

**JOINT AGENDA
NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT AND
ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS MEETING
September 28, 2023**

The Northeast Texas Economic Development District (NETEDD) and Board of Directors of the Ark-Tex Council of Governments (ATCOG) will meet at 10:00 a.m., Thursday, September 28, 2023, at the Sulphur Springs Country Club, 511 Country Club Road, Sulphur Springs, Texas, as well as videoconference.

If attending via Zoom, use the following information to register for the meeting:

<https://us06web.zoom.us/meeting/register/tZMudeGrqzqpGdMpON7H82Sp1ZenRNCUrDdB>

If you experience issues while registering or do not have access to a computer, please contact Marla Matthews no less than two (2) workdays prior to the meeting at 903.255.3555 or mmatthews@atcog.org.

Item 1. Call to order – Quorum Determination.

Item 2. Invocation.

Item 3. Public Comment.

ATCOG invites members of the public to provide oral comment on any item included on this agenda under this item. Each person wishing to make a public comment shall be limited to 3 minutes with comments directed to the Board as a whole. Reasonable accommodation shall be made for members of the public utilizing a translator for public comment.

ATCOG Board of Directors Agenda Items

Executive Closed Session

Item 4. The Board of Directors will recess the Open Session and go into Executive Closed Session to discuss personnel matters as allowed in the Texas Open Meetings Act, Section 551.074, Executive Director's position.

Open Session/Regular Business

Item 5. The Board of Directors will reconvene in Open Session and take action on Item 4, as necessary. (To be presented by Board President Bobby Howell, Judge, Bowie County)

Item 6. Review and consider consent agenda items. (To be presented by Interim Executive Director Mary Beth Rudel)

- Approval of the minutes as submitted for the ATCOG Board of Directors Meeting held Thursday, August 31, 2023. (See page 3)
- Acceptance of the minutes as submitted for the ATCOG Homeland Security Advisory Committee meeting held Thursday, August 23, 2023. ([See addendum page 1](#))
- Ratification of the Interlocal Cooperation Agreement between ATCOG and the Public Safety Office within the Office of the Governor. ([See addendum page 4](#))

Item 7. Executive Director Report (For information only; See page 10; to be presented by Interim Executive Director Mary Beth Rudel)

Commission on State Emergency Communications (CSEC) FY2022 9-1-1 Program Review

Item 8. Review and consider approval of the revised FY2024 indirect rate as recommended by Texas Health and Human Services. (See page 12; to be presented by Interim Executive Director Mary Beth Rudel)

Item 9. Review and consider approval of the utilization of ATCOG's indirect cost rate for ATCOG employees working on behalf of the Texarkana Urban Transit District. (See page 17; to be presented by Interim Executive Director Mary Beth Rudel)

Item 10. Review and consider approval of a resolution selecting Pattillo, Brown & Hill, LLP to provide auditing services to begin October 1, 2023. (See page 19; to be presented by Interim Executive Director Mary Beth Rudel)

Item 11. Review and consider approval of the purchase of a generator for use at the main Texarkana facility. (See page 21 and [addendum page 40](#); to be presented by staff member Claude Ramsey)

Item 12. Review and consider approval to combine the November Executive Committee and December Board of Directors meetings into one Board of Directors meeting to be held Thursday, December 7, 2023. (See page 23; to be presented by staff member Marla Matthews)

This concludes all ATCOG agenda items.

NETEDD Agenda Items

Item 13. Review and consider approval of the minutes as submitted for the NETEDD meeting held Thursday, August 31, 2023. (See page 24)

Item 14. Review and consider approval of the NETEDD 2023 – 2028 Comprehensive Economic Development Strategy (CEDS) 2023 update. (See page 31; to be presented by staff members Toni Lindsey and Hailey Neaves)

This concludes all NETEDD agenda items.

Announcements

The National Association of Development Organizations (NADO) 2023 Annual Training Conference will be held in Cleveland, Ohio, November 7-10, 2023. Please contact Marla or Mary Beth by October 4th if interested in attending.

The next Executive Committee meeting will be held Thursday, October 26, 2023, at 10:00 a.m., at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, located at 105 North Riddle Avenue, Mt. Pleasant, Texas, and via videoconference.

Pursuant to the Texas Open Meeting Act, Government Code Chapter 551 one or more of the above items may be considered in executive session closed to the public, including but not limited to consultation with attorney pursuant to Texas Government Code Section 551.071 and Section 551.074 arising out of the attorney's ethical duty to advise ATCOG concerning legal issues arising from an agenda item. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Administration at 903-832-8636 two (2) work days prior to the meeting so that appropriate arrangements can be made.

All agendas are sent electronically and available at www.atcog.org. Should any Board Member need a copy printed and available at the meeting, please call 903.255.3555 or email mmatthews@atcog.org.

**JOINT MINUTES
NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT AND
ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS ANNUAL MEETING
August 31, 2023**

The Northeast Texas Economic Development District (NETEDD) and the Board of Directors of the Ark-Tex Council of Governments (ATCOG) Board of Directors met at 10:00 a.m., Thursday, August 31, 2023, at the Mt. Pleasant Civic Center, 1800 North Jefferson Avenue, Mount Pleasant, Texas, and via videoconference.

Item 1. Bobby Howell, Judge, Bowie County, called the meeting to order.

Item 2. Robert Newsom, Judge, Hopkins County, gave the invocation.

Item 3. Public Comment.

No member of the public made a comment.

NETEDD Agenda Items

Item 4. The first order of business was to review and consider approval of the minutes as submitted for the NETEDD meeting held Thursday, June 29, 2023.

Motion to approve was made by Scott Norton, Executive Director/CEO, TexAmericas Center, and seconded by Stan Wyatt, NETX Municipal Water District Board of Director. It was approved.

Item 5. Chris Brown, Executive Director, presented for review and consideration approval of NETEDD's portion of ATCOG's Financial Plan for the fiscal year ending September 30, 2024.

Motion to approve was made by Scott Lee, Judge, Franklin County, and seconded by Marc Reiter, Mayor, City of Hooks. It was approved.

This concluded all NETEDD agenda items.

ATCOG Board of Directors Agenda Items

Item 6. Mr. Brown presented, for information only, the Executive Director Report. He reviewed the indirect finance reports and provided updates and statistics for ATCOG Programs

Item 7. Mr. Brown presented the following consent agenda items:

- Approval of the minutes as submitted for the ATCOG Board of Directors meeting held Thursday, June 29, 2023.
- Acceptance of the minutes as submitted for the ATCOG Solid Waste Advisory Committee meeting held Friday, August 17, 2023.

Motion to approve was made by Scott Norton and seconded by Ann Rushing, Mayor, City of Clarksville. It was approved.

Regular Business

Item 8. Mr. Brown presented for review and consideration approval of the ATCOG Financial Plan for the fiscal year ending September 30, 2024.

Mr. Brown stated the ATCOG Strategic Work Program and Financial Plan reflects anticipated revenues of \$25,017,771 and proposed expenditures of \$25,017,771.

Mr. Brown noted that the combined Strategic Work Program and Financial Plan are not technically a budget because ATCOG does not have taxing or oversight authority. Within each State or Federal grant ATCOG administers, the funding agency regulates the categories in which we are allowed to spend funds. The funding source has complete oversight for each grant program.

Mr. Brown stated within each program area, specific project-by-project tasks and performance measures are delineated for the year. Each project is assigned an objective, work tasks, performance measures, and human resource requirements. ATCOG has 14 Managed Programs with over 60 Projects/Contracts that make ATCOG's revenue sources in the FY2024 ATCOG Strategic Work Program and Financial Plan.

Mr. Brown stated that the Plan includes merit increases for some staff and an 8.7% COLA for all positions. Funding is provided for the Salary Schedule, effective October 1, 2023. The total COLA increases for the past ten (10) years add up to 24.20%, while the SSI COLA increased a total of 24.30% prior to 2024.

ATCOG has 94 full-time and 19 part-time personnel, which totals 102.59 FTEs. Personnel changes include:

- Inclusion of an HR/Accounting Specialist
- Reallocation of Finance Duties
- Reclassification of Finance Specialist to Coordinator

Mr. Brown informed the Board that the premiums for the basic medical plan increased again this year. ATCOG will increase its defined contribution amount from \$845.12 monthly for each employee's basic medical coverage to \$946.54, 100% of the employee premium. Employees can buy up to a medical plan with a lower deductible and out-of-pocket costs and make extra contributions to their HSA. The employee will pay additional premium costs over the defined employer contribution of \$946.54 per month. Employee dental insurance premiums will increase from \$28.44 to \$30.72 monthly. Rates for life and AD&D did not change.

The ATCOG Retirement Plan is under the Texas County & District Retirement System (TCDRS). ATCOG is currently at a 200% employer-to-employee match with an employee contribution rate of 4%.

The Benefit rate is estimated to increase to 54.96%. When utilizing the FY2022 Over allocation, the rate is 53.07%.

The estimated Indirect rate is 23.69% based on the Total Direct Personnel Cost (6.71% based on the Modified Total Direct Cost). When utilizing the FY2022 Under allocation, the rate is 26.09%.

Mr. Brown added current estimates would utilize \$101,000 of ATCOG's Unrestricted Funds for Aging match and other needs to support ATCOG programs and personnel.

Mr. Brown stated that ATCOG program revenues have begun to trend down due to the utilization of CARES and ARPA Funding. Revenues and Expenses will continue to see some adjustments as the

timing of funding and other factors are considered.

Mr. Brown reviewed the following program funding updates:

- Housing is currently trending up due to the utilization of vouchers and the enrollment of new people in the program. Housing will flatten out.
- Transportation will see a decrease but still ahead of normal funding levels, and there are continued opportunities for additional capital improvements.
- All other programs show a moderate decrease or normal fluctuation.

Mr. Brown noted the following ongoing and future projects:

- TRAX-Paris Metro building is currently being renovated.
- TRAX-Sulphur Springs building to be leased to ATCOG by the Hospital District for \$1200.00 per year. ATCOG hopes to begin seeking proposals for the renovation of the building. TxDOT funds would provide capital improvements for the building upon their lease approval.

Mr. Brown presented the following future capital improvement projects in the near term:

- Roof repairs/replacement
- Parking lot repairs
- Common area carpeting
- Omaha Building

Judge Ransom recommended that ATCOG notify TML Property Insurance when a new roof is installed to receive a decrease in property insurance premiums.

Motion to approve was made by Travis Ransom, Judge, Cass County, and seconded by Stan Wyatt. It was approved.

Item 9. Mr. Brown presented for review and consideration approval of a resolution in support of Chris Brown's nomination for President of the National Association of Development Organizations (NADO) Board of Directors.

ATCOG has been a member of NADO for almost 25 years. In 2011, Chris began serving as one of eight (8) members of the NADO Board representing the Southwest Region, consisting of Texas, New Mexico, Oklahoma, Arkansas, and Louisiana. In 2018, he was elected Secretary and is currently the First Vice President.

NADO will elect new officers to the Board at the Annual Training Conference in November. Chris is being considered for election as President of the NADO Board. The NADO Board does require an endorsement of candidacy signed by the ATCOG Board President.

Motion to approve was made by Lowell Walker, Mayor, City of DeKalb, and seconded by Judge Ransom. It was approved.

Item 10. Mr. Brown presented for review and consideration approval of the Hopkins County Hospital District request for membership to ATCOG.

The Hopkins County Hospital District (HCHD) submitted a resolution requesting membership with the Ark-Tex Council of Governments.

Motion to approve was made by Judge Newsom and seconded by Mayor Rushing. It was approved.

Item 11. Ms. Mary Beth Rudel presented for review and consideration approval of a one-year extension to the agreement with Guaranty Bank & Trust to provide banking services beginning October 1, 2023.

On July 6, 2020, ATCOG issued a Request for Proposal (RFP) for banking services. ATCOG requested proposals for banking services to begin October 1, 2020, and extend through September 30, 2023, with two possible one-year extensions if approved by the ATCOG Board of Directors. The Board of Directors approved the selection of Guaranty Bank and Trust as ATCOG's banking services provider.

ATCOG requests to extend the agreement with Guaranty Bank & Trust to provide banking services beginning October 1, 2023, through September 30, 2024, with one more possible one-year extension upon Board approval.

Motion to approve was made by Scott Norton and seconded by David Fordinal, Commissioner, City of Como. It was approved.

Item 12. Ms. Rudel presented for review and consideration approval of the removal of current signature authority, access, and permissions for Chris Brown on all ATCOG accounts at Guaranty Bank and Trust.

Executive Director Chris Brown submitted his resignation letter to the ATCOG Board of Directors on August 3, 2023. He stated in his letter that his last official day will be September 8, 2023.

Therefore, approval from the ATCOG Board of Directors is needed to remove Mr. Brown from all ATCOG accounts effective September 8, 2023.

Motion to approve was made by Judge Ransom and seconded by Scott Norton. It was approved.

Item 13. Ms. Rudel presented for review and consideration approval of the submission of the updated Certification of Signature Authority form to the Texas Department of Transportation.

Due to Executive Director Chris Brown's resignation and Mary Beth Rudel's appointment as Interim Executive Director, ATCOG needs to update the signature authority form.

The form lists Mary Beth Rudel, Interim Executive Director, as having authority to sign all documents. It also includes delegates for signature and approval authority for specific documents as listed: Mark Compton, ATCOG Transportation Director, and Bobby Williams, ATCOG Transportation Operations Manager.

With the submission of the updated form, Chris Brown will be removed from signature authority.

Motion to approve was made by Judge Lee and seconded by Mayor Rushing. It was approved.

Item 14. Ms. Rudel presented for review and consideration approval of revisions to the ATCOG Policy and Procedures Manual.

The following revisions to the policy and procedures manual were proposed:

- 6.22 Compensatory Leave and 9.07 Overtime. This addition clarifies when compensatory time is earned at straight time versus time and a half in accordance with US Department of Labor laws.

- 9.07 Overtime – General. This addition reflects the policy change referenced in section 6.22 above.

Motion to approve was made by Mayor Walker and seconded by Stan Wyatt. It was approved.

Item 15. Ms. Leslie McBride presented for review and consideration approval of the annual renewal of the ATCOG Ethics Policy Manual. No changes have been made.

Motion to approve was made by Judge Lee and seconded by Mayor Rushing. It was approved.

Item 16. Ms. McBride presented for review and consideration approval to the Equal Employment Opportunity Plan.

The plan provides guidelines for employment practices, the complaint process, and data representing the ATCOG workforce. This data includes employment practices such as separations, disciplinary actions, promotions, and hiring.

The only updates made in the plan are to update the employment practices data.

By approving the Equal Employment Opportunity Plan updates, ATCOG affirms committing to equal employment for all persons, regardless of race, color, creed, national origin, genetic information, sex, or age.

Motion to approve was made by Judge Ransom and seconded by Stan Wyatt. It was approved.

Item 17. Ms. McBride presented for review and consideration approval of the ATCOG Flexible Benefits Cafeteria Plan for FY2024.

The ATCOG Flexible Benefits Cafeteria Plan will allow ATCOG to offer additional benefits to employees pre-tax, such as cancer, critical illness, and accident insurance.

Ms. McBride informed the Board that Colonial Insurance manages the ATCOG Cafeteria Plan.

Motion to approve was made by Judge Ransom and seconded by David Fordinal. It was approved.

Item 18. Ms. Rea Allen presented for review and consideration approval of the 9-1-1 region-wide transit advertising contract.

The ATCOG TRAX Transportation Program provides advertising opportunities to approved agencies by way of window decals on its transit vehicles. The ATCOG 9-1-1 Program wishes to contract with the TRAX Program to place window decals designed to educate the public about available 9-1-1 services on the vehicles. The transit advertising campaign costs \$179,632.35 for a three-year contract for advertising on 18 vehicles that transport within the ATCOG region.

Motion to approve was made by Mayor Walker and seconded by Vicki Smith, Councilmember, City of Daingerfield. It was approved.

Item 19. Ms. Allen presented for review and consideration approval of the 9-1-1 equipment replacement purchases.

The ATCOG strategic plan and the 10-year equipment replacement schedule include Customer Premise Equipment (CPE) for FY2024.

The total cost for replacing the CPE front room equipment at all thirteen Public Safety Answering

Points is \$711,601.96. This price includes hardware (33 workstations including computers, monitors, handsets, keyboards, etc.), call-taking and mapping software, licensing, managed services for monitoring, warranties, and installation.

ATCOG will utilize Coronavirus State and Local Fiscal Recovery Funds for this NG911 equipment purchase and has completed the RFP procurement process in accordance with the terms and conditions set forth by the grant and the ATCOG Procurement Policy.

Motion to approve was made by Judge Newsom and seconded by Judge Lee. It was approved.

Other Business

Item 20. Mr. Brown recognized the ATCOG Board members' longevity and thanked everyone for their service to the region. He recognized staff achievements and longevity and announced ATCOG's Employee of the Year.

Announcements

Judge Howell announced the National Association of Development Organizations (NADO) Annual Training Conference 2023 will be held in Cleveland, Ohio, November 7-10, 2023. Please contact Marla or Mary Beth if you are interested in attending.

Judge Howell announced the next Executive Committee and Board of Directors meetings will be held Thursday, September 28, 2023, at a time TBD, at the Sulphur Springs Country Club, 511 Country Club Road, Sulphur Springs, Texas, as well as videoconference.

Judge Howell invited all attendees to attend the Farewell Luncheon for Chris Brown in the Mt. Pleasant Civic Center Main Hall immediately following the Board meeting.

With no further business to discuss, a motion to adjourn was made by Mayor Walker and seconded by Judge Ransom. It was approved.

NETEDD BOARD MEMBERS PRESENT

Bobby Howell, Judge, Bowie County
Robert Newsom, Judge, Hopkins County
Scott Lee, Judge, Franklin County
Scott Norton, Executive Director/CEO, TexAmericas Center
Travis Ransom, Judge, Cass County
Marc Reiter, Mayor, City of Hooks
Ann Rushing, Mayor, City of Clarksville
Stan Wyatt, NETX Municipal Water District Board

EXECUTIVE COMMITTEE MEMBERS PRESENT

Bobby Howell, Judge, Bowie County
Robert Newsom, Judge, Hopkins County
Scott Lee, Judge, Franklin County
Scott Norton, Executive Director/CEO, TexAmericas Center
Travis Ransom, Judge, Cass County
Marc Reiter, Mayor, City of Hooks
Ann Rushing, Mayor, City of Clarksville
Stan Wyatt, NETX Municipal Water District Board

ATCOG BOARD MEMBERS PRESENT

Rosina Duckworth, Mayor Pro Tem, City of Cumby
Juan Duenez, Mount Pleasant Independent School District
David Fordinal, Commissioner, City of Como
Brad Johnson, Board Member, Northeast Texas Rail District
Joe T. Kelsey, Red River Appraisal District
Vicki Smith, Councilmember, City of Daingerfield
Gary Spraggins, Councilmember, City of Sulphur Springs
Lowell Walker, Mayor, City of DeKalb

GUESTS PRESENT

Reece DeWoody, Office of United States Senator John Cornyn
Tim Wilson, Northeast Texas Community College
Gaye Beard, Office of United States Representative Pat Fallon
Russell Devorsky, Heart of Texas Council of Governments
Ray Wilson, Office of Senator Bryan Hughes
Tom Whitten, Bowie County Commission, Precinct 2
L. D. Williamson, Ark-Tex Regional Development Corporation Board
Brenda Davis, AAA Regional Advisory Council
Megan Knight, AAA Regional Advisory Council
Dr. Mario Villarino, Solid Waste Advisory Committee
Troy Hudson, Region 2 Flood Planning Group Board
Reeves Hayter, Chairman, Region 2 Flood Planning Group Board
Mark Buhman, Regional Criminal Justice Advisory Committee
Tim Dial, Regional Criminal Justice Advisory Committee & Homeland Security Advisory Committee
Angela Price, Regional Criminal Justice Advisory Committee
Sherry Edwards, Regional Criminal Justice Advisory Committee

STAFF MEMBERS PRESENT

Rea Allen, 9-1-1 Director
Chris Brown, Executive Director
Jenny Butler, Area Agency on Aging Manager
Patricia Haley, Criminal Justice Coordinator
Melody Harmon, Economic Development Director
Toni Lindsey, Regional Development Director
Marla Matthews, Executive Assistant
Leslie McBride, Human Resources Director
Paul Prange, Environmental Resources Coordinator
Debbie Purifoy, Compliance and Purchasing Officer
Lisa Reeve, Area Agency on Aging Director
Mary Beth Rudel, Deputy Director
Melinda Tickle, Finance Director
Bobby Williams, Transportation Operations Manager
Mary Wormington, Housing Director

Bobby Howell, President
Ark-Tex Council of Governments

ATTEST:



COMMISSION ON STATE EMERGENCY COMMUNICATIONS

August 30, 2023

Chris Brown
Executive Director
Ark-Tex Council of Governments
PO Box 5307
Texarkana, Texas 75505

Re: FY 2022 Initial Compliance Assessment

Dear Mr. Brown:

The Commission on State Emergency Communications (CSEC) has concluded its review of the FY 2022 9-1-1 program activities for the Ark-Tex Council of Governments (Ark-Tex). The compliance review identified the Ark-Tex 9-1-1 program as being Low Risk.

The FY 2022 final compliance assessment report is attached. This assessment will be presented to the Commission on September 27, 2023.

We appreciate you and your staff and the work you do to provide quality 9-1-1 services for your region. Should you have any questions or need additional information, please feel free to call me at any time.

Sincerely,

Kelli Merriweather
Executive Director

cc: Honorable Bobby Howell, Executive Board Chair/Ark-Tex
Ms. Rea Allen, 9-1-1 Program Manager/Ark-Tex
Ms. Heather Barnes, Director of Programs/CSEC
Ms. Jessyka Vyner, 9-1-1 Program Manager/CSEC

Enclosure



Fiscal Year 2022 Final Compliance Risk Review

Regional Planning Commission: Initial Risk Rating: Final Risk Rating: Date: Compliance Manager:	Ark-Tex Council of Governments Moderate Risk Low Risk Monday, August 28, 2023 Jessyka Vyner
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The following criteria were considered when reviewing RPC 9-1-1 program performance:

- FY 2022 GIS Statistics
- FY 2022 Quarter 4 Financial Summary Report
- FY 2022 Quarterly Performance Reports
- RPC Responses Provided

ID	Risk Factor	Actual Result	Risk Assessed	Final Mitigated Risk	CSEC Comments
Geographic Information Systems (GIS) Statistics					
1	The ALI to Road Center Line match rate was greater than 98.75%	93.34%	Risk	Low Risk	
2	The ALI to Site Structre Address Point match rate was greater than 96.00%	93.34%	Risk	Low Risk	
3	The total number of GIS errors is less than 1.50%.	0.29%	Low Risk	Low Risk	
4	GIS data was uploaded to the EGDMS provider at a minimum of once per month.	Yes	Low Risk	Low Risk	
5	RPC populated the required fields within the provisinging boundary and road center line layers.	Yes	Low Risk	Low Risk	
Local Monitoring of Public Safety Answering Points (PSAPs)					
6	Monitoring was done per Strategic Plan	Yes	Low Risk	Low Risk	
7	Findings made by CSEC during validation process	No	Low Risk	Low Risk	
8	RPC reported unresolved PSAP findings lasting longer than six months	No	Low Risk	Low Risk	
Financial Risk Factors					
9	Percentage of Admin budget expended is less than 85% or more than 100%.	60.36%	Risk	Low Risk	
10	Percentage of Program budget expended is less than 75% or more than 100%.	89.13%	Low Risk	Low Risk	
11	Percentage of overall budget spent on administrative costs exceeds 12.5 % if greater than \$100,000	9.28%	Low Risk	Low Risk	

For questions or assistance with this Review, contact the CSEC 9-1-1 Program Manager at 512-305-6912 or by email to jessykav@csec.texas.gov

BRIEFING PAPER

ITEM 8:

Review and consider approval of the revised FY2024 Indirect Rate as recommended by Texas Health and Human Services (HHS).

BACKGROUND

Ark-Tex Council of Governments (ATCOG) Board of Directors approved an Indirect Rate of 26.09% at the August Board meeting when the FY2024 Financial Workplan was presented. ATCOG had been working with the Texas Health and Human Services (HHS) to review the indirect rate calculations and provide feedback. At the time of the August Board meeting, ATCOG had not received the final rates from HHS.

DISCUSSION

HHS recommended using audited figures rather than estimated figures when calculating the indirect rate. Therefore, ATCOG should base the calculation on the Total Indirect Cost and the FY2022 Audited Indirect Cost Under (Over) Allocation figures.

With the revised calculations in place, HHS as ATCOG's cognizant agency, recommended and approved the indirect rate of 25.33% of salary and fringe expenses. See attached HHS Indirect Cost Rate Agreement.

Board approval is requested for the revised indirect rate of 25.33% for FY2024.

RECOMMENDATION

Staff recommends approval.

DATE:

TIN:
CONTACT NAME:
GRANTEE:
ADDRESS:

The indirect cost rate(s) contained herein are for use on grants with Federal, State, or both governments to which 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards or the State of Texas Uniform Grant Management Standards apply, subject to the limitations contained in the sections below.

SECTION 1: HHS SYSTEMS ISSUED RATE(S)

HHS System Issued Rate						
Rate Type	RATE PERIOD		Rate	Rate Base	Applicable To	Next Proposal Due
	Start Date	End Date				
Fixed with Carry-forward			**	Salaries & Fringe		

***If the indirect cost rate for the next fiscal year is not approved prior to the new fiscal year, use this rate as a billing rate until a new rate is established. ICR Proposals must be submitted in accordance with the above timelines to continue recovering indirect costs.*

Rate Base Details

Salaries and Fringe means total direct salaries and fringe benefits. The rate applies to all programs administered by the non-federal entity. To determine the amount of indirect costs to be billed under this agreement, direct salaries and fringe should be summed and multiplied by the rate.

SECTION 2: ACCOUNTING TREATMENT OF FRINGE BENEFITS COST

Accounting Methods	
Fringe Benefit Rate:	
Fringe Benefits:	
Paid Absences:	

SECTION 3: Deadlines for Proposal Submissions

Your FY Fixed with Carry-forward ICR proposal with the FY carry-forward adjustment must be submitted via the [Landing Page for Subrecipients](#) no later than Please provide your FY audit report* along with the ICR Proposal Packet. Select the "Submit ICR Proposal" option to upload all required documents. The proposal packet must be submitted on the HHS Indirect Cost Rate Group approved ICR Proposal Packet templates. Select "Technical Assistance" to request copies of the approved templates.

*Your audit should include a Schedule of Indirect Costs. The Schedule of Indirect Costs must show the incurred expenses versus the recovered expenses for the carry-forward calculation. Please see the enclosed example.

SECTION 4: KEY GUIDELINES AND CONDITIONS

- A. LIMITATIONS:** Use of the rate(s) contained in the Agreement is subject to all statutory or administrative limitations and is applicable to a given Federal award or contract only to the extent that funds are available. Acceptance of the rate(s) agreed to herein is predicated upon the following conditions: (1) that no costs other than those incurred by the grantee were included in its indirect cost pool as finally accepted and that such incurred costs are legal obligations of the grantee and allowable under the governing cost principles, (See 2 CFR 200, Subpart E); (2) Unallowable costs have been adjusted appropriately when allocating costs identified in the proposal; (3) that the same costs that have been treated as indirect costs have not been claimed as direct costs; (4) that similar types of costs have been accorded consistent treatment; and (5) that the information provided by the grantee which was used as a basis for acceptance of the rate(s) agreed to herein is not subsequently found to be materially inaccurate; (6) that a restricted rate or limit to the indirect cost rate or amount is not required under the enabling statute or by the cognizant federal agency; (7) indirect costs may only be recovered to the extent direct costs were incurred; and (8) the rates cited in this Agreement may be subject to audit. Indirect cost elements and the type of distribution base used in computing the rates are subject to revision when a final rate is negotiated to settle the provisional rate or if unusual circumstances affect the negotiated predetermined rate. In such situations, the rate(s) may be subject to renegotiation at the discretion of the cognizant agency.
- B. CHANGES IMPACTING THE INDIRECT COST RATE PROPOSAL:** This agreement is based on the organizational structure and the accounting methodology purported by the grantee to be in effect during the Agreement period. Changes which affect the amount of reimbursement resulting from the use of this Agreement require prior approval from the cognizant organization. Failure to obtain approval may result in subsequent cost disallowance. To notify us of organizational changes which impact the indirect cost rate, please submit a Technical Assistance request at the Landing Page referenced in Section 3 of this agreement.

C. NOTIFICATION TO FEDERAL AND STATE AGENCIES: A copy of this document may be provided by the grantee to other Federal or State funding sources as a means of notifying them of the Agreement contained herein.

D. APPLICATION OF INDIRECT COST RATE TO EXISTING GRANTS: Indirect costs charged to a grant by means other than the rate(s) cited in this Agreement should be adjusted to the applicable rate cited herein.

E. GOVERNMENT COMMISSIONS (REGIONAL PLANNING COMMISSIONS, COUNCILS OF GOVERNMENT, ETC): Title 12 of Texas Local Government Code §391.0115(e) limits your organization’s indirect costs to 15% or less of your organization's total expenditures.

SECTION 5: RATE TYPE DEFINITIONS

A. Fixed Carry-forward and Adjustments: A fixed carry-forward rate means an indirect cost rate which has the same characteristics as a predetermined rate, except that the difference between the estimated costs and the actual, allowable costs of the period covered by the rate is carried forward as an adjustment to the rate computation of a subsequent period. When the actual costs for this period are determined, an adjustment will be made to a rate of a future year(s) to compensate for the difference between the costs used to establish the fixed rate and actual costs.

SECTION 6. ACCEPTANCE OF AGREEMENT

GRANTEE

COGNIZANT AGENCY

Grantee Name

Texas Health and Human Services Commission

Agency Name

Title

Name of Grantee Signature Authority

Racheal Kane, Federal Funds Director

Name of Agency Signature Authority

Grantee Signature

Agency Signature

RESOLUTION NO. ABD23-35

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) EXECUTIVE COMMITTEE APPROVING THE REVISED FY2023 INDIRECT RATE AS RECOMMENDED BY TEXAS HEALTH AND HUMAN SERVICES (HHS).

WHEREAS, ATCOG is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391 of the Texas Local Government Code; and

WHEREAS, the ATCOG Board of Directors approved an Indirect Cost Rate of 26.09% at the August Board meeting when the FY2024 Financial Workplan was presented; and

WHEREAS, HHS has since reviewed the rate calculations and recommended using audited figures rather than estimated figures when calculating the indirect rate; and

WHEREAS, HHS, as ATCOG's cognizant agency, recommended and approved the indirect rate of 25.33% of salary and fringe expenses; and

WHEREAS, ATCOG has developed an Indirect Cost Proposal (ICP) following 2 CRF 200, Appendix VII D.1.b and certified to the validity of the Indirect Cost Proposal/Cost Allocation Plan in accordance with 2 C.F.R. Part 200.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Executive Committee approves the revised FY2024 indirect cost rate of 25.33% for Oct. 1, 2023 – Sept. 30, 2024.

Section 2 - That the Interim Executive Director, Mary Beth Rudel, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the indirect cost rate proposal.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of ATCOG and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 28TH DAY OF SEPTEMBER, 2023.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 9:

Review and consider approval of the utilization of ATCOG's indirect cost rate for ATCOG employees working on behalf of the Texarkana Urban Transit District.

BACKGROUND:

TXDOT requires ATCOG to provide additional documentation regarding the ability of the Texarkana Urban Transit District (TUTD) to utilize the indirect rate approved for ATCOG.

DISCUSSION:

In previous years, ATCOG received specific guidance from Public Transportation Division (PTD) Compliance:

“TUTD is “piggybacking” off ATCOG’s rate because ATCOG has signed a contract with TUTD to provide service; therefore, ATCOG’s board should give TUTD permission to charge an indirect cost rate. ATCOG gets their indirect cost rate from their cognizant agency so TUTD cannot charge more than ATCOG is allowed. ATCOG needs to provide TUTD a Certificate of Indirect Cost approval letter that states that the board has given TUTD authority to use ##% indirect cost for the period of ____ to _____ and must be signed by the President.”

ATCOG has developed an Indirect Cost Proposal (ICP) following 2 CRF 200, Appendix VII D.1.b, and certified to the validity of the Indirect Cost Proposal/Cost Allocation Plan in accordance with 2 C.F.R. Part 200. The indirect cost rate for Oct. 1, 2023 – Sept. 30, 2024, is 25.33%.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD23-36

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) BOARD OF DIRECTORS APPROVING THE UTILIZATION OF ATCOG'S INDIRECT COST RATE FOR ATCOG EMPLOYEES WORKING ON BEHALF OF THE TEXARKANA URBAN TRANSIT DISTRICT (TUTD).

WHEREAS, ATCOG is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391 of the Texas Local Government Code; and

WHEREAS, TUTD is a political subdivision district under the laws of the State of Texas as defined by Chapter 458 of the Texas Transportation Code and Chapter 791 of the Texas Government Code; and

WHEREAS, TUTD has contracted with ATCOG through an Interlocal Agreement (Contract) for Transportation Management Services; and

WHEREAS, ATCOG has developed an Indirect Cost Proposal (ICP) following 2 CRF 200, Appendix VII D.1.b, and certified to the validity of the Indirect Cost Proposal/Cost Allocation Plan in accordance with 2 C.F.R. Part 200.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

- Section 1 - That TUTD has the authority to “piggyback” with ATCOG and charge the appropriate Indirect Cost Rate for ATCOG staff billing direct hours to TUTD for services outlined in the Contract.
- Section 2 - That the current Indirect Cost Rate for Oct. 1, 2023 – Sept. 30, 2024, is 25.33%.
- Section 3 - That TUTD and their Federal oversight agency, the Federal Transit Administration (FTA), have been provided the ATCOG ICP.
- Section 4 - That this Resolution shall be in effect immediately upon its execution and apply to TUTD 2024 Fiscal Year.

REVIEWED AND APPROVED THIS 28TH DAY OF SEPTEMBER, 2023.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 10:

Review and consider approval of a resolution selecting Pattillo, Brown & Hill, LLP to provide auditing services to begin October 1, 2023.

BACKGROUND:

On July 11, 2023, Ark-Tex Council of Governments (ATCOG) issued a Request for Proposal (RFP) for auditing services. This RFP was issued because the terms of the agreements with the current auditing service provider will lapse on September 30, 2023.

DISCUSSION:

Our agency received three proposals in response to our RFP by the deadline of August 21, 2023: Salter Elite Consulting; Pattillo, Brown & Hill, LLP; and Carr, Riggs & Ingram, LLC. Three staff members scored the proposals based on specific criteria, with all firms meeting the criteria and being eligible for selection.

Pattillo, Brown, & Hill's proposal was selected for recommendation to the Board based on the overall cost-effectiveness and relevant experience with similar agencies. The auditing services will begin October 1, 2023, and extend through September 30, 2024, with four possible one-year extensions if approved by the ATCOG Board of Directors.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION ABD23-37

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS APPROVING THE SELECTION OF PATTILLO, BROWN, & HILL TO PROVIDE AUDITING SERVICES TO BEGIN OCTOBER 1, 2023.

WHEREAS, the Ark-Tex Council of Governments (ATCOG) issued a Request for Proposal (RFP) for audit services on July 11, 2023; and

WHEREAS, Pattillo, Brown & Hill responded to our RFP by the deadline of August 21, 2023, with a proposal that met all the required criteria; and

WHEREAS, the proposal by Pattillo, Brown & Hill received the highest score of the proposals submitted and was selected for recommendation to the Board of Directors; and

WHEREAS, ATCOG feels that Pattillo, Brown & Hill will provide all the requested services to our satisfaction and will provide the most cost savings to our agency.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board approves selection of Pattillo, Brown & Hill as the provider of auditing services.

Section 2 - That the Board authorizes ATCOG to enter into a contract with Pattillo, Brown & Hill for auditing services to begin October 1, 2023.

Section 3 - That the Interim Executive Director, Mary Beth Rudel, has full authority to act on behalf of the ATCOG Board in all matters pertaining to auditing services with Pattillo, Brown & Hill.

Section 4 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 28TH DAY OF SEPTEMBER, 2023.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 11:

Review and consider approval of the purchase of a generator for use at the main Texarkana facility.

BACKGROUND:

ATCOG's current generator was purchased in 2007, and maintenance records spanning the past 16 years reveal a significant volume of repairs performed. The generator supplies back-up power at the main Texarkana facility for the 9-1-1 host public safety answering point (PSAP), the regional emergency operations center (should it be activated during disaster situations), and other offices and parts of the facility. The generator serves an integral role in ensuring uninterrupted power supply for 9-1-1 equipment within PSAP during prolonged disruptions of electric power sources, as well as continuity of operations for all programs during both random times of power loss and disaster situations.

The Commission on State Emergency Communications (CSEC) Program Policy Statement 028, titled "Equipment Replacements," provides criteria for the purchase of equipment to ensure the systematic replacement of aging equipment and that the equipment purchased is consistent with the current industry standard. Replacement of equipment in a timely manner preserves the efficient operation of local 9-1-1 PSAPs. Criteria to consider when scheduling the purchase of replacement equipment includes:

- Age relative to lifecycle
- Obsolescence - lack of technical support or parts, end of life/service
- Recommended replacement schedule
- Availability of funding
- History of repair
- Functionality or operating condition

DISCUSSION:

While the longevity of generators can be extended through regular upkeep, it is imperative to consider replacement when they serve as essential components within public emergency systems. In this case, the age of the generator, the history of repairs, and the unavailability of replacement parts due to the discontinuation of the current generator model necessitates the replacement of the current generator.

A proposal for a new generator of similar capacity was provided by a vendor utilizing The Interlocal Purchasing System (TIPS) in the amount of \$74,950. CSEC will reimburse \$40,000 to ATCOG, and the remaining amount will be paid by ATCOG local funds.

The ATCOG Procurement Policy states that all purchases of \$50,000 and above require ATCOG Board approval.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION ADB23-38

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING THE PURCHASE OF A GENERATOR FOR USE AT THE MAIN TEXARKANA FACILITY.

WHEREAS, ATCOG Procurement Policy and Procedure Manual states ATCOG Board approval is required for all purchases of \$50,000 and above; and

WHEREAS, the ATCOG 9-1-1 Program's Equipment Replacement and Maintenance Plan guided by CSEC Program Policy Statement 028: Equipment Replacements, meets the requirements of CSEC Rule 251.5, Guidelines for Equipment Management and Disposition; and

WHEREAS, the generator will provide emergency back-up power for the host PSAP as well as the regional emergency operations center and main ATCOG facility during random power outages as well as prolonged outages due to disasters; and

WHEREAS, The Interlocal Purchasing System (TIPS) contract from Nash Electric includes the purchase and installation of the generator for a cost of \$74,950; and

WHEREAS, the ATCOG 9-1-1 Program funds will pay \$40,000 towards the purchase and the remaining amount of \$34,950 will be paid by ATCOG local funds.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board of Directors approves the purchase of 9-1-1 Public Safety equipment to ensure that the replacement of aging equipment is consistent with the current industry standards and ensures consistency in receiving 9-1-1 emergency calls from citizens.

Section 2 - That the Interim Executive Director, Mary Beth Rudel, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the purchase of the generator.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 28TH DAY OF SEPTEMBER, 2023.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 12:

Review and consider approval to combine the November Executive Committee and December Board of Director meetings into one Board of Directors meeting to be held Thursday, December 7, 2023.

BACKGROUND:

According to ATCOG Bylaws, Article V, Section H, the Executive Committee shall meet monthly, and ATCOG Board Meetings have been set as the last Thursday of each month. This year, the dates fall the week after Thanksgiving Day in November and the Thursday between Christmas Day and New Year's Eve in December. Therefore, schedule conflicts arise during the holiday season, and meeting preparations become very challenging.

DISCUSSION:

ATCOG staff is proposing that the November and December meetings be combined into one meeting and moved to an earlier date in December. The proposed meeting would be a Board of Directors meeting to be held on Thursday, December 7, 2023.

Board approval is required to change and/or cancel a meeting date.

RECOMMENDATION:

Staff recommends approval.

**JOINT MINUTES
NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT AND
ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS ANNUAL MEETING
August 31, 2023**

The Northeast Texas Economic Development District (NETEDD) and the Board of Directors of the Ark-Tex Council of Governments (ATCOG) Board of Directors met at 10:00 a.m., Thursday, August 31, 2023, at the Mt. Pleasant Civic Center, 1800 North Jefferson Avenue, Mount Pleasant, Texas, and via videoconference.

Item 1. Bobby Howell, Judge, Bowie County, called the meeting to order.

Item 2. Robert Newsom, Judge, Hopkins County, gave the invocation.

Item 3. Public Comment.

No member of the public made a comment.

NETEDD Agenda Items

Item 4. The first order of business was to review and consider approval of the minutes as submitted for the NETEDD meeting held Thursday, June 29, 2023.

Motion to approve was made by Scott Norton, Executive Director/CEO, TexAmericas Center, and seconded by Stan Wyatt, NETX Municipal Water District Board of Director. It was approved.

Item 5. Chris Brown, Executive Director, presented for review and consideration approval of NETEDD's portion of ATCOG's Financial Plan for the fiscal year ending September 30, 2024.

Motion to approve was made by Scott Lee, Judge, Franklin County, and seconded by Marc Reiter, Mayor, City of Hooks. It was approved.

This concluded all NETEDD agenda items.

ATCOG Board of Directors Agenda Items

Item 6. Mr. Brown presented, for information only, the Executive Director Report. He reviewed the indirect finance reports and provided updates and statistics for ATCOG Programs

Item 7. Mr. Brown presented the following consent agenda items:

- Approval of the minutes as submitted for the ATCOG Board of Directors meeting held Thursday, June 29, 2023.
- Acceptance of the minutes as submitted for the ATCOG Solid Waste Advisory Committee meeting held Friday, August 17, 2023.

Motion to approve was made by Scott Norton and seconded by Ann Rushing, Mayor, City of Clarksville. It was approved.

Regular Business

Item 8. Mr. Brown presented for review and consideration approval of the ATCOG Financial Plan for the fiscal year ending September 30, 2024.

Mr. Brown stated the ATCOG Strategic Work Program and Financial Plan reflects anticipated revenues of \$25,017,771 and proposed expenditures of \$25,017,771.

Mr. Brown noted that the combined Strategic Work Program and Financial Plan are not technically a budget because ATCOG does not have taxing or oversight authority. Within each State or Federal grant ATCOG administers, the funding agency regulates the categories in which we are allowed to spend funds. The funding source has complete oversight for each grant program.

Mr. Brown stated within each program area, specific project-by-project tasks and performance measures are delineated for the year. Each project is assigned an objective, work tasks, performance measures, and human resource requirements. ATCOG has 14 Managed Programs with over 60 Projects/Contracts that make ATCOG's revenue sources in the FY2024 ATCOG Strategic Work Program and Financial Plan.

Mr. Brown stated that the Plan includes merit increases for some staff and an 8.7% COLA for all positions. Funding is provided for the Salary Schedule, effective October 1, 2023. The total COLA increases for the past ten (10) years add up to 24.20%, while the SSI COLA increased a total of 24.30% prior to 2024.

ATCOG has 94 full-time and 19 part-time personnel, which totals 102.59 FTEs. Personnel changes include:

- Inclusion of an HR/Accounting Specialist
- Reallocation of Finance Duties
- Reclassification of Finance Specialist to Coordinator

Mr. Brown informed the Board that the premiums for the basic medical plan increased again this year. ATCOG will increase its defined contribution amount from \$845.12 monthly for each employee's basic medical coverage to \$946.54, 100% of the employee premium. Employees can buy up to a medical plan with a lower deductible and out-of-pocket costs and make extra contributions to their HSA. The employee will pay additional premium costs over the defined employer contribution of \$946.54 per month. Employee dental insurance premiums will increase from \$28.44 to \$30.72 monthly. Rates for life and AD&D did not change.

The ATCOG Retirement Plan is under the Texas County & District Retirement System (TCDRS). ATCOG is currently at a 200% employer-to-employee match with an employee contribution rate of 4%.

The Benefit rate is estimated to increase to 54.96%. When utilizing the FY2022 Over allocation, the rate is 53.07%.

The estimated Indirect rate is 23.69% based on the Total Direct Personnel Cost (6.71% based on the Modified Total Direct Cost). When utilizing the FY2022 Under allocation, the rate is 26.09%.

Mr. Brown added current estimates would utilize \$101,000 of ATCOG's Unrestricted Funds for Aging match and other needs to support ATCOG programs and personnel.

Mr. Brown stated that ATCOG program revenues have begun to trend down due to the utilization of CARES and ARPA Funding. Revenues and Expenses will continue to see some adjustments as the

timing of funding and other factors are considered.

Mr. Brown reviewed the following program funding updates:

- Housing is currently trending up due to the utilization of vouchers and the enrollment of new people in the program. Housing will flatten out.
- Transportation will see a decrease but still ahead of normal funding levels, and there are continued opportunities for additional capital improvements.
- All other programs show a moderate decrease or normal fluctuation.

Mr. Brown noted the following ongoing and future projects:

- TRAX-Paris Metro building is currently being renovated.
- TRAX-Sulphur Springs building to be leased to ATCOG by the Hospital District for \$1200.00 per year. ATCOG hopes to begin seeking proposals for the renovation of the building. TxDOT funds would provide capital improvements for the building upon their lease approval.

Mr. Brown presented the following future capital improvement projects in the near term:

- Roof repairs/replacement
- Parking lot repairs
- Common area carpeting
- Omaha Building

Judge Ransom recommended that ATCOG notify TML Property Insurance when a new roof is installed to receive a decrease in property insurance premiums.

Motion to approve was made by Travis Ransom, Judge, Cass County, and seconded by Stan Wyatt. It was approved.

Item 9. Mr. Brown presented for review and consideration approval of a resolution in support of Chris Brown's nomination for President of the National Association of Development Organizations (NADO) Board of Directors.

ATCOG has been a member of NADO for almost 25 years. In 2011, Chris began serving as one of eight (8) members of the NADO Board representing the Southwest Region, consisting of Texas, New Mexico, Oklahoma, Arkansas, and Louisiana. In 2018, he was elected Secretary and is currently the First Vice President.

NADO will elect new officers to the Board at the Annual Training Conference in November. Chris is being considered for election as President of the NADO Board. The NADO Board does require an endorsement of candidacy signed by the ATCOG Board President.

Motion to approve was made by Lowell Walker, Mayor, City of DeKalb, and seconded by Judge Ransom. It was approved.

Item 10. Mr. Brown presented for review and consideration approval of the Hopkins County Hospital District request for membership to ATCOG.

The Hopkins County Hospital District (HCHD) submitted a resolution requesting membership with the Ark-Tex Council of Governments.

Motion to approve was made by Judge Newsom and seconded by Mayor Rushing. It was approved.

Item 11. Ms. Mary Beth Rudel presented for review and consideration approval of a one-year extension to the agreement with Guaranty Bank & Trust to provide banking services beginning October 1, 2023.

On July 6, 2020, ATCOG issued a Request for Proposal (RFP) for banking services. ATCOG requested proposals for banking services to begin October 1, 2020, and extend through September 30, 2023, with two possible one-year extensions if approved by the ATCOG Board of Directors. The Board of Directors approved the selection of Guaranty Bank and Trust as ATCOG's banking services provider.

ATCOG requests to extend the agreement with Guaranty Bank & Trust to provide banking services beginning October 1, 2023, through September 30, 2024, with one more possible one-year extension upon Board approval.

Motion to approve was made by Scott Norton and seconded by David Fordinal, Commissioner, City of Como. It was approved.

Item 12. Ms. Rudel presented for review and consideration approval of the removal of current signature authority, access, and permissions for Chris Brown on all ATCOG accounts at Guaranty Bank and Trust.

Executive Director Chris Brown submitted his resignation letter to the ATCOG Board of Directors on August 3, 2023. He stated in his letter that his last official day will be September 8, 2023.

Therefore, approval from the ATCOG Board of Directors is needed to remove Mr. Brown from all ATCOG accounts effective September 8, 2023.

Motion to approve was made by Judge Ransom and seconded by Scott Norton. It was approved.

Item 13. Ms. Rudel presented for review and consideration approval of the submission of the updated Certification of Signature Authority form to the Texas Department of Transportation.

Due to Executive Director Chris Brown's resignation and Mary Beth Rudel's appointment as Interim Executive Director, ATCOG needs to update the signature authority form.

The form lists Mary Beth Rudel, Interim Executive Director, as having authority to sign all documents. It also includes delegates for signature and approval authority for specific documents as listed: Mark Compton, ATCOG Transportation Director, and Bobby Williams, ATCOG Transportation Operations Manager.

With the submission of the updated form, Chris Brown will be removed from signature authority.

Motion to approve was made by Judge Lee and seconded by Mayor Rushing. It was approved.

Item 14. Ms. Rudel presented for review and consideration approval of revisions to the ATCOG Policy and Procedures Manual.

The following revisions to the policy and procedures manual were proposed:

- 6.22 Compensatory Leave and 9.07 Overtime. This addition clarifies when compensatory time is earned at straight time versus time and a half in accordance with US Department of Labor laws.

- 9.07 Overtime – General. This addition reflects the policy change referenced in section 6.22 above.

Motion to approve was made by Mayor Walker and seconded by Stan Wyatt. It was approved.

Item 15. Ms. Leslie McBride presented for review and consideration approval of the annual renewal of the ATCOG Ethics Policy Manual. No changes have been made.

Motion to approve was made by Judge Lee and seconded by Mayor Rushing. It was approved.

Item 16. Ms. McBride presented for review and consideration approval to the Equal Employment Opportunity Plan.

The plan provides guidelines for employment practices, the complaint process, and data representing the ATCOG workforce. This data includes employment practices such as separations, disciplinary actions, promotions, and hiring.

The only updates made in the plan are to update the employment practices data.

By approving the Equal Employment Opportunity Plan updates, ATCOG affirms committing to equal employment for all persons, regardless of race, color, creed, national origin, genetic information, sex, or age.

Motion to approve was made by Judge Ransom and seconded by Stan Wyatt. It was approved.

Item 17. Ms. McBride presented for review and consideration approval of the ATCOG Flexible Benefits Cafeteria Plan for FY2024.

The ATCOG Flexible Benefits Cafeteria Plan will allow ATCOG to offer additional benefits to employees pre-tax, such as cancer, critical illness, and accident insurance.

Ms. McBride informed the Board that Colonial Insurance manages the ATCOG Cafeteria Plan.

Motion to approve was made by Judge Ransom and seconded by David Fordinal. It was approved.

Item 18. Ms. Rea Allen presented for review and consideration approval of the 9-1-1 region-wide transit advertising contract.

The ATCOG TRAX Transportation Program provides advertising opportunities to approved agencies by way of window decals on its transit vehicles. The ATCOG 9-1-1 Program wishes to contract with the TRAX Program to place window decals designed to educate the public about available 9-1-1 services on the vehicles. The transit advertising campaign costs \$179,632.35 for a three-year contract for advertising on 18 vehicles that transport within the ATCOG region.

Motion to approve was made by Mayor Walker and seconded by Vicki Smith, Councilmember, City of Daingerfield. It was approved.

Item 19. Ms. Allen presented for review and consideration approval of the 9-1-1 equipment replacement purchases.

The ATCOG strategic plan and the 10-year equipment replacement schedule include Customer Premise Equipment (CPE) for FY2024.

The total cost for replacing the CPE front room equipment at all thirteen Public Safety Answering

Points is \$711,601.96. This price includes hardware (33 workstations including computers, monitors, handsets, keyboards, etc.), call-taking and mapping software, licensing, managed services for monitoring, warranties, and installation.

ATCOG will utilize Coronavirus State and Local Fiscal Recovery Funds for this NG911 equipment purchase and has completed the RFP procurement process in accordance with the terms and conditions set forth by the grant and the ATCOG Procurement Policy.

Motion to approve was made by Judge Newsom and seconded by Judge Lee. It was approved.

Other Business

Item 20. Mr. Brown recognized the ATCOG Board members' longevity and thanked everyone for their service to the region. He recognized staff achievements and longevity and announced ATCOG's Employee of the Year.

Announcements

Judge Howell announced the National Association of Development Organizations (NADO) Annual Training Conference 2023 will be held in Cleveland, Ohio, November 7-10, 2023. Please contact Marla or Mary Beth if you are interested in attending.

Judge Howell announced the next Executive Committee and Board of Directors meetings will be held Thursday, September 28, 2023, at a time TBD, at the Sulphur Springs Country Club, 511 Country Club Road, Sulphur Springs, Texas, as well as videoconference.

Judge Howell invited all attendees to attend the Farewell Luncheon for Chris Brown in the Mt. Pleasant Civic Center Main Hall immediately following the Board meeting.

With no further business to discuss, a motion to adjourn was made by Mayor Walker and seconded by Judge Ransom. It was approved.

NETEDD BOARD MEMBERS PRESENT

Bobby Howell, Judge, Bowie County
Robert Newsom, Judge, Hopkins County
Scott Lee, Judge, Franklin County
Scott Norton, Executive Director/CEO, TexAmericas Center
Travis Ransom, Judge, Cass County
Marc Reiter, Mayor, City of Hooks
Ann Rushing, Mayor, City of Clarksville
Stan Wyatt, NETX Municipal Water District Board

EXECUTIVE COMMITTEE MEMBERS PRESENT

Bobby Howell, Judge, Bowie County
Robert Newsom, Judge, Hopkins County
Scott Lee, Judge, Franklin County
Scott Norton, Executive Director/CEO, TexAmericas Center
Travis Ransom, Judge, Cass County
Marc Reiter, Mayor, City of Hooks
Ann Rushing, Mayor, City of Clarksville
Stan Wyatt, NETX Municipal Water District Board

ATCOG BOARD MEMBERS PRESENT

Rosina Duckworth, Mayor Pro Tem, City of Cumby
Juan Duenez, Mount Pleasant Independent School District
David Fordinal, Commissioner, City of Como
Brad Johnson, Board Member, Northeast Texas Rail District
Joe T. Kelsey, Red River Appraisal District
Vicki Smith, Councilmember, City of Daingerfield
Gary Spraggins, Councilmember, City of Sulphur Springs
Lowell Walker, Mayor, City of DeKalb

GUESTS PRESENT

Reece DeWoody, Office of United States Senator John Cornyn
Tim Wilson, Northeast Texas Community College
Gaye Beard, Office of United States Representative Pat Fallon
Russell Devorsky, Heart of Texas Council of Governments
Ray Wilson, Office of Senator Bryan Hughes
Tom Whitten, Bowie County Commission, Precinct 2
L. D. Williamson, Ark-Tex Regional Development Corporation Board
Brenda Davis, AAA Regional Advisory Council
Megan Knight, AAA Regional Advisory Council
Dr. Mario Villarino, Solid Waste Advisory Committee
Troy Hudson, Region 2 Flood Planning Group Board
Reeves Hayter, Chairman, Region 2 Flood Planning Group Board
Mark Buhman, Regional Criminal Justice Advisory Committee
Tim Dial, Regional Criminal Justice Advisory Committee & Homeland Security Advisory Committee
Angela Price, Regional Criminal Justice Advisory Committee
Sherry Edwards, Regional Criminal Justice Advisory Committee

STAFF MEMBERS PRESENT

Rea Allen, 9-1-1 Director
Chris Brown, Executive Director
Jenny Butler, Area Agency on Aging Manager
Patricia Haley, Criminal Justice Coordinator
Melody Harmon, Economic Development Director
Toni Lindsey, Regional Development Director
Marla Matthews, Executive Assistant
Leslie McBride, Human Resources Director
Paul Prange, Environmental Resources Coordinator
Debbie Purifoy, Compliance and Purchasing Officer
Lisa Reeve, Area Agency on Aging Director
Mary Beth Rudel, Deputy Director
Melinda Tickle, Finance Director
Bobby Williams, Transportation Operations Manager
Mary Wormington, Housing Director

Bobby Howell, President
Ark-Tex Council of Governments

ATTEST:

BRIEFING PAPER

ITEM 14:

Review and consider approval of the NETEDD 2023 – 2028 Comprehensive Economic Development Strategy (CEDs) 2023 update.

BACKGROUND:

The Northeast Texas Economic Development District (NETEDD) Comprehensive Economic Development Strategy (CEDs) is a pre-requisite for federal designation as an economic development district and must be updated at least every five (5) years. There are four (4) sections that must be included in the CEDs:

- 1) Summary Background – or a summary of the economic impacts of the ATCOG/NETEDD region;
- 2) SWOT Analysis – a deep analysis of the Strengths, Weaknesses, Opportunities, and Threats in the region;
- 3) Strategic Direction/Action Plan - strategies or goals and objectives that will guide the region forward; and
- 4) Evaluation Framework – performance measures used to evaluate the organization's implementation of the CEDs and impact on the regional economy.

EDA requires that resiliency aspects be included within each section of the CEDs. City and County Hazard Mitigation Plans include resiliency planning as well. The NETEDD CEDs and jurisdictional Hazard Mitigation Plans support each other in relation to resiliency planning.

DISCUSSION:

The latest CEDs will be accessible on the Regional Development page of the ATCOG website. It will also be submitted to EDA as a PDF document for upload and to each county in the NETEDD CEDs region. The goal is to provide a living/dynamic CEDs that encourages meaningful conversation and debate about the best practices, building capacity, and the state of the region to best serve our economic development. This living document is intended to identify key opportunities for development and growth specific to the needs of the communities within our region. The NETEDD CEDs is a working document to be approved by the NETEDD Board of Directors, used by both public and private sectors, to provide guidance on the economic state of the NETEDD region.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. NBD23-02

RESOLUTION OF THE NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT (NETEDD) APPROVING 2023 – 2028 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDs) TO BE SUBMITTED TO THE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA).

WHEREAS, 3 CFR § 303.7 states the requirements for the development and submission of the Comprehensive Economic Development Strategy; and t

WHEREAS, the CEDs contributes to effective economic development in communities and regions through a locally-based, regionally-driven economic development planning process; and

WHEREAS, the planning organization must submit a new or revised CEDs to the Economic Development Administration at least every five years and an Annual Report; and

WHEREAS, the 2023 CEDs update will provide supplemental information and accompany the 2023 – 2028 CEDs and Annual Report.

NOW, THEREFORE, BE IT RESOLVED BY THE NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT, INC. BOARD OF DIRECTORS:

Section 1 - That the Comprehensive Economic Development Strategy (CEDs) 2023 Update has been reviewed by the NETEDD Board of Directors.

Section 2 - That the attached 2023 CEDs information shall be included as an update to the current five (5) year CEDs.

Section 3 - That the attached 2023 CEDs information shall be included as an attachment to the September 2023 Annual Report.

REVIEWED AND APPROVED THIS 28TH DAY OF SEPTEMBER, 2023.

Bobby Howell, President
Board of Directors
Northeast Texas Economic Development District

ATTEST:
