

Minutes of Special Board Meeting
of the
Gun Barrel City Economic Development Corporation

The Gun Barrel City Economic Development Corporation will meet in a Special Board meeting in the Gun Barrel City Council Chamber located at 1716 West Main Street, Gun Barrel City, Texas, 75156, Monday, March 30, 2015 at 5:00 p.m. Skains called the meeting to order with the following directors present: Osborne, Lyons, Rea, Damiano, Butler and Black. A quorum was established.

Citizens Comments: None

Citizen Presentations: (Limited to 3 Minutes)

This item provides the opportunity for citizens to address the EDC Directors on any matter whether or not it's posted on the agenda. However, in accordance with the Texas Open Meetings Act, Section 551.041, the EDC Directors cannot discuss, deliberate, or take action on matters not listed on the agenda. At this time the EDC Directors will receive citizen comments, and if necessary, may refer the matter to EDC staff for research, resolution or referral to EDC Directors on a future agenda.

Item #1. Discuss and/or take action to extend the contract with Stan Fernald/Johnson Monroe on EDC properties.

Skains: Last month we extended the contract on the Brawner Hall property. But in the motion we didn't get the other two properties. They have the acreage behind the City Park and 1.44 acres off of Church Street still listed. No changes to the listing that the board knew of.

Rea made a motion to extend the contract with Stan Fernald/Johnson Monroe on all EDC properties for a period of one year.

Osborne seconded. All directors voted 'aye'. Motion passed.

Item #2. Discuss and/or take action to revise Lake Escape's performance agreement.

Skains: This deals with an RBEG loan to Lake Escape for an amount up to \$50,000.00. They've ended up not taking near that amount of money. The payments start in April so we have revised the performance agreement and amortization schedule which was included in the board packet. It's a seven year note.

Damiano made a motion to amend the Lake Escape agreement and repayment schedule to reflect the amount that they have borrowed.

Rea seconded. All directors voted 'aye'. Motion carried.

Item #3. Discuss and/or take action on details pertaining to a community center.

Rea: The community center/senior citizen center has been talked about for numerous times for many years. For one reason or another it's always been stalled or runs into something. Actually the way this got started was when we were looking at possible sites for the boat ramp, one to the possibilities that was brought to us by a council member was possibly utilizing, if we chose Big Chief Landing as the site for the new boat ramp there was additional property there. It was requested of us to possibly looking at a community center on that site. In doing the home work on that boat site for the boat ramp it became obvious that it was out of our financial possibilities. We were looking at 1.4 million before we got to build a community center. So that got put on the back burner. Another proposal was brought forth, not formally yet, but it has been spoken about by another council member of possibly using some land at the park, namely the Pavilion, possibly enclosing it. When numbers were talked about one of the numbers came about, which was not a formal proposal so I'm not holding anything to anybody, but one of the numbers that was talked about was plus or minus \$400,000.00. So I got to thinking that when we approved the skate park on our property out there it kind of became a common sense issue of why not go

ahead and put in a community center right there with it. In my mind the original reason I started looking at it was we were probably going to have to do some road construction, parking lot construction and things of that nature. So why not double it up and make that road access to a community center and share a parking lot and make a little complex out of it. Obviously with the skate park, with the way we've planned to do it, we as the EDC, because we as a community embitterment can build the skate park, but we would have to gift it to the city at a later date when it's completed. So why not build a community center and gift it to the city at the same time. Two of the main things I'm hearing from citizens is they want something for the teenagers to do which was the skate park and subsequently they would like to see something for the senior citizens for their gathering, whether it be dominoes, pancake breakfast or whatever they want to do. It just seemed like it fit a little bit. I took it a step further and David and I decided to see if we could make this work a little bit better. In doing so we contacted some reputable builders that do this kind of work all over the country. One of them was Arklatex, which the name implies is in Arkansas, Louisiana and Texas. They worked us up a proposal and for the building itself, all ADA as far as the egress and access goes, doors and windows, but a building that would not be finished out. We would have to finish it out ourselves, but we are looking at less than \$50,000.00 for this building. It was \$46,980.00. So that is the price of the building, except the dirt work and the interior finish out. It does include insulation. So what we would be looking at is essentially is sheet rocking this building, two ADA bathrooms in it. My idea as a community center, it would make sense to have a kitchen facility in it. The thought behind this and obviously it's in the preliminary stages, I truly believe and I have it in my mind a number of a \$132,000.00. I believe that is shooting relatively high because of the way this board works on the budget item, before we can proceed with them, I'd rather shoot high than shoot low. But if we can build a community center for \$132,000.00, put it right beside the skate park, utilizing the same parking lot, the same road structures to get back there to it and have the ability-. The one nice thing about the way this building would be constructed is if it should be an absolute total success, these buildings are very easy to add on to. You can literally take the end cap off of them and make it bigger. The building we asked them to design for us was 60x40. So it's a good start. In part of our brainstorming is, one of the things I think is a no brainer is contractors locally here is to donate material and or their labor for the finish out portion of it. I've already spoken to Lowe's. They are willing to help us out with the appliances and plumbing fixtures in a substantial way. I think we could get this done way cheaper than the other things that's been proposed; have it up and going and be done. We are looking at a five day window to do this thing.

