayor Pro Tem, City of Mt. Vernon. It was approved.

Item 5. Mr. Prange presented for consideration an Environmental Assessment by the U.S. Department of the Army, who has applied to TCEQ for renewal and revision of Federal Operating Permit, authorizing operation of the Red River Army Depot, 100 James Carlow Drive, Texarkana, Bowie County, Texas.

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

Items 6, 7 & 8 were presented for consideration simultaneously.

Item 6. Vickie Williamson, Special Projects Coordinator, presented for consideration an application by Paris Independent School District for Lamar County Head Start to the Department of Health & Human Services, Office of Head Start, for a grant in the amount of $1,412,481, to be matched with $353,121 cash and in-kind, for a total of $1,765,602, for continuation/refunding of head start.

Item 7. Ms. Williamson presented for consideration an application by Cooper Independent School District to the Department of Health & Human Services, Office of Head Start, for a grant in the amount of $339,317, to be matched with $84,829 cash and in-kind, for a total of $424,146, for continuation/refunding of head start.

Item 8. Ms. Williamson presented for consideration an application by Sulphur Springs Independent School District to the Department of Health & Human Services, Office of Head Start, for a grant in the amount of $1,268,422, to be matched with $317,111 cash and in-kind, for a total of $1,585,533, for continuation/refunding of head start.

Motion to approve all three items was made by Edwin Pickle, Councilman, City of Paris, and seconded by M. C. Superville, Jr., Judge, Lamar County. All items were approved.

Regular Business
Item 9. Patricia Haley, Criminal Justice Coordinator, presented for consideration approval authorizing the Executive Director, as the ATCOG Authorized official, to submit an application to the Office of the Governor, Criminal Justice Division, for a grant to provide Regional Law Enforcement Training in the ATCOG Region for FY 2016 and FY 2017.

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

*Items 10, 11, 12 & 13 were presented for consideration simultaneously.*

Item 10. Ms. Haley presented for consideration approval of priorities 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 the Violent Crimes Against Women Criminal Justice & Training Projects funding category. The grant period for this fund source is 09/01/15 to 08/31/16.

Item 11. Ms. Haley presented for consideration approval of priorities established by the RCJAC concerning projects being submitted to the Office of the Governor, Criminal Justice Division, for funding consideration through the General Juvenile Justice & delinquency Prevention – Local funding category. The grant period for this fund source is 09/01/15 to 08/31/16.

Item 12. Ms. Haley presented for consideration approval of priorities established by the RCJAC concerning projects being submitted to the Office of the Governor, Criminal Justice Division, for funding consideration through the General Victim Assistance – Direct Services Category. The grant period for this fund source is 09/01/15 to 08/31/16.

Motion to approve the items was made by Scott Lee, Judge, Franklin County, and seconded by Judge Newsom. All four items were approved.

Ms. Haley also provided a handout and update on Criminal History Disposition Completion percentages, explaining the need to be at or above 90% by August 1st to be eligible for funding.

Item 13. Amber Thurston, Executive Assistant, presented for consideration approval of Resolution adding Judge L.D. Williamson, President of the Board, to signatory cards at Regions Bank and Guaranty Bank, as provided for in Article V, Section 1.b of the Bylaws.

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

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**Executive Session**

Item 15. At this time, Judge Williamson announced that the Open Session would recess and go into Executive Closed Session to discuss a client's appeal of termination of Section 8 Housing Assistance. This Executive Session is provided for in Section 551.074, Personnel Matters, of the Texas Open Meetings Act.

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**Open Session/Other Business**

Item 16. The Executive Committee reconvened in Open Session to take action on Item 15. Motion to uphold the termination was made by Judge Scott Lee and seconded by Judge Newsom. It was approved.
Item 17. Chris Brown, ATCOG Executive Director, presented a Financial Report for Indirect Funds and travel funds. A handout was provided, with mention to contact Mr. Brown if there were any questions.

Item 18. Discussion on the CSA Agreement with NETO, Inc., will be reviewed at a later date. Mr. Brown requested no action be taken at this time due to pending information.

Item 19. Due to time constraints, results on the Titus County Prosperity Summit will be shared at the next Board meeting.

Announcements

Judge Williamson announced that there is a chicken plant being built in Red River County and they have welcomed the Board out for a tour once they become operational.

Ms. Thurston announced there would be a Budget Committee meeting held next month prior to the Board meeting, as well as a Workforce Board meeting immediately following today’s meeting. She also announced that registration is open for New Board Member Orientation on May 13th for those who would like to attend.

