



REGULAR MEETING MINUTES

A Regular Meeting of the Governing Body of the City of Ranger, Texas, was held on **Monday, April 22, 2024 at 5:30 p.m.** in City Hall, 400 West Main Street Ranger, Texas. The following subjects were discussed, to wit:

COUNCIL MEMBERS AND CITY STAFF PRESENT:

Honorable Terry Robinson	Mayor
Commissioner Joe Sigler	Place 1
Commissioner Vacant	Place 2
Commissioner Wendy Erwin	Place 3
Commissioner Vacant	Place 4
City Manager Savannah Fortenberry	
City Secretary Somer Lee	

Agenda Item 01: Call to Order- Mayor Robinson
Roll Call/Quorum Check- City Secretary, Somer Lee
Invocation of Prayer- Mayor Robinson
Pledge of Allegiance to United States Flag- Mayor Robinson
Pledge of Allegiance to Texas Flag- Mayor Robinson

Agenda Item 02: Citizen's Presentation: 1. Kevan Moize stated the following:
\$2,625,191.90. That is the amount the ECWSD has in surplus. We can all agree that funds for the city are very limited and the resources are equally limited. Last Tuesday, all candidates spoke and agreed that maybe the only immediate resource we could acquire was grants. I'd say that the citizens of Ranger have sacrificed over \$1M to the water district and should have these funds returned. The simplest grant we could ever achieve. The district has scrambled to relabel these funds as operating reserves, newly created sinking funds, etc. anything to prevent the return. ECWSD is 1 of only 16 Fresh water supply districts established by the Texas statute. They are a unique political entity in that they are not a for profit utility company. They are also not a taxing entity. They are a monopoly corporation with two locked in customers and with 2 shareholders. The customers and the shareholders are the same. All other fresh water supply districts operate as adjuncts to the water departments of the cities they serve, even if it is multiple cities. They hold no reserves outside of the city's budgets, because the cities are accountable for every risk of the water district. The cities should hold the appropriate reserves that they are ultimately responsible for. I challenge anyone to provide this council with the Contracted Section 3 Operating Charge for 2023. Based upon the districts very own financials, I believe it is \$1,400,000. Yet their budget for 2024 is almost \$2,000,000 or 43% more than contractually necessary. Many feign concern for Ranger's water losses of 25%, in particular when multiplied by the inflated water rate from the district. That pales in comparison to the overall inflated cost of water.

If the city of Eastland wanted to assist Ranger, the best possible way would be to demand the water district comply with all of the contract and return over a million dollars to each city.

2. Brian Rogers gave thanks to the City of Eastland for helping Ranger, and Jason Bowen for helping with Ranger city pool. 3. Jared Calvert spoke regarding the Eastland County Water Supply District and the City of Eastland paying the City of Ranger. Mr. Calvert stated that Ranger can do better and the council can do better. He says that he has been coming to the city for two years letting them know how things are going to go. He stated that he is going to restore a very historic building in Ranger, he is going to teach kids to fly, and they are going to turn Ranger around for the better. Jared also mentioned that he would work with anyone, even the ones that have spread lies about him, trafficking children and drugs, he will work with anyone to make his hometown better. Mr. Calvert says, if you think I like loving Ranger, your crazy. He finished by saying that he would talk to anyone and would be glad to answer any questions.

Agenda Item 03: Announcements from City Council or Staff- 1. City Manager, Savannah Fortenberry, informed of stage 2 drought still being in effect and encourages everyone to conserve water. Ms. Fortenberry also announced that early voting had begun and ends on April 30, 2024, and Election Day will be May 4, 2024 at the Ranger Community Center.

Agenda Item 04: Discuss/Consider: approval of the city council meeting minutes for the regular meeting on April 8, 2024.

*Motion made by Commissioner Erwin to approve the minutes for the regular meeting on April 8, 2024, and 2nd by Commissioner Sigler. **All Ayes: Erwin, Sigler, Robinson; Motion Passed**

Agenda Item 05: Discuss/Consider: potential repairs to the City of Ranger swimming pool.

