

**JOINT AGENDA
NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT AND
ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS MEETING
September 29, 2022**

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 29, 2022, at the Ark-Tex Council of Governments Office, EOC Room, 4808 Elizabeth Street, Texarkana, Texas, as well as, via teleconference/webinar.

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

<https://us06web.zoom.us/j/91012022000>

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.

NETEDD Agenda Items

Item 4. Review and consider approval of the minutes as submitted for the NETEDD meeting held Thursday, August 25, 2022. (See page 4)

Item 5. Review and consider approval of NETEDD's portion of ATCOG's Financial Plan for the fiscal year ending September 30, 2023. (Plan to be provided prior to meeting)

Item 6. Review and consider approval of revisions to the Northeast Texas Economic Development District Revolving Loan Fund (NETEDD RLF) Plan. (See page 8 and [Addendum](#) page 1; to be presented by staff members Melody Harmon and Toni Lindsey)

This concludes all NETEDD agenda items.

ATCOG Board of Directors Agenda Items

Item 7. Review and consider consent agenda items. (To be presented by Executive Director Chris Brown)

- Approval of the minutes as submitted for the ATCOG Board of Directors Meeting held Thursday, June 30, 2022. (See page 12)
- Acceptance of the minutes as submitted for the ATCOG Homeland Security Advisory Committee meeting held Thursday, August 18, 2022. (See [Addendum](#) page 27)

- Acceptance of the minutes as submitted for the ATCOG Solid Waste Advisory Committee Meeting held Friday, August 19, 2022. (See [Addendum](#) page 30)
- Ratification of the Interlocal Cooperation Agreement between ATCOG and the Public Safety Office within the Office of the Governor. (See [Addendum](#) page 32)

Executive Closed Session

Item 8. 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 performance evaluation.

Open Session/Regular Business

Item 9. The Board of Directors will reconvene in Open Session and take action on Item 8, as necessary. (To be presented by Board President, L.D. Williamson, Judge, Red River County)

Item 10. Review and consider approval of ATCOG's Financial Plan for the fiscal year ending September 30, 2023. (Plan to be provided prior to meeting)

Item 11. Review and consider authorizing the Executive Director to enter into an Interlocal Agreement to provide transportation management services for the Texarkana Urban Transit District (TUTD). (See page 16 and [Addendum](#) page 64; to be presented by staff member Mary Beth Rudel)

Item 12. 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 18; to be presented by staff member Mary Beth Rudel)

Item 13. Review and consider approval of revisions to the ATCOG Policy and Procedures Manual. (See page 20; to be presented by staff member Mary Beth Rudel)

Item 14. Review and consider the annual renewal of the ATCOG Ethics Policy Manual. (See page 23 and [Addendum](#) page 73; to be presented by staff member Leslie McBride)

Item 15. Review and consider approval of updates to the Equal Employment Opportunity Plan. (See page 25 and [Addendum](#) page 99; to be presented by staff member Leslie McBride)

Item 16. Review and consider adoption of the ATCOG Flexible Benefits Cafeteria Plan for FY 2023. (See page 27 and [Addendum](#) page 114; to be presented by staff member Leslie McBride)

Item 17. Review and consider approval of the revisions to the Ark-Tex Area Agency on Aging (AAA) Policy and Procedures Manual concerning interest lists. (See page 29 and [Addendum](#) page 151; to be presented by Lisa Reeve)

Item 18. Review and consider approval for the ATCOG Executive Director to submit an application to the U.S. Department of Housing and Urban Development for the Older Home Modification Program. (See page 31; to be presented by staff member Lisa Reeve)

Item 19. Review and consider approval of the new resolution to include the updated grant ending date and as required by the Office of Governor, Public Safety Office-Criminal Justice Division. (See page 33; to be presented by staff member Patricia Haley)

- Item 20. Review and consider approval of the appointment of the Ark-Tex Council of Governments (ATCOG) Board of Directors Executive Committee members, Officers, and sub-committees. (See page 35; to be presented by Board Vice-President Brian Lee, Judge, Titus County)
- Item 21. Review and consider adoption of a resolution authorizing recognition of National Fire Prevention Week. (See page 39; to be presented by staff member Mary Beth Rudel)
- Item 22. 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 8, 2022. (See page 40; to be presented by staff member Marla Matthews)

(Lunch to be served)

Other Business

- Item 23. ATCOG annual meeting presentations.