Skains: Once they get the permits.

Rea: We would have to supply the dirt work. In other words we have to supply a level pad site to do this thing on. But that's relatively level piece of land. We are not talking about a lot of money. The biggest thing is I think we could probably work some very beneficial deals with the air conditioning people here in town, electrical guys here in town if we offered to put their names on the building saying the electrical contracting was supplied by such and such. I think we as a group could get enough of the contractors to build this thing in the hundred thousand range instead of four hundred thousand and some of the other numbers that are floating around. I think it just makes sense. You've got the community center on one side, the skate park on the other. You are bringing together two facets. I hesitate to call it a senior citizen center only because I would like it to be open to other entities. In my mind the community center portrays that and would be a tremendous asset to our city. Essentially what I'm asking is, when I first got on this board all of our line items were moved to the general funds. We were told if we saw something we thought would potentially become a project, the way to do this would be to move the money over in our budget to a line item. If we don't do it or something happens we just won't utilize that money; just leave it there. My proposal is to do exactly that. I'd like to move \$132,000.00 to a line item for a community center and proceeds with all the things that need to be done with us, the city council, the bid packages; all those things. If we get it moved we can began on it at least. The other thing that I would suggest is, because this is something that I think has been asked for by our citizens for a very long time I think this a perfect opportunity for us to work on our relationship with the city and involve them in it as well. With that been said I

would like to propose having a task force which would consist of two council members, two EDC board members and the mayor; the mayor for two reasons. I think it's an important project with the skate park that the mayor needs to be involved in it. Secondly if we have an equal number of EDC members and an equal number of city council members, then the mayor can-as he does in city council meetings-act as a tie breaker. I think it's an easy way to bridge this gap we've got and I think it's the perfect project. They want to see it, we want to see it and it a matter of getting it put together in a way that everybody agrees. It's not out of line as far as our budget is concerned. That's my proposal.

Butler: You said the community has been requesting it for a while. How are they requesting?

Rea: Verbally at least in my position I hear about it constantly. I've heard about it from past mayors that wanted to do it, past councilman that want to do it. Present councilman wants to do it. It's just been a matter of putting it together. It seems that someone always gets voted out, it's dropped for some reason; nobody has ever taken the ball and ran with it. It's a way to help the teenagers and the elderly. Me being in town all day long that's the two entities that I keep hearing about. It's we need something for the kids to do and why are our seniors going to Mabank to play dominoes. How come we don't have a place to do it here? That's been discussed for years and it's just never been gotten off the ground. This is an opportunity to do it.

Black: I think you could find some of this in the comprehensive studies that was done years ago. People were asking for facilities like this. When I retired and started traveling I visited community centers in little towns all over the United States just to look to see what they offered. They would incorporate Meals on Wheels, Information Center along with the community centers.

Rea: This is something that would have to be discussed with the Task Force. One of my ideas that I would bring to the table should I be sitting there is I think it would be a very good idea to have a separate board made up of citizens to run this place. Five citizens that's not on the EDC or City Council to run this place. Their job would be to book, take care of and utilize this facility.

Skains: Would it be their responsibility to pay the bills and upkeep.

Rea: I think we could do that through a joint allowance with the EDC and City. They would have a budget. The money for the upkeep, they certainly would have the opportunity to make money from renting the place, but in my mind that wouldn't be the main use of the building. The main use of the building would be for seniors, community groups that may not be able to afford rental on it, but you are not talking about a huge amount of money to operate it annually. We can do that and they can have private fundraisers and that money would go into their coffers.

Skains: I'm not sure how we can work this out, but I'm sure it's something we could do.