*Jason Bowen, founder of Circle B Engineered Solutions grew up in Ranger and is committed to finding a safe and cost-effective solution to restore the pool for the citizens of Ranger for many more generations. Circle B Solutions was invited by the Willow Park Pool Group (WPPG) to observe the current conditions and make recommendations for scope of work needed to restore pool to operating conditions, they joined members of the WPPG on 05-Oct-2023 to begin investigating the status of the pool equipment, infrastructure, and structure. Circle B reviewed geophysics report from WPPG regarding previous investigation by Collier Geophysics. (Collier) Circle B discussed report with Collier to inquire on unreported data and observations found during site visits. 22 anomalies reported by Collier from the investigation. 21 of the 22 anomalies were of the “point hyperbola” type which is commonly interpreted as a potential utility. The remaining anomaly was of the “wave polarity” type which is indicative of a potential void. All anomalies that were included in the final report were in the 135-ft from the west end of the pool vicinity. Other anomalies observed by field personnel were not considered substantial by geophysicist. Circle B recommends further investigation based on the findings of the Collier report to identify the anomalies and determine viability of the existing infrastructure as follows:

- Core and auger a series of holes in the pool slab to allow borescope pictures to be collected of the sub slab anomalies.
- Location of cores & augured holes pending further discussion regarding anomaly locations and coordination with Collier.
- Auger outside of pool near Willow Park Creek to confirm drain line location.
- Auger a series of holes near the North, East, & South fence line to a depth of 30’ or until rock is found to eliminate concern of large void or cavern under/near the pool.

CITY OF RANGER COUNCIL MEETING AGENDA, APRIL 22, 2024 CONTINUED

All augured holes will be filled with bentonite slurry to ensure no voids are left following the investigation. If significant voids or caverns are found the hole will be plated over for safety until additional steps can be determined to fully support the pool. All cored holes will be sealed with an epoxy bonding agent and high-strength non-shrink grout to repair the pool slab.

Jason informed that there have been no fees charged by Circle B for their services to date. If any fees do occur in the future, the WPPG is willing to bear the cost as long as the city approves.

*Motion made by Commissioner Erwin to approve potential repairs to the City of Ranger swimming pool and Commissioner Sigler 2nd the motion. **All Ayes: Erwin, Sigler, Robinson; Motion Passed**

Agenda Item 06: Discuss/Consider: approval to reschedule the Regular Council Meeting held on May 27, 2024 due to Memorial Day.

*City Manager, Savannah Fortenberry, requested to reschedule the Regular Council Meeting for May 27, 2024 to May 28, 2024 at 5:30p.m. due to the Memorial Day holiday.

*Motion made by Commissioner Sigler to approve the Regular Council Meeting for May 27, 2024 be rescheduled for May 28, 2024 at 5:30p.m., and 2nd by Commissioner Erwin. **All Ayes: Sigler, Erwin, Robinson; Motion Passed**

Agenda Item 07: Discuss/Consider: debt service payments to Eastland County Water Supply District from 2021 to current year.

* Kevan Moize stated the following: For the past several months I have been focused upon the O&M portion of the ECWSD Contract. In particular the overcharging through inflated budgets and hence inflated Water Rates. The impact is so great that the district in 2022 and 2023 alone have accumulated \$1,178,000 in surplus. That is after the Water District has paid over \$300,000 in non - City approved debts.

The recent discovery of the miscalculated Bond Debt Payments, now allows the Council to address the compliance with the total Section 3 of the Contract.

I've had to work quickly and with difficulty to get as much information as possible to understand the positions of the ECWSD and even the City of Eastland. I've had to write PIRs to get meeting minutes from the Water District April 11 Called Meeting that are lacking any attachments. I've issued another PIR to the Water District to obtain the documents that were supposedly discussed in the meeting. I've had to listen to the City of Eastland Council Meeting of April 15 to obtain information, but no documents.

The council packet for Ranger's meeting to be held on April 22 is very lacking as well. With only a spreadsheet and a two-sentence email from the ECWSD, the city is expected to resolve an issue that has been ongoing for over 3 years. I propose the following:

1. Table the item after discussion, until such time that the full picture of events can be written down.
2. That details of the issue be written down for posterity. This will have a very different look when someone tries to read the minutes 5 or 10 years from now.
3. That ECWSD does not need Ranger's permission to refund the overbilling of Eastland.
4. ECWSD should refund the full amount of the overbilling to Eastland.
5. That someone should check the numbers being presented. You will see that my numbers do not agree with the spreadsheet contained in the Council Packet.

6. That while resolving the underbilling of Ranger, the amounts due do not add up. The district is not in any risk due to the \$2.6M they have in Surplus.
7. That although, the City of Eastland may mean well by offering a solution of credit to the City of Ranger via the ECWSD; the optics make it appear that the taxpayers of Eastland are financing the City of Ranger. This can only hurt the relationship between the two cities in the future, by banking on social or financial indebtedness.
8. Eastland would be providing a greater service to Ranger and their own citizens, if they would demand compliance with all of Section 3 as well.
9. The proposed credit also undermines the city of Ranger in that while we are asking for compliance with the contract in total, we would even consider a non-contractual "gift".
10. The ECWSD underbilling due to bonds pales in comparison to the massive overbilling in the O&M.
11. Compliance with all of Section 3.
12. Return of \$1.2M to Eastland and \$1M to Ranger. This would still leave over \$500,000 in surplus with the Water District to be discussed at a later date. Particularly when the district is on track to accumulate another \$640K in surplus in 2024 not including the accumulation of significant DCP Surcharge Funds.
13. Consult the attorneys due to the ongoing PUC Water Rate Challenge.
14. I have provided (in an email) a proposed Resolution for your consideration. This Resolution would document the issue for posterity and detail the solution(s) for the all of the public to see.

*Motion made by Commissioner Sigler to table agenda item 7, and Commissioner Erwin 2nd the motion. **All Ayes: Sigler, Erwin, Robinson; Motion Passed**

Agenda Item 08: Discuss/Consider: Convene into executive session at **6:04p.m.** pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Professional Rules of Disciplinary Conduct to consult with legal counsel regarding:

- Cause No. CV2246534, Ranger Airfield Maintenance Foundation vs. City of Ranger, in the 91st Judicial District Court, Eastland County, Texas and the Ranger Airfield Foundation Lease Agreement; and
- Cause No. 24-067-DCCV-47030, Ranger Airfield Maintenance Foundation vs. City of Ranger, in the 91st Judicial District Court, Eastland County, Texas

Agenda Item 09: Discuss/Consider: Reconvene into open session at **6:37p.m.** to take action as determined appropriate in the City Council's discretion regarding:

- Cause No. CV2246534, Ranger Airfield Maintenance Foundation vs. City of Ranger, in the 91st Judicial District Court, Eastland County, Texas and the Ranger Airfield Foundation Lease Agreement
- Cause No. 24-067-DCCV-47030, Ranger Airfield Maintenance Foundation vs. City of Ranger, in the 91st Judicial District Court, Eastland County, Texas

*Motion made by Commissioner Sigler to allow legal council to take action as discussed in executive session, and Commissioner Erwin 2nd the motion. **All Ayes: Sigler, Erwin, Robinson; Motion Passed**

Agenda Item 10: Discuss/Consider: Adjournment – 6:38p.m.

*Motion made by Commissioner Erwin to adjourn and Commissioner Sigler 2nd the Motion.
All Ayes: Erwin, Sigler, Robinson; Motion Passed

These minutes were approved on the 13th day of May, 2024.

ATTEST:



Somers Lee, City Secretary

CITY OF RANGER, TEXAS



Terry Robinson, Mayor