Announcements

The next Executive Committee meeting will be held Thursday, October 27, 2022, 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 teleconference/webinar.

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 EXECUTIVE COMMITTEE MEETING
AUGUST 25, 2022**

The Northeast Texas Economic Development District (NETEDD) Board and the Executive Committee of the Ark-Tex Council of Governments (ATCOG) met at 10:00 a.m., Thursday, August 25, 2022, at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, 105 North Riddle Avenue, Mt. Pleasant, Texas, as well as, via teleconference/webinar.

Item 1. L.D. Williamson, Judge, Red River County, called the meeting to order.

Item 2. Scott Lee, Judge, Franklin County, gave the invocation.

Item 3. Public Comment.

No members of the public made a comment.

NETEDD Agenda Items

Item 4. The first order of business was to review and consider approval for the minutes submitted for the NETEDD meeting held Thursday, June 30, 2022.

Motion to approve was made by Scott Norton, Executive Director/CEO, TexAmericas Center, and seconded by Bobby Howell, Judge, Bowie County. It was approved.

Item 5. Chris Brown, Executive Director, presented for review and consideration to authorizing the Executive Director to execute a contract with Design Nine, Inc to provide broadband planning services.

Motion to approve was made by Brian Lee, Judge, Titus County, and seconded by Judge Scott Lee. It was approved

This concludes all NETEDD agenda items.

ATCOG Executive Committee Agenda Items

Item 6. Mr. Brown presented for consideration approval of the minutes as submitted for the ATCOG Executive Committee meeting held Thursday, May 26, 2022.

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

Review and Comment

Item 7. Mr. Brown presented, for information only, the Executive Director Report. He reviewed the indirect finance reports and explained that the overall budget percentages align with the fiscal year. Mr. Brown provided updates and statistics for all ATCOG programs.

Regular Business

Item 8. Ms. Lisa Reeve presented for review and consideration approval of the submission of a grant application to the St. Joseph Community Foundation for funds to provide training to caregivers and first responders relating to dementia.

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

Item 9. Ms. Patricia Haley presented for review and approval of the Hopkins County nomination to serve on the Regional Criminal Justice Advisory Committee (RCJAC) through December 31, 2023.

- Ms. Peggy Walker, Program Director at Lake Country CASA

Motion to approve was made by Robert Newsom, Judge, Hopkins County, and seconded by Judge Scott Lee. It was approved.

Item 10. Mr. Mark Compton presented for review and consideration to authorizing the Executive Director to execute a contract with Ecolane Software to provide transit scheduling software for TRAX rural transportation service.

Other Business

Item 11. Mr. Brown presented the FY 2023 draft budget for discussion. A general overview of the draft budget was given, and the final budget will be presented for approval in September.

Item 12. Judge L. D. Williamson announced the nominating committee member appointments for the purpose of appointing the Executive Committee members, Executive Committee Officers, and subcommittee members.

- L. D. Williamson, Judge, Red River County/President
- Brian Lee, Judge, Titus County/Vice-President; Chair
- Ann Rushing, Mayor, City of Clarksville
- Scott Norton, Executive Director/CEO, TexAmericas
- Scott Lee, Judge, Franklin County
- Bobby Howell, Judge, Bowie County

Mr. Brown will contact the Nominating Committee to poll for a meeting date.

Item 13. Ms. Mary Beth Rudel presented the Red River Leadership Institute program update. The application period yielded a low response. A request has been submitted to Economic Development Administration (EDA) to revise the RRLI program's strategy to garner further regional participation. The scope of work will remain the same, and training opportunities will be available.

Announcements

Judge Williamson announced that a Workforce CEOs meeting would be held immediately following this meeting.

