

**MINUTES OF THE
TOWN COUNCIL
FEBRUARY 27, 2019**

ITEM 1 CALL TO ORDER

Mayor Bassler called the meeting to order at 6:05 p.m.

ITEM 2 ROLL CALL

Those present were Mayor Bassler, Council Member Poole, Council Member Cockburn and Council Member Bates.

ITEM 3 INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG.

Mayor Bassler led both.

ITEM 4 OPEN FORUM FOR CITIZEN INPUT

Penny Nichols signed up to speak during item #9.

ITEM 5 CONSENT AGENDA

Council Member Poole moved to approve the December 10, 2018 minutes, the January 2019 Financial Statement, The January 2019 Police Department Activity Report and the January 2019 Library Report. Motion seconded by Council Member Bates. Ayes: Council Member Poole, Council Member Bates and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 6 REVIEW AND ACCEPTANCE OF THE 2018 ANNUAL FINANCIAL AUDIT PRESENTED BY CARL DEATON.

Council Member Poole moved to approve the 2018 Annual Financial Statement. Motion seconded by Council Member Bates. Ayes: Council Member Poole, Council Member Bates and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 7 CONSIDER AND ACT ON A REQUEST FROM THE LADY VIP TO REPLACE THE FLAGPOLE IN THE PARK.

No action taken on this item.

ITEM 8 CONSIDER AND ACT ON A RECOMMENDATION FROM THE P&Z TO APPROVE A MINOR PLAT FOR LOT 1, BLOCK A, MARKS ADDITION.

Council Member Poole moved to approve the minor plat for Lot 1, Block A of Marks Addition. Motion seconded by Council Member Bates. Ayes: Council Member Poole, Council Member Bates and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 9 CONSIDER AND ACT ON A RECOMMENDATION FROM THE EDC BOARD OF DIRECTORS TO ELIMINATE THE EDC ADMINISTRATIVE POSITION.

Penny Nichols stated that she appreciated everyone's time and that she is saddened because she has given her heart and soul to the Town of Ponder. She thanked the Town Council and stated that this has been an eye opener and believes in the Town Council. Ms. Nichols requested a

Letter or Recommendation from the Town Council and from the EDC Board, that her name be removed from all documents, websites and anything related to the EDC and that Sheri Clearman notify her in writing when this has been done and three months severance pay. Ms. Nichols stated that she was open to any questions.

A Council Member asked Sheri Clearman if she would contact Penny Nichols when her name was removed from all documentation relative to EDC and asked about severance pay. Sheri replied that she believed that the Town could not pay a severance or bonus that was not previously contracted for.

Council Member Bates moved to eliminate the EDC Administrative Assistant Position. Motion seconded by Council Member Poole. Council Member Bates made a secondary motion to instruct Sheri Clearman to contact Town Legal to ask if the Town was able to offer severance. Secondary motion seconded by Council Member Poole. Ayes: Council Member Poole, Council Member Bates and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 10 DISCUSS, CONSIDER AND POSSIBLE ACTION REGARDING NOTICE OF CONTRACT DEFAULT AND SURETY DEMAND LETTERS RELATIVE TO THE TOWN OF PONDER WASTEWATER TREATMENT PLANT, PHASE I & II IMPROVEMENTS PROJECT.

Council Member Bates moved to convene into Executive Session at 6:20 pm. Motion seconded by Council Member Poole. Ayes: Council Member Poole, Council Member Bates and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

Regular Session reconvened at 6:48 pm.

Council Member Poole moved to recommend that Gary Morris and Belcheff & Associates meet with Fryer Construction to see if they could rectify this situation before further action was taken and added that this item be added to the March agenda. Motion seconded by Council Member Bates. Ayes: Council Member Poole, Council Member Bates and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 11 PRESENTATION AND UPDATE FROM TOWN OF PONDER UPPER TRINITY REGIONAL WATER DISTRICT BOARD REPRESENTATIVE.

No action taken on this item.

ITEM 12 ITEMS FOR THE NEXT AGENDA

Fryer Construction
EDC Position update

ITEM 13 ADJOURN

Council Member Bates moved to adjourn at 6:50 pm. Motion seconded by Council Member Poole. Ayes: Council Member Poole, Council Member Bates and Council Member Cockburn. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

APPROVED:

John Bassler, Mayor

Date

ATTEST:

Sheri N. Clearman, City Secretary