

**BOARD OF COMMISSIONERS****October 16, 2008**

Ken Brison, Mayor  
Stuart L. Johnson, Vice-Mayor  
Eddie Arney, Commissioner  
Wayne Hall, Commissioner  
Darrell Mangrum, Commissioner  
Shirley Forehand, City Manager  
Larry Cantrell, City Attorney  
Kathleen Daugherty, Recorder

Present: Brison, Johnson, Arney, Hall, Mangrum

Absent:

Others Present: Forehand, Cantrell, Lovvorn

- 1. Mayor Brison called the meeting to order at 7:10 P.M.**
  - A. Commissioner Mangrum led the Prayer and Pledge to the Flag.
- 2. Approval of the Agenda –**
  - A. Arney made a motion to approve the Agenda as presented. Hall seconded the motion. All were in favor.
- 3. Citizen Comments – (Limited to the first five (5) citizens to sign in and a limit of three (3) minutes each) - None**
- 4. Awards and/or Recognitions –**
  - A. City Mgr. Forehand reported that the City has received the Highway Safety Grant which will allow for the hiring of one traffic officer. The grant will cover salary and benefits for one year.
- 5. Public Announcements –**
  - A. Commissioner Arney announced that the first annual Bowie Boo Run sponsored by United Way will be held Saturday, October 25<sup>th</sup>.
  - B. Arney also announced that the Fairview High School Homecoming will be October 24<sup>th</sup>.
- 6. Approval of the Minutes –**
  - A. Presented for approval were the minutes of the Public Hearing held on October 2, 2008. Mangrum made a motion to approve the minutes. Johnson seconded the motion. All were in favor.
  - B. Presented for approval were the minutes of the Board of Commissioners Meeting held on October 2, 2008. Mangrum made a motion to approve the minutes as corrected. Johnson seconded the motion. All were in favor.

## 7. Old Business –

- A. Presented for second and final reading was Bill #2008-37: Rezoning of property located at 2185 Fairview Blvd. from RS-40 to CG (Commercial General), Map 42, Parcel 138.00 containing 3.5 acres more or less – Clemmie Buttrey, Owner. Johnson read the caption and made a motion to pass on second and final reading Bill #2008-37. Mangrum seconded the motion. All were in favor.
- B. Presented for second and final reading was Bill #2008-38: Rezoning of property located at 2135 Fairview Blvd. from RS-40 to CG (Commercial General), Map 42, p/o Parcel 126.00 and Map 42, p/o Parcel 125.00 containing 3.0 acres more or less – James Hebert Johnson and Joan Hebert, Owners. Johnson read the caption and made a motion to pass on second and final reading Bill #2008-38. Mangrum seconded the motion. All were in favor.
- C. Presented for first reading was Bill #2008-39: Rezoning of property located at 895 Hwy. 96 North from RS-40 to CG (Commercial General); Map 21, Parcels 46.06 and 46.09 containing 10.74 acres – Walter and Beverly Totty, Owners. Johnson read the caption and made a motion to pass on second and final reading Bill #2008-39. Hall seconded the motion. All were in favor.
- D. Presented for adoption was Resolution No. 41-08: Set date of November 20, 2008 for a Public Hearing on the Rezoning of property located at 895 Hwy. 96 North. Johnson read the caption and made a motion to adopt the Resolution. Mangrum seconded the motion. All were in favor.
- E. Presented for first reading was Bill #2008-40: Rezoning of property located at 7405 Chester Road from RS-40 to RS-20 PUD; Map 47, Parcels 26.00 and 26.01 containing 14.57 acres – Kelly J. Shiver, Owner.  
**\*Johnson read the caption and made a motion to pass Bill #2008-40 on first reading. Mangrum seconded the motion. All were in favor.**
- F. Adoption of Resolution No. 42-08: Set date of November 20, 2008 for a Public Hearing on the Rezoning of property located at 7405 Chester Road. Johnson read the caption and made a motion to adopt Resolution No. 42-08. Mangrum seconded the motion. All were in favor.
- G. Presented for first reading was Bill #208-41: Rezoning of Property located on Crow Cut Road from RS-40 to RS-8 PUD Zone, Map 46, Parcel 17.00 containing 15.17 acres – Betty Jane Fox, Owner. Johnson read the caption and made a motion to pass on second and final reading Bill #2008-41. Mangrum seconded the motion. All were in favor.
- H. Presented for adoption was Resolution No. 43-08: Set date of November 20, 2008 for a Public Hearing on the Rezoning of property owned by Betty J. Fox located on Crow Cut Road. Johnson read the caption and made a motion to adopt Resolution No. 43-08. Mangrum seconded the motion. All were in favor.
- I. Report on Paint Bids for City Hall – John Bledsoe reported that the low bidder, Mr. James Greer, was present. Bledsoe advised that his insurance is in place and he will have his bond before the work begins. There are a couple of small things in the contract that we need to work out but it should not be a problem. There was a discussion on the bid including pressure washing the side walks. Arney asked Bledsoe to keep a check on the repairs and the painting. Bledsoe stated that the contract requires Mr. Greer to get some bonds that he had not expected to purchase as they were not part of the bid process and he has asked for compensation on the cost of the bonds.

Cantrell advised that they can do an addendum to the contract to cover the cost of the bonds or change the contract anyway the Board wishes. Cantrell also advised that he can have the contract ready for the next meeting. Cantrell was asked to prepare the revised contract for the next meeting.

- J. Presented for adoption was Resolution No. 44-08: Transfer of City Property (formerly Trails of Brownlyn Property) to the County for Athletic Fields. Johnson read the caption and made a motion to adopt the Resolution. Arney seconded the motion. Discussion was held. Johnson asked if the deed states that the property will come back to the City if the County fails to use it for athletic fields. Cantrell stated that it did not but it could be included. Arney asked if they should also put a time frame on it. It was decided to have County Mayor Rogers Anderson and Recreation Director Doug Hood at the next meeting to discuss their intentions for the property. Johnson made a motion to amend his motion by adding that a review will be made every twelve months to see if the property should revert back to the City. Hall seconded the motion. It was also decided that the deed needs to say that the property will be used for soccer and football fields. *Vote on amendment:* All were in favor. *Vote on motion as amended:* All were in favor.
- K. Approval of Quitclaim Deed to Williamson County for Athletic Fields – Arney made a motion to defer until next meeting. Johnson seconded the motion. All were in favor.

#### **8. New Business -**

- A. Presented for approval was an Amendment to the Contract for the sale of Bowie Nature Park Property to Southstar – City Mgr. Forehand reported that representatives from Southstar have approached her asking that the closing date be extended until May 14, 2009 and if it is determined that the Buyer will acquire additional time beyond May 14, 2009 that the closing date will be extended until November 14, 2009. (see attachment) Arney made a motion to approve the Amendment to the Contract with Southstar. Hall seconded the motion. Brison and Johnson recused from voting on the issue. *Vote in favor:* Arney, Hall, Mangrum. *Against:* None. Motion carried.
- B. Discuss and/or take action on renewal of Health Insurance – City Mgr. Forehand reported that the City's Insurance Broker, Tim White of Benefits, Inc. was present if anyone had any questions. She advised that the medical insurance rates with on changes are up 13.5% over last year. She also advised that this is still less than the State Insurance Program. Arney made a motion to renew the medical insurance policy with Benefits, Inc. Johnson seconded the motion. All were in favor.
- C. Discuss and/or take action on request from Friends of Bowie Nature Park for a link to the Bowie Nature Park Web Site which will also lead them to the City's Web Site – City Mgr. Forehand advised that in the past we have not allowed any such links to the City's Web Site and if they allow the Friends to have a link, this will open it up for anyone to request a link to the site. Arney made a motion to defer action on the issue until the next meeting. Mangrum seconded the motion. All were in favor.

- D. Comply with the Fair and Accurate Credit Transactions Act (FACTA) by Updating Procedures in the City's Policy Manual – City Attorney Cantrell stated the attached information needs to be included in the Policy and Procedures Manual for the City to comply with the Open Records Act. (see attachment) Johnson made a motion to update the Policy and Procedures Manual with the attachment. Mangrum seconded the motion. All were in favor.
- E. Presented for adoption was Resolution No. 45-08: Adopting an Identity Theft Policy – Johnson read the caption and made a motion to adopt the Resolution. Mangrum seconded the motion. All were in favor.

**8. City Manager Items for Discussion -**

- A. Miscellaneous Updates – Forehand reported that all employees have viewed an internet class on Identity Theft and signed a form that they viewed the class.
- B. City Attorney Comments – Cantrell advised that once the Identity Theft Resolution has been adopted copies should be given to each employee.

**9. Communications from the Mayor and Commissioners –**

- A. Mangrum asked the city manager to check on getting Bowie Nature Park posted on a sign on the Interstate which gives the local attractions. He also asked it be put on the next Agenda to discuss a policy for links to the City's Website.
- B. Arney asked Cantrell if he would be willing to do a class on parliamentary procedure and that it be put on the next agenda for further discussion. Arney also advised that the doors to the offices need to be locked at night. People are wondering about the building during meetings. Arney also asked the Department Heads to not purchase non-essential items due to the present economy. He reported on an email that he received concerning traffic citations being issued in the City just to increase the City's revenue. Arney stated the City receives very little money from traffic citations because most go to traffic school. He also feels the police officers are just doing their job.
- C. Hall encouraged all the citizens to get out and vote.
- D. Brison encouraged everyone to go to the polls.

**10. The meeting adjourned at 8:10 p.m.**

**\*correction**

Kathleen Daugherty, CMC  
City Recorder