Mr. Brown announced to the Board that his family would be moving back to Sulphur Springs over the summer and wanted them to be aware prior to the move to dispel any rumors or speculation.

He also announced Mayor Pro Tem Saundra Dunn would not be running for City Council again and, as such, this would be her last meeting.

Motion to adjourn was made by Judge Newsom and seconded by Judge Carlow. The meeting was adjourned at 12:30 p.m.

EXECUTIVE COMMITTEE MEMBERS PRESENT
L.D. Williamson, Judge, Red River County
James Carlow, Judge, Bowie County
M.C. Superville, Jr., Judge, Lamar County
Lynda Munkres, Judge, Morris County
Brian Lee, Judge, Titus County
Scott Lee, Judge, Franklin County
Robert Newsom, Judge, Hopkins County
Saundra Dunn, Mayor Pro Tem, Mount Vernon
A.M "Rip" Benefield, Councilman, Queen City
Edwin Pickle, Councilman, City of Paris
Brady Fisher, Northeast Texas Resource Conservation & Development Area

BOARD MEMBERS PRESENT
Kayla Price, Councilwoman, City of Sulphur Springs
Emily Glass, Councilwoman, City of Sulphur Springs
Tom Stamper, Good Shepherd Medical Center

GUESTS PRESENT
Daniel Alders, Office of Senator Ted Cruz
Robbin Bass, Office of Congressman John Ratcliffe
Robert McGee, Chief of Police, Queen City
Robert Nance, City of Mt. Pleasant
Glenda Bassham, Sulphur Springs Economic Development Corporation
Hank Berg, Sustainable Services
Marcia Davis, Daily Tribune
Lou Antonelli, Clarksville Times
Jennifer Harland, Workforce Solutions
April Corbit, Workforce Solutions  
Randy Reed, Workforce Solutions  
Bart Spivey, Workforce Solutions  
Sharon Davis, Workforce Solutions  
Sandra Shingleur, Workforce Solutions  
Nikiya Jefferson, Member of the Public  
Demetra Wysinger, Member of the Public  
Rose Jefferson, Member of the Public

**STAFF PRESENT**  
Chris Brown, Executive Director  
Mae Lewis, Housing Manager  
Paul Prange, Environmental Resources Coordinator  
Patricia Haley, Criminal Justice Coordinator  
Leslie McBride, Human Resources Coordinator  
Vickie Williamson, Economic Development Coordinator  
Amber Thurston, Executive Assistant

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

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**ATTEST:**
Ark-Tex Council of Governments
Application / Project Staff Review

Project SAI No: TX-R-20150512-001-05
Date Received: 05/12/2015
Staff Assignment: Vickie Williamson

Applicant: City of Sulphur Springs

Project Title: Farmers Market Promo Program Grant

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<thead>
<tr>
<th>Budget</th>
<th>Amount</th>
<th>Source / Funding Agency</th>
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<tbody>
<tr>
<td>Federal</td>
<td>$99,900.00</td>
<td>Farmer’s Market Promotion Grant</td>
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<td>State</td>
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<tr>
<td>Total</td>
<td>$99,900.00</td>
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Personnel Required:
No additional staff is required.

Project Description:
The majority of the funds requested would be used to engage in a marketing campaign that includes social media, a billboard, TV ads, and a brochure that will be mailed to all residents in the county. In addition, funds would be used to train all vendors in marketing and display and bands/entertainment would be secured to enhance the appeal of the market.

Project Review: (Provide Adequate Detail)

Area to be served:
All of Hopkins County as well as visitors that would attend from surrounding counties.

Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances?
Yes. Assurances included in 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. There is a local, regional, state, and national push toward incorporating locally grown, nutritious food products into residents’ diets. This proposal would promote that objective.

Does the project address a clearly defined need?
Yes. Much of Sulphur Springs is located in a “Food Desert” meaning that access to fresh foods is limited for low to moderate income residents. More vendors selling diverse products would provide better access to fresh foods.
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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</thead>
<tbody>
<tr>
<td>Is the project likely to produce any significant adverse effects on the environment?</td>
<td>No</td>
</tr>
<tr>
<td>Are the project’s goals identified, specific, measurable, and achievable?</td>
<td>Yes – The market would double the number of days open, increase vendors from an average of 10 to 40, and increase consumers from 600 to 1000 weekly.</td>
</tr>
<tr>
<td>Does the proposal demonstrate a feasible delivery strategy?</td>
<td>Yes. The proposal includes substantial marketing of the farmer’s market through several types of media. They also propose to increase the attraction of the market through training vendors in display techniques and by supplying live entertainment.</td>
</tr>
<tr>
<td>Does the project contribute to a balanced delivery of services among political subdivisions covered by the application?</td>
<td>Yes. The services will be open to the public. The main focus of the marketing strategy will be residents of Hopkins County and surrounding counties.</td>
</tr>
<tr>
<td>Do the anticipated accomplishments of the project justify the amount of funds requested? (Cost / Benefit Analysis)</td>
<td>Yes. The overall objective is to improve access to wholesome food and to promote consumption of healthy food. The grants funds will be contracted for Social Media campaign - $20,000, 2 year Billboard lease - $12,000, 2 years of TV ads - $25,000, Brochure development and distribution - $15,000, Bands/Entertainment - $19,900, and Vendor training - $8,000.</td>
</tr>
<tr>
<td>Does the applicant’s prior performance indicate high probability that the proposed objectives will be accomplished?</td>
<td>Yes. Sulphur Springs has completed a tremendous project in their downtown to create a fun gathering spot. They’ve already had success in the evening farmers market located in the downtown square and wish to expand that.</td>
</tr>
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</table>

Additional Information:

**STAFF RECOMMENDATIONS:**

Staff recommends a favorable review.
ARK-TEX COUNCIL OF GOVERNMENTS
APPLICATION / PROJECT STAFF REVIEW

Project SAI No: TX-R-20150518-00C1-05
Date Received: 05/12/2015
Staff Assignment: Vickie Williamson

Applicant: Ark-Tex Council of Governments

Project Title: Local Food Production Promotion Grant

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PROJECT DESCRIPTION:

Proposed Activity: The majority of the funds requested would be used to engage in a marketing campaign that includes social media, a billboard, TV ads, and a brochure that will be mailed to all residents in the county. In addition, funds would be used to train all vendors in marketing and display and bands/entertainment would be secured to enhance the appeal of the market.

<table>
<thead>
<tr>
<th>Budget</th>
<th>Amount</th>
<th>Source / Funding Agency</th>
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<tr>
<td>Federal</td>
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<td>Local Food Production Promotion Grant</td>
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<td>State</td>
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<td>Local</td>
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<td>Applicant</td>
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<td>Other</td>
<td>33,333.00</td>
<td>Northeast Texas Economic Development District, Inc.</td>
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<td>$133,333.00</td>
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Personnel Required: Co-op Planner

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PROJECT REVIEW: (PROVIDE ADEQUATE DETAIL)

Area to be served: ATCOG's region – Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Marion, Red River, and Titus counties as well as Camp County and Miller County, Arkansas.

Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances?
Yes. Assurances included in 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. This proposal seeks to increase regionally grown agricultural products; thereby, increasing economic development, job creation, regional branding, and consumption of healthier fresh products.

Does the project address a clearly defined need?
Yes. Small farmers in our region have struggled in recent years to continue operations. This grant will be used to develop the concept of a regional co-op that will aggregate the products of small farmers to market to larger wholesalers, grocery store, and local facilities such as hospitals, schools, and senior citizen venues.
<table>
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</thead>
<tbody>
<tr>
<td>Is the project likely to produce any significant adverse effects on the environment?</td>
<td>No.</td>
</tr>
<tr>
<td>Are the project's goals identified, specific, measurable, and achievable?</td>
<td>Yes. The proposal would provide growth in production and consumption of regional agricultural products. The goals would be measured by increased enrollment in sustainable agricultural classes at Northeast Texas Community College, number of farmers participating, and sales of products.</td>
</tr>
<tr>
<td>Does the proposal demonstrate a feasible delivery strategy?</td>
<td>Yes. The proposal plans to work with area stakeholders to develop a viable plan for branding and marketing the region's products. A planner would be hired to devote more time to the awareness, training, and participation of farmers, suppliers, county extension offices, elected officials, and the public.</td>
</tr>
<tr>
<td>Does the project contribute to a balanced delivery of services among political subdivisions covered by the application?</td>
<td>Yes. The project seeks to include the entire ATCOG region, Camp County and Miller County, Arkansas.</td>
</tr>
<tr>
<td>Do the anticipated accomplishments of the project justify the amount of funds requested? (Cost / Benefit Analysis)</td>
<td>Yes. The overall objective is to promote increased production of regionally grown products. The grants funds will be used for Personnel - $58,717; fringe benefits - $28,301; Contractual - $18,400; Travel - $5,415; Equipment - $5,000; Supplies - $5,000; Other - $5,000; and Indirect - $12,500.</td>
</tr>
<tr>
<td>Does the applicant's prior performance indicate high probability that the proposed objectives will be accomplished?</td>
<td>Yes. ATCOG is very experienced in grant administration including EDA Planning Grants, EDA Infrastructure Grants, TxCDBG grants, TxCDBG STEP grants, Disaster and FEMA grants. In addition, ATCOG operates several regional programs including Area Agency on Aging, HUD, 911, Homeland Security, Transportation, EPA, and Economic Development.</td>
</tr>
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</table>

**Additional Information:**

**STAFF RECOMMENDATIONS:**

Staff recommends a favorable review.
ARK-TEX COUNCIL OF GOVERNMENTS
APPLICATION / PROJECT STAFF REVIEW

Applicant: City of Paris

Project Title: Farmers Market Promotion Program Grant

Project Description:
The majority of the funds requested would be used to engage in a marketing campaign that includes social media, a billboard, TV ads, and a rack card that will be delivered through the newspaper to all residents in the county. In addition, a part-time market manager would be hired, vendors trained in best practices, and entertainment would be secured to enhance the appeal of the market.

Budget:

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<th>Source / Funding Agency</th>
<th>Amount</th>
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<td>Federal</td>
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<td>Applicant</td>
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<td>Other</td>
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<td>Total</td>
<td>$97,000.00</td>
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</table>

Personnel Required:
Part-time market manager

PROJECT REVIEW: (PROVIDE ADEQUATE DETAIL)

Area to be served:
All of Lamar County as well as visitors that would attend from surrounding counties.

Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances?
Yes. Assurances included in 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. There is a local, regional, state, and national push toward incorporating locally grown, nutritious food products into residents' diets. This proposal would promote that objective.

Does the project address a clearly defined need?
Yes. Much of Paris is located in a "Food Desert" meaning that access to fresh foods is limited for low to moderate income residents. More vendors selling diverse products would provide better access to fresh foods.
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<tr>
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<td>No</td>
</tr>
<tr>
<td>Are the project's goals identified, specific, measurable, and achievable?</td>
<td>Yes – The objectives are to increase the public's awareness of the market, provide best practices training to farmers and the market management, and provide a desirable experience for consumers through entertainment.</td>
</tr>
<tr>
<td>Does the proposal demonstrate a feasible delivery strategy?</td>
<td>Yes. The proposal includes hiring a part-time market manager to operate the farmers market. In addition, it provides training for both farmers and management in best practices and marketing. This oversight and marketing combined with a marketing blitz through several types of media and entertainment will provide a satisfying consumer experience.</td>
</tr>
<tr>
<td>Does the project contribute to a balanced delivery of services among political subdivisions covered by the application?</td>
<td>Yes. The services will be open to the public. The main focus of the marketing strategy will be residents of Lamar County and surrounding counties.</td>
</tr>
<tr>
<td>Do the anticipated accomplishments of the project justify the amount of funds requested? (Cost / Benefit Analysis)</td>
<td>Yes. The overall objective is to improve access to wholesome food and to promote consumption of healthy food. The grants funds will be contracted for Part-time manager - $30,000 ($15,000 per year for two years), Social Media campaign - $11,000, 2 year Billboard lease - $10,000, 2 years of TV ads - $10,000, Rack cards and distribution - $16,000, Bands/Entertainment - $10,000, and Vendor training - $10,000.</td>
</tr>
<tr>
<td>Does the applicant's prior performance indicate high probability that the proposed objectives will be accomplished?</td>
<td>Yes. The Paris Market Square Farmers Market has successfully operated since the 1920s. It has a covered pavilion, water and electricity access, and 24 tables for vendor use. Currently, an average of 25 vendors participate in the market weekly.</td>
</tr>
</tbody>
</table>

**Additional Information:**

**STAFF RECOMMENDATIONS:**

Staff recommends a favorable review.
**ARK-TEX COUNCIL OF GOVERNMENTS**  
**APPLICATION / PROJECT STAFF REVIEW FOR**  
**ENVIRONMENTAL ASSESSMENT**

<table>
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<tr>
<th>Project SAI No: TX-R-20150511-0001-05</th>
<th>Date Received: 05-07-15</th>
<th>Staff Assignment: Paul Prange</th>
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**Applicant:** Southwestern Electric Power Company.

**Project Description:** Southwestern Electric Power Company (SWEPCO) has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0000464000 to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 80,000,000 gallons per day at its steam electric generating plant. The facility is located at 6866 U.S. Highway 259 South, Lone Star, in Morris County, Texas. Discharge route is from the plant site to Ellison Creek Reservoir; thence to Big Cypress Creek Below Lake Bob Sandlin.

**PROJECT/EA REVIEW:**

**Area to be served:** Lone Star, Morris County, Texas.

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

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

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

**Does the project address a clearly defined need and does the project take into account preservation of the environment?** There is a clearly defined need for the renewal of this TPDES Permit to allow the periodic operation of this plant. This plant serves as a peaking unit and is brought on line during times of excessive demand for electrical power. All guidelines required by TCEQ to protect the environment are being followed, thus minimal disruption of the environment is expected.

**Is the project likely to produce any significant adverse effects on the environment?** No. The renewal of this permit will not produce any significant adverse effects on the environment since it is only used for an average of 15 to 20 days during the year. All water released into the environment is non contact and no biological controls are being used.

**Do the anticipated accomplishments of the project justify the disruption to the environment?** Yes. The renewal of this permit will allow the continued operation of this plant, which serves as an additional source of emergency electrical power for our region and can provide up to 75 mega-watts if needed. The disruption of the environment is minimal compared to the accomplishments.

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

**RECOMMENDED COMMENT:** Staff recommends support of this permit renewal application by Southwestern Electric Power Company.
ARK-TEX COUNCIL OF GOVERNMENTS
APPLICATION / PROJECT STAFF REVIEW FOR
ENVIRONMENTAL ASSESSMENT

| Project SAI No: TX-R-20150511-0002-05 | Date Received: 05-05-15 | Staff Assignment: Paul Prange |

Applicant: The City of Avery, Texas

Project Description: The City of Avery has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010733002, to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 124,000 gallons per day. The domestic wastewater treatment facility is located on Mill Creek, approximately ½ mile northeast of the City of Avery in Red River County, Texas. The discharge route is from the plant site to Mill Creek, thence to Red River below Lake Texoma.

PROJECT/EA REVIEW:

Area to be served: Avery, Red River County, Texas.

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

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

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

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

Is the project likely to produce any significant adverse effects on the environment? No. The renewal of this permit will not authorize an increase in the number gallons of treated wastewater that can be discharged into the environment. This facility was constructed in 1973, refurbished in 2000 and is in excellent operational condition. Before being discharged, the water passes through particulate filters and is then piped to a sedimentation pond located at this facility.

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

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

RECOMMENDED COMMENT: Staff recommends support of this permit renewal application by the City of Avery.
**ARK-TEX COUNCIL OF GOVERNMENTS**  
**APPLICATION / PROJECT STAFF REVIEW FOR**  
**ENVIRONMENTAL ASSESSMENT**

**Project SAI No:** TX-R-20150511-0003-05  
**Date Received:** 05-04-15  
**Staff Assignment:** Paul Prange

**Applicant:** PrairieLand ISD

**Project Description:** PrairieLand ISD has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014473001, to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 12,000 gallons per day. The domestic wastewater treatment facility is located 1,650 feet west of FM 196, approximately 3,000 feet southwest of the intersection of US Highway 271 and FM 196 in Lamar County, Texas. The discharge route is from the plant site to an unnamed ditch; thence to an unnamed tributary; thence to Bee Bayou; thence to West Brushy Creek; thence to Little Sandy Creek; thence to Brushy Creek; thence to Sulphur/South Sulphur River.

**PROJECT/EA REVIEW:**

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

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

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

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

**Does the project address a clearly defined need and does the project take into account preservation of the environment?** There is a clearly defined need for the renewal of this TPDES Permit to allow the continued operation of the domestic wastewater treatment facility. This facility serves the needs of the faculty and staff members, as well as, all students enrolled in PrairieLand ISD. All guidelines required by TCEQ to protect the environment are being followed, thus minimal disruption of the environment is expected.

**Is the project likely to produce any significant adverse effects on the environment?** No. The renewal of this permit will not authorize an increase in the number gallons of treated wastewater that can be discharged into the environment. This facility is in good operational condition. Before being discharged, the water passes through particulate filters and is then piped to a sedimentation pond located at this facility.

**Do the anticipated accomplishments of the project justify the disruption to the environment?** Yes. The renewal of this permit will allow the continued operation of this facility, which directly serves the needs of all citizens associated with or attending PrairieLand ISD. The disruption of the environment is minimal compared to the accomplishments.

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

**RECOMMENDED COMMENT:** Staff recommends support of this permit renewal application by PrairieLand ISD.
ARK-TEX COUNCIL OF GOVERNMENTS
APPLICATION / PROJECT STAFF REVIEW FOR
ENVIRONMENTAL ASSESSMENT

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**Applicant:** Delta County Municipal Utility District

**Project Description:** The Delta County Municipal Utility District has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010744001, to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 40,000 gallons per day. The domestic wastewater treatment facility is located approximately 0.5 miles west and 0.3 miles south of the intersection of FM 64 and FM 128 and immediately west of South 3rd Street in Delta County, Texas. Discharge route is from the plant site to Jennings Creek; thence to East Fork Jernigan Creek; thence to Jernigan Creek; thence to Cooper Lake.

**PROJECT/EA REVIEW:**

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

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

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

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

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

**Is the project likely to produce any significant adverse effects on the environment?** No. The renewal of this permit will not authorize an increase in the number gallons of treated wastewater that can be discharged into the environment. This facility is in good operational condition. Before being discharged, the water passes through particulate filters and is then piped to a sedimentation pond located at this facility.

**Do the anticipated accomplishments of the project justify the disruption to the environment?** Yes. The renewal of this permit will allow the continued operation of this facility, which directly serves the needs of all citizens living within the service area of the Delta County Municipal Utility District. The disruption of the environment is minimal compared to the accomplishments.

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

**RECOMMENDED COMMENT:** Staff recommends support of this permit renewal application by the Delta County Municipal Utility District.
**Project Description:** Nalco Company has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002955000. Nalco Company WWTP, a plant that produces anti-foaming agents used in the paper industry, is located in the city of Texarkana, Bowie County, Texas. The permit renewal authorizes the discharge of treated wastewater at a volume not to exceed a daily average flow of 40,000 gallons per day. The facility is located at 3901 Terry Street, Texarkana, Texas. Discharge route is to a city storm sewer, ultimately to Days Creek in Segment No. 0304 of the Sulphur River Basin.

**PROJECT/EA REVIEW:**

**Area to be served:** Texarkana, Bowie County, Texas.

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

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

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

**Does the project address a clearly defined need and does the project take into account preservation of the environment?** There is a clearly defined need for the renewal of this TPDES Permit to allow the continued operation of Nalco Company, which produces anti-foaming agents used in the paper industry. This facility has been in operation for more than 30 years and all guidelines required by TCEQ to protect the environment are being followed, thus minimal disruption of the environment is expected.

**Is the project likely to produce any significant adverse effects on the environment?** No. The renewal of this permit will not authorize an increase in the number gallons of non-contact cooling water that can be discharged into the environment. The water utilized in this cooling process is well-water collected from an on-site well and, after use, is discharged into the city storm sewer.

**Do the anticipated accomplishments of the project justify the disruption to the environment?** Yes. The renewal of this permit will allow the continued operation of this facility, which employs approximately eight citizens who produce a variety of anti-foaming agents necessary to the paper production industry. The disruption of the environment is minimal compared to the accomplishments.

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

**RECOMMENDED COMMENT:** Staff recommends support of this permit renewal application by the Nalco Company.
ITEM 13:

Review and consider nomination (replacement of current member), to the Regional Criminal Justice Advisory Committee (RCJAC) to serve through December 31, 2015.

BACKGROUND:

A vacancy exists on the RCJAC Regional membership list (nominated by the ATCOG Criminal Justice staff) for Cass County. ATCOG staff has nominated A.M. (Rip) Benefield to represent Cass County in the category of “Concerned Citizen”. He would be replacing Tina Richardson.

DISCUSSION:

Mr. Benefield serves on the City Council for Queen City, and is also a member of the ATCOG Board of Directors/Executive Committee. He is very eager to be involved and to serve on our regional committee.

RECOMMENDATION:

Staff recommends the appointment of A.M. (Rip) Benefield to serve on the Regional Criminal Justice Advisory Committee through December 31, 2015.
ITEM 14:

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 need to update our manual to reflect revisions in the payday for staff.

DISCUSSION

Currently, our staff get their pay via direct deposit every other Friday. This pay is based on a 2-week pay period that ends on Tuesdays at 12:00 midnight of the week we receive our pay. All employees are now required to submit their timesheets to Finance during the day on Tuesday of the pay week in order to allow enough time for payroll to be processed and wired to the banks by Friday. This means our staff are required to submit their timesheets before the pay period actually ends. If there is an emergency or illness later in the day on Tuesday that requires unexpected time off, the timesheet is incorrect and has to be revised afterward.

We propose to change our actual payday to every other Monday, leaving our pay period ending the same day of Tuesday and changing the timesheet submission day to Wednesday. This will allow the pay period to be over before Timesheets are submitted and the Timesheets should be correct when they reach the Finance Department.

All staff have been notified of the change of payday from Fridays to Mondays. This change will be effective in June and our first Monday payday will be June 1, 2015.

We are proposing the following revisions:

Section 5.05, Payday. We propose to change the wording from “The pay periods end on Tuesday and wages are paid the following Friday” to “wages are paid the following Monday.”

Section 9.03, Official Payroll Payday. We propose to change the wording from “The official payroll payday for compensation purposes shall be every other Friday” to “shall be every other Monday.”

If approved, the revised pages will replace the current pages in the Policies and Procedure Manual and will be furnished to all employees (pages attached).

RECOMMENDATION

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

Attachment – 2 pages
introductory period may be separated from ATCOG service, or if desirable and advantageous to the Agency, may be transferred to a more suitable position if such a position is available. A new appointee will have a performance review at the end of three months of employment, at six months, and again at the end of nine months. Supervisors may recommend employees be removed from the introductory period upon completing six months of job performance. Managers and/or supervisors will assure that new employees are given proper training, counseled concerning lack of performance or deficits and what can and should be done to improve performance, and then given an opportunity to respond and improve performance or demonstrate inability.

4. **Merit Pay Increase**: An increase in an employee’s pay from one step of the grade of his/her position to the next higher step of that grade can be awarded based on recommendation of the appropriate manager and/or Director and approved by the Executive Director. The Merit Pay Increase is beyond any annual across-the-board cost of living increase and shall be based upon adequate written performance evaluation of employee attitude, motivation, and job execution that must reflect an exemplary level of performance. Merit Pay Increases shall not be used to reward employees for length of service; however, managers and/or Directors will have a means of compensating long-tenured employees who continue to perform in an exemplary manner with the expanded pay steps of the Pay and Classification Schedule.

5. **Promotion**: When an employee is selected for promotion, the rate of pay will be set in the new grade at a step that equals or exceeds two steps of the grade from which the employee is being promoted. When an employee receives a promotion, he/she will serve an introductory period not to exceed nine (9) months in the new position. A promoted employee will have a performance review at the end of six months and again at the end of nine months. Supervisors may recommend employees be taken off the introductory period upon completing six months in the new position. If the employee fails to meet satisfactory performance in the new job at the end of the nine-month introductory period, he/she may be downgraded to an available job for which qualified, or the employee may be terminated. If the employee is downgraded, the rate of pay will be set at a step in the job to which downgraded equal to or less than the pay the employee received prior to the promotion. In no case will the rate of pay in the job to which downgraded exceed the rate of pay received in the job prior to promotion.

5.05 **PAYDAY**

The pay period for the COG is bi-weekly which results in 26 pay periods per year. The payroll periods end on Tuesday and wages are paid the following Friday Monday by direct deposit to an account established by the employee. Direct deposit is required for all employees upon employment, but wages will be paid by ATCOG check only to a new employee when confirmation for direct deposit has not been received from the bank.
9.00 WORK SCHEDULES AND TIME REPORTING

9.01 DEFINITIONS

As used in this section the following defined terms and words shall mean:

1. *Fair Labor Standards Act of 1938*, as amended means the law (Title 29, U.S. Code of Regulations) established by Congress, to regulate and control labor practices. This law is enforced by the U.S. Department of Labor.

2. *Exempt Employee* means an executive, administrative or professional employee, as defined by the Fair Labor Standards Act (FLSA) of the U.S. Department of Labor. Exempt employees are paid on a salary basis and are exempt from the overtime provisions of FLSA. Exempt employees are expected to render necessary and reasonable overtime services with no additional compensation for time worked beyond the normal workweek.

3. *Nonexempt Employee* means an employee who is subject to the requirements of the overtime pay provision of the FLSA.

4. *Released Time* means any paid leave time, including holidays, that an employee actually uses during any work week.

9.02 OFFICIAL WORK WEEK

The official payroll week for all ATCOG employees is a seven day period beginning at 12:00 midnight on Tuesday and ending at 12:00 midnight on the following Tuesday.

9.03 OFFICIAL PAYROLL PAYDAY

The official payroll payday for compensation purposes shall be every other Friday Monday resulting in twenty-six (26) paydays per year.

9.04 WORKING HOURS

Normal working hours are Monday through Friday, 8:00 a.m. to 5:00 p.m., with one hour for lunch, for a total of 40 hours per workweek. Normal working hours will be strictly adhered to, however, may be altered by special events such as noon and/or evening meetings, conferences, holidays, etc.

1. The Director may set other hours of work or work periods for individuals or groups of employees if necessary or desirable, but all office employees will have a set work schedule not to be altered on a daily basis and/or without specific advance approval.

2. Unless otherwise authorized, all employees are expected to be punctual and to report for duty at the beginning of each assigned workday and to work the full work period established.
BRIEFING PAPER – ACTION ITEM

ITEM 15:

Review and consider approval and certification of the 5-year Plan for the fiscal year beginning October 1, 2015.

BACKGROUND:

The Quality Housing and Work Responsibility Act of 1998 enacted by the Department of Housing and Urban Development (DHUD) requires that Five-year and Annual Plans be submitted to establish goals and operating procedures for achieving those goals. The 5-year Plan for the fiscal year beginning on October 1, 2015, is now due to HUD and must be approved and certified by the Board of Directors.

DISCUSSION:

A public meeting is required by HUD and a public notice was published at least forty-five (45) days prior to the meeting. A meeting was scheduled for 4:00 P.M. on May 5, 2015, and the only attendees present were Housing Program staff. Therefore, this Plan will be submitted electronically as approved by Ark-Tex Council of Governments Board of Directors with no comments or recommendations for changes.

RECOMMENDATION:

Staff recommends approval and certification of the Annual Plan for the fiscal year beginning on October 1, 2015.
ITEM 16:

Review and approve revisions to the Homeland Security Advisory Committee (HSAC) bylaws.

BACKGROUND:

The HSAC bylaws have not been updated since February 2013. To ensure that the bylaws remain current, it is recommended that the bylaws be reviewed annually to determine if updates are needed.

DISCUSSION:

The bylaws are important in conducting the business of the HSAC, and a few revisions need to be made to keep it current. The committee reviewed the bylaws on Thursday, May 21, 2015.

RECOMMENDATION:

Staff and the HSAC recommend approval of the attached revisions to the Homeland Security Advisory Committee bylaws.
ITEM 17:

Review and consider action on agreement with Northeast Texas Opportunities, Inc, and/or letter to TxDOT.

BACKGROUND:

The agreement is an effort to finalize the outstanding rural transportation program complications.

DISCUSSION:

The attached CSA and letter to TxDOT were reviewed by our attorney. The CSA was presented at the March Board Meeting and is awaiting review by the N.E.T.O. Board. This will hopefully be done at their May 27th Board meeting and submitted back to ATCOG for consideration. Should the CSA not be completed, we will need to discuss whether to move forward with the letter, or continue to wait for the CSA.

RECOMMENDATION:

Submit letter or CSA to TxDOT.
BYLAWS
ARK-TEX COUNCIL OF GOVERNMENTS

ARTICLE I

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 operation; 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 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.

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:

   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 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 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 college, junior college or school district shall be entitled to have one member on the Board of Directors who shall be appointed from their elected governing body from the area described in Article III 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 their elected governing body from the area described in Article III of these Bylaws;

f. Each member authority shall be entitled to have one member on the Board of Directors who shall be appointed from their governing body of the authority and shall be from the area described in Article III 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 serve on the Board of Directors.

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 shall have 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 twelve other members. These sixteen 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 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 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. 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.

b. 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.

c. 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 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.

d. 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 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.

e. 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. Actions to the Executive Committee may be appealed to the Board of Directors upon the written request of any member.

3. A majority 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 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.

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 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, 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

ATTEST:

Laura Mabey, Secretary
Ark-Tex Council of Governments

Charles McMichael, President
Ark-Tex Council of Governments