Rea: The interest that's been shown by City Council and city management, I think we could work it out.

Skains: I think it's worth looking into for our community.

Damiano: I'm wondering about the numbers, before this gets all premature. I'm wondering about the operational numbers, the maintenance, there is ongoing operating cost. We can't say the city is going to kick in because we don't have control of the city budget.

Rea: Under the procedures you're actually putting the cart before the horse. We can't even ask the city to do that until we make it a project. That's the proposal at this time, creating a budget line item. If it's there we can set aside a \$132,000 and is the city willing to pay the light bill.

Skains: Do we really need to move in the budget for it or do we need to just make it a project.

Rea: May be my ignorance, but I thought we had to make a line item in order to make it a project.

Damiano: We can just make it a project and move money into the budget later. I need a diagram. I would like to see what the building is made out of, where it's located, what's around it. That's just me; before I can comfortably say ok. My first question is the building big enough? I don't know.

Osborne: Twenty five hundred feet is a big building. 40x60 is a big building.

Damiano: It's a big building, and then you carve a kitchen out of that, two bathrooms-.

Osborne: If you had a kitchen that was five hundred square feet, now you've got twenty-one hundred, and you take out forty feet for restrooms, you've still got a huge building. Let me back

this up a little bit. I agree with Rob on this. The other things that I think would be signature things for the EDC for us to accomplish is the Tom Finley ramp and the skate park. This would be head line items to show our intent for what we are going to do for the city for all ages of people plus bringing in new business.

Damiano: Jim don't get me wrong. I agree with it, I think it's a great idea.

Osborne: My idea of this and I'm only one of six, but I'd like to get out of the land business. We have cost and obligations and problems that could arise with us being in our land business. Once we divest ourselves from that and we get into solid items we could put it in our budget every year for taxes or insurance or whatever. It's a great opportunity to do something instead of setting around and building a business park somewhere that's not going to happen right now.

Black: The City of Mabank does the maintenance just like they do for the rest of their buildings.

Skains: That's something we would have to ask the city about, but that's good to know. Any further discussion? Can I have a motion?

Rea made a motion that we make the community center a project as concerned by the EDC with plans to further planning and create a task force jointly with the city council. Osborne seconded. All directors voted 'aye'. Motion carried.

Convened into Executive Session at 5:25 p.m.

Item #4. Convene into Executive Session pursuant to (a) Texas Government Code § 551.087 Deliberations Regarding Economic Development Negotiations, (b) Texas Government Code § 551.072 Deliberations about Real Property, and (c) Texas Government Code § 551.074 Personnel Matters.

Convened into Open Session at 6:05 p.m.

Item #5. Convene into Open Session to take action on (a) Texas Government Code § 551.087 Deliberations Regarding Economic Development Negotiations, (b) Texas Government Code § 551.072 Deliberations about Real Property, and (c) Texas Government Code § 551.074 Personnel Matters.

No action taken on Deliberations Regarding Economic Development Negotiations and Deliberation about Real Property.

Damiano made a motion that we begin interviews to hire an ED for the Gun Barrel City Economic Development Corporation and pay their travel and lodging expenses.

Rea seconded. All directors voted 'aye'. Motion carried.

Skains: Last item was a personnel issue concerning Ms. Black and she wanted it brought to the public. Is that correct Ms. Black?

Black: Yes that is correct.

Skains: What we are speaking about is as a member of the EDC, Ms. Black spoke at the City Council meeting concerning the farmers market in which case she spoke about the number of Ordinances, a great number of Ordinances would have to be changed. I'm of the opinion that that was misleading to say the least. There was only one Ordinance that was required to be changed. That was the Ordinance that would include the EDC with the City.

Rea: Ordinance 112-.03

Skains: The other recommended Ordinances to be changed were definitions which weren't required. They were included in the state definition. Ms. Black did not mention any of that to the board members or ask the questions and it wasn't mentioned in any of our previous meetings but saw fit once the 6-1 vote to proceed with the Farmers Market saw fit to present to council a differing opinion. I'm of the opinion that we are a team on the EDC. We always have our right to our opinion and a right to speak our mind. I don't feel that once the board has voted that we seek an audience for that opinion. I would never ask anyone to hold back on their thoughts once asked, but to get up before the council and mislead the council and mislead the citizens I find irreproachable, I find basically-have to search for the right word for it-I would just say that it bordered on intentionally misleading the public. I just don't see where that is behavior that is

acceptable for someone on the Economic Development Corporation. Any other comments? Mr. Osborne do you have any comments.

Osborne: I have. After that presentation Ms. Black did, I lost hope, confidence, and trust ability in her desires to work with the EDC as a team. I was just flabbergasted with what happen that evening from what we presumed we were all in accordance before that session.

Skains: Mr. Butler do you have any comments at this time.

Butler: No I do not.

Skains: Mr. Damiano.

Damiano: Yes I do. In relation to those comments I was basically appalled because I had never heard those objections from Patsy prior to that. I knew that the foundations for the objections were basically baseless given the number of Ordinances that had to be changed. I didn't think it did anything to cement a better relationship between the EDC and City Council and the EDC and the City. It kind of hung us out to dry. I think it would have been better served if Ms. Black had come to any or all of us with those reservations prior to getting up and making misleading comments. I agree she has every right in the world to speak at City Council meetings under citizen comments, Patsy Black citizen. But the minute she stands up there or the same as I would get up there if I am speaking as Gary Damiano, citizen or Gary Damiano- EDC. It makes a difference. I think that should have been clarified. I was amazed.

Skains: Ms. Lyons, you have any comments?

Lyons: No comment.

Skains: Mr. Rea do you have any comments?

Rea: Yeah I do. First of all serving on this board has impressed me greatly not only for the hard work everybody is doing, but the fact that it's all volunteer. I felt like we were really on a good road to get things accomplished. And I think that the comment that's in the back room maneuvering that led to those comments set us back considerable. We had a project that we had spent a lot of time on. We thought it made sense. I'm a big boy. When it got voted down by council, look you take your licks. We take our licks whether that was due to political maneuvering or whatever, we lost that project and you just have to accept that, that's fine. What we don't have to accept is the public condemnation of one of our own. I felt that's what Ms. Black's comments at that city council meeting were. Not only is it public, it's taped, it's in front of the public. It's toward the city council with the full intention of being heard by everybody in the city. I personally feel that David Skains has made it very easy for each and every one of us if we have a descending opinion to express it. He asked constantly, but in my mind once this board votes to approve a project I think we have an obligation to one another to public support it or to stay quiet; one or the other. This project was voted on 6-1. If you don't agree with the project, which I'm sure there are going to be projects that I don't agree with, but I certainly have no intention of going and bad mouthing, what I consider bad mouthing the board and or a project in a public forum such as that. You know, in the initial EDC meeting when we discussed the Farmers Market there was a list of objections that Ms. Black had with the project. She listed them one after the other after the other and each one of them were answered in what I felt was a sufficient way and the fact that she didn't object to it, I'm assuming that she got a satisfactory answer. That list of objections, not one time were any Ordinances brought up. And I feel that there are two things that are possibilities in Ms. Black's comments to the city council. One which is the Ordinance changes quote unquote needed to be done were either spoon fed to Ms. Black by somebody else or Ms. Black did her research and purposely misled the citizens of this town, city council, and threw her own board under the bus. And I personally find that repulsive. I make it a habit of surrounding myself with people I trust and unfortunately I think an appall has been thrown over this board with this only because we're not sure that this isn't going to happen again. With that being said I think for the good of the EDC board, the good of the City Council and the good of the citizens of Gun Barrel City I would urge Ms. Black to resign before this gets to a point where it's a public vote and a public censor.

Skains: Ms. Black do you have any comments?

Black: Well yes I've dealt with the 'good ole boy syndrome' for a lot of years and I think this really typifies it. Actually I did raise my concerns this market because it did not look to me that

all of the information was coming to the forefront. I raised the concerns in public and it's on tape and no my concerns were not met, explained or satisfied in any way so I did not mention anything in one public forum that I had not been mentioned in the other public forum. And if you guys think that I'm setting up here and going to be a rubber stamp for whatever you come up with, you're wrong. I'm not going to do it. When I have an opinion I'm going to voice it; I voiced in our meeting and theirs, a public meeting. A public meeting is a public meeting. Do y'all have some good ideas, yeah, and I would be all for them. In my opinion only the project that was voted down was not complete, the details were not completely up front and I thought then it was a bad idea and I think now it's a bad idea. Regardless if any of y'all- I immediately thought about the 'those without sin throw the first stone', but I won't go there. If y'all think I'm just going to rubber stamp you, you're wrong, right now. That's just all there is too it, because I guarantee you at any one time, any one of you can do something that's not right. One thing to illustrate this is-no I won't even go there, That's all I have to say. Let me add just one thing more.

Skains: OK.

Black: The council put me on this board and I would like for you to go back to the council and ask them to remove me.

Skains: It may come to that.

Black: I'm sure it will.

Skains: I wanting to make sure that you understand where I'm at least coming from. I don't want to rehash everything that's said tonight. Patsy the main issue I had is and you just restated it. It wasn't the Ordinances that were your problem.

Black: It was zoning, it wasn't zoned properly, and it was against Ordinances. It was setting precedence for every building up and down Main Street that wanted to have portable buildings put in their front yard and left there day and night. That was opening that door. It was not thought out properly, rushed through too fast. There was no homework done. Somebody wanted this done and it was rushed through and everything was not done properly.

Skains: How long do you think a project should take? This was rushed through in a four to five month period of time and had been studied a lot longer than that.

Black: When I first of it was when it first came to the board. Now I'm sure there are a lot of back room stuff that's going on either here or other places. But the first I heard of it was when it came to this board. Here's an idea, this kid has come to town and he's wanting this market and let's go with it.

Skains: This came to the board in October if I'm not mistaken.

Rea: Yeah.

Black: I don't know. I have no idea.

Skains: So we had October, November, December, January and we voted on it in February.

Black: I never heard of it until Rob Rea brought it up to this board.

Skains: That was October.

Rea: That was October.

Skains: Actually he was on the board in September. If you consider that rushing projects through, get your seat belt on.

Black: OK, thank you.

Damiano: One other comment on that Patsy, nobody expects you or anybody else to rubber stamp something.

Black: Evidently you do. When you have a person that disagrees with you then it's sending everybody into a tail spin.

Skains: I'll be very clear on this, excuse me Gary. I welcome for anyone to disagree on any project that we are working on. That's how better ideas are born is through disagreement. I expect the disagreements to be brought to this board. I expect the disagreements to be brought to this board and vented out until we have a perfect of a project that we can have. What I don't expect is for someone who makes up reasons in their own mind. I don't know who Brian Cruz was; I don't know what is being rushed through. Basically what you've told me in private conversations and what you've said to this meeting and previous meetings were that you felt something was wrong.

Black: I never say 'I feel something'. No I think it, but I don't 'feel' it. That's the wrong statement completely.

Skains: You thought there was something wrong but you weren't able to substantiate what that might be. And as far as I know-

Black: I brought my concerns-

Skains: As far as I know we answered your concerns.

Black: No, you didn't.

Skains: Ma'am I beg to differ because I asked you if you had any other concerns in that meeting and you said no that you didn't.

Black: No I just had the one Sunday.

Skains: You went through your pamphlet and you said I thought I had some more, let me look and see. Gave you ample opportunity and you said I guess that's all.

Black: OK.

Skains: So as far as the board was concerned we had gone through the objections and I think that's the point of this meeting tonight or this conversation is we'd gone through the objections, you voted, you descended, I respect that. I respect the right that you descended. But I think that's where it stops though. I think if you descend and someone comes up and ask you what you think about the farmers market, I think you have every right to voice your opinion, but to get up before city council and make false allegations; one Ordinance Patsy, one. You said there are a number of Ordinances and you said zoning changes and you just said it again. There are no zoning changes there is only one Ordinance. That's all we need to do. That's where I have my problem. Because I felt like you took what you thought and expanded it and then you tried to relay it on and sway the council, sway the public and I think that you misled the public. That's my last word on it at this time. I don't mean to sit here and beat you up. I think we've gone over it enough. You are welcome to any rebuttal you might have. I'll give you all the opportunity you want to speak.

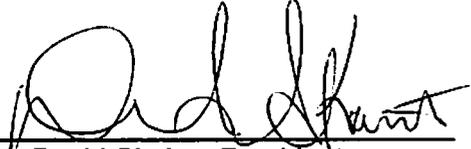
Black: Well I think I already have.

Skains: Ok, thank you. Any other comments? This meeting stands adjourned.

"A quorum of the full governmental body may attend the meeting of a committee of that body, or any other city advisory board. For example, a quorum of the Gun Barrel City Council may attend a city economic development board meeting or city advisory board meeting."

The Gun Barrel City EDC reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations, 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) or 551.087 (Deliberations Regarding Economic Development Negotiations).

Adjournment: 6:25 p.m.

Approved by: 
David Skains, President

Attest by: 
Patsy Black, Secretary