Mr. Brown made the following announcements:

- NADO Training Conference, Pittsburg, PA, October 15-18, 2022. Airline travel will need to be booked by September 15, 2022.
- Transportation Summit, Hopkins County Civic Center, Sulphur Springs, TX, October 26, 2022. More information to come.

- Connected Nation hosting Digital Literacy Workshops, handouts with detailed information were provided.

Lastly, Judge Williamson announced that the next ATCOG Board meeting would be held on September 29, 2022, at 10:00 a.m., at a location to be determined and via teleconference/webinar.

With no further announcements, a motion to adjourn the meeting was made by Judge Scott Lee and seconded by Judge Brian Lee. The meeting was adjourned.

NETEDD BOARD MEMBERS PRESENT

Bobby Howell, Judge, Bowie County
Brian Lee, Judge, Titus County
Scott Lee, Judge, Franklin County
Robert Newsom, Judge, Hopkins County
Scott Norton, Executive Director/CEO, TexAmericas Center
Doug Reeder, Judge, Morris County
Marc Reiter, Mayor, City of Hooks
Ann Rushing, Mayor, City of Clarksville
L.D. Williamson, Judge, Red River County

EXECUTIVE COMMITTEE MEMBERS PRESENT

Bobby Howell, Judge, Bowie County
Brian Lee, Judge, Titus County
Scott Lee, Judge, Franklin County
Robert Newsom, Judge, Hopkins County
Scott Norton, Executive Director/CEO, TexAmericas Center
Doug Reeder, Judge, Morris County
Marc Reiter, Mayor, City of Hooks
Ann Rushing, Mayor, City of Clarksville
L.D. Williamson, Judge, Red River County

ATCOG BOARD MEMBERS PRESENT

David Fordinal, Mayor Pro Tem, City of Como
Ronald Humphrey, Mayor, City of New Boston
George Moore, Texarkana College
Lowell Walker, Mayor, City of DeKalb

GUESTS PRESENT

Sara Butler, Office of United States Senator John Cornyn
Katie Martin, Texas Department of Transportation
Dan Perry, Texas Department of Transportation
Randy Reed, Northeast Texas Workforce Solutions
KiAnn Richardson, Northeast Texas Workforce Solutions
Nathan Tafoya, Executive Director, Mt. Pleasant Economic Development Corporation

STAFF MEMBERS PRESENT

Rea Allen, 9-1-1 Program Director
Chris Brown, Executive Director
Mark Compton, Transportation Director
Whitney Fezell, Homeland Security Coordinator
Patricia Haley, Criminal Justice Coordinator
Melody Harmon, Economic Development Director
Mae Lewis, Housing Director

Toni Lindsey, Regional Development Director
Marla Matthews, Executive Assistant
Leslie McBride, Human Resources Director
Paul Prange, Environmental Resources Coordinator
Lisa Reeve, Area Agency on Aging Director
Mary Beth Rudel, Deputy Director
Melinda Tickle, Finance Director

L.D. Williamson, President
Northeast Texas Economic Development District

ATTEST:

BRIEFING PAPER

ITEM 6:

Review and consider approval of revisions to the North East Texas Economic Development District Revolving Loan Fund (NETEDD RLF) Plan.

BACKGROUND:

On October 30, 2020, Congress enacted legislation that reformed the EDA revolving loan fund program by eliminating reporting requirements on funds that met specified guidelines. The ATCOG Board of Directors approved the application in early 2022. In March 2022, EDA released their federal interest in the NETEDD RLF to allow the funds to be used for broader economic development purposes. The defederalization of the NETEDD RLF allows flexibility in the NETEDD RLF plan as long as the funds continue to follow the guidelines of the Public Works and Economic Development Act program. This plan has been modified to comply with the guidelines and to reflect updated procedures required for revolving loans. Information previously required by EDA, but is no longer required due to the defederalization, has been removed. Revisions are shown in the attached plan document.

DISCUSSION:

NETEDD RLF continues to serve 29 Counties in Texas and Miller County Arkansas. The following changes are within the document.

PART I. THE REVOLVING LOAN FUND STRATEGY

(i) Comprehensive Economic Development Strategy Overview

Due to the number of requests from businesses/banks within the RLF service area for new businesses in adjacent counties, the following sentence was :

“In consideration of counties adjacent to the NETEDD RLF service area that have financial and/or business transactions within NETEDD, businesses located in adjacent counties that meet loan criteria are eligible for review and consideration for funding”.

(ii) The Business Development Strategy

The Business Development Strategy section was added to comply with the guidelines from the defederalization documents. This section includes allowable and prohibited activities with the addition of CFR references in Prohibited and Unauthorized uses of NETEDD RLF capital.

(iii) The Financing Strategy

- Loan Terms were added for real estate: up to twenty-five (25) years, and for equipment: terms will be set in accordance with useful life as determined by accountant or IRS guidance.

- Added a statement at the end of loan origination fee: may be paid via one (1) time payment or added to amount being financed.
- Added 2 items needed for standard loan application: Company Formation Document and Company Agreement as well as other documents as required, and deleted 1 item from the list: CAIVRS Disclosure Form.

Civil Rights Requirements

- Added gender identity to the statement that applicants shall not discriminate against employees or applicants for employment on the basis of “race, creed,...gender identity...”.
- Overall cost per job created increased from \$65,000 to \$75,000 to comply with SBA’s expected achievement of the RLF portfolio.
- Maximum loan amount to any single borrower increased from \$300,000 to \$500,000 and removed the requirement “with EDA approval”.
- Minimum loan amount decreased from \$25,000 to \$10,000 to address local short-term needs.

PART II. OPERATIONAL PROCEDURES

(i) Administrative Procedures

The equity requirement for each project involving a new company changed from 20% to 10-20% of the total project cost.

Borrower Provides to NETEDD:

Added 3 items: Formation documents and Company agreements; Proof of SAM registration and sufficient funds to cover processing fee.

Loan Disbursement

- Modified the Past Due procedure to agree with actual invoicing and phone calls.
 - i. Accounts become past due when a scheduled payment is 20 days (previously 10) past due.
 - ii. A late charge “may” be charged.
 - iii. When a loan becomes 25 (previously 10) days past due, a late notice will be sent with invoice by staff.
 - iv. When a loan becomes 30 days (previously 20) past due, the staff will make a personal contact and attempt to determine the reason for the delinquency.
- Changed Loan Administration Board and Loan Committee to Executive Director and replaced EDA guidelines with the NETEDD Plan.
- Removed all references to EDA reporting and added “The RLF Plan acknowledges that defederalization of the NETEDD RLF in 2022 requires periodic reporting only as requested by EDA.”
- Modified Audits requirements to comply with defederalization guidelines.

SPECIAL CONSIDERATIONS

Modified COVID-19 Heading to SPECIAL CONSIDERATIONS and created a subheading of COVID-19 and/or Other Pandemic Events or Natural Disasters.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. NBD22-06

RESOLUTION OF THE NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT (NETEDD) APPROVING REVISIONS TO THE NETEDD REVOLVING LOAN FUND PLAN.

WHEREAS, the North East Texas Economic Development District, Inc. (NETEDD) operates the NETEDD Revolving Loan Fund; and

WHEREAS, the defederalization of the NETEDD Revolving Loan Fund allows flexibility in the NETEDD RLF plan as long as the funds continue to follow the guidelines of the Public Works and Economic Development Act program; and

WHEREAS, the NETEDD RLF Plan has been modified to remove all EDA related information no longer required as a result of defederalization; and

WHEREAS, the NETEDD RLF Plan has been modified to include information from defederalization guidelines and to reflect updated procedures required for revolving loans; and

WHEREAS, the NETEDD RLF Plan now allows adjacent counties to the NETEDD RLF service area that meet loan criteria eligibility to be considered for funding; and

WHEREAS, the NETEDD RLF Plan revisions are attached.

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

Section 1 - That the Board of Directors approves the revisions to the NETEDD Revolving Loan Fund plan as attached.

Section 2 - That the revisions are necessary due to the funds being defederalized.

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 29TH DAY OF SEPTEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Northeast Texas Economic Development District, Inc.**

ATTEST:

**JOINT MINUTES
NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT, AND
ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS MEETING
June 30, 2022**

The Northeast Texas Economic Development District (NETEDD) and the Board of Directors of the Ark-Tex Council of Governments (ATCOG) met at 10:00 a.m., Thursday, June 30, 2022, at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, located at 105 North Riddle Avenue, Mt. Pleasant, Texas, as well as, via teleconference/webinar.

Item 1. L. D. Williamson, Judge, Red River County, called the meeting to order.

Item 2. Travis Ransom, Judge, Cass County, gave the invocation.

Item 3. Public Comment.

No members of the public made a comment.

NETEDD Agenda Items

Item 4. The next order of business was to review and consider approval of the minutes as submitted for the NETEDD meeting held Thursday, March 31, 2021.

Motion to approve was made by Scott Lee, Judge, Franklin County, and seconded by Bobby Howell, Judge, Bowie County. It was approved.

Item 5. Mr. Brown invited staff member, Ms. Brianna O'Shaughnessy, to present for consideration approval of the 2018-2022 Comprehensive Economic Development Strategy (CEDs) - 2022 update.

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

This concluded all NETEDD Agenda Items.

ATCOG Board of Directors Agenda Items

Item 6. Mr. Brown presented the following consent agenda items:

- Approval of the minutes as submitted for the ATCOG Board of Directors meeting held Thursday, March 31, 2022.
- Acceptance of the minutes as submitted for the Homeland Security Advisory Committee meeting held Thursday, May 26, 2022.
- Acceptance of the minutes as submitted for the Area Agency on Aging Regional Advisory Council meeting held Thursday, June 2, 2022.

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

Review and Comment

Item 7. Ms. Toni Lindsey presented for review and comment on a grant application from the Detroit

Independent School District, to be submitted to the Department of Health and Human Services, Office of Head Start, for supplemental/COLA Funding of Head Start.

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

Item 8. Ms. Lindsey presented for review and comment on a grant application by the Salvation Army Texarkana, Arkansas, to be submitted to the State of Arkansas Department of Human Services for an Emergency Solutions Grant FY2022-2023.

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

Regular Business

Item 9. Ms. Whitney Fezell presented for review and consideration approval to adopt the updated Regional Interoperable Communications Plan (RICP).

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

Item 10. Ms. Leslie McBride presented for review and consideration approval authorizing the Executive Director to sign the Rerate and Benefit Verification Form with Texas Municipal League Health to continue to provide health, dental, and life insurance benefits to staff for Plan Year 2022-2023.

ATCOG proposed to make a defined contribution of \$845.12 to each employee per month, a 7% increase, or a \$55.30 increase per month. The staff has the option to “buy up” to a more expensive plan at their own expense. Also, a high deductible plan is available at a rate of \$744.78 per month, allowing staff to contribute the remaining defined contribution to a health savings account.

Ms. McBride noted the Rerate Notice for FY 2023 includes an increase in health premiums; however, dental and life insurance rates remain the same as FY 2022.

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

Item 11. Ms. Melinda Tickle presented for review and consideration annual approval of the Investment Policy that establishes procedures to be followed in investing funds for ATCOG.

Ms. Tickle stated that the ATCOG Investment Policy has no new updates at this time.

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

Item 12. Ms. Tickle presented for review and consideration approval of the proposed Salary Schedule for ATCOG for the fiscal year ending September 30, 2023.

Ms. Tickle reviewed the proposed 2023 Salary Schedule, which included a 5% COLA for ATCOG employees. All ATCOG employees are paid lower than State employees or are on the low end of the State salary scale. There are no positions at ATCOG that exceed the pay of State employees in equivalent positions.

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

Item 13. Ms. Mae Lewis presented for review and consideration approval of the submission of an application to the Texas Department of Housing Community Affairs (TDHCA) for 2022 Emergency Solution Grant program funds (ESG).

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

Item 14. Ms. Veronica Williams presented for review and consideration approval of the Ark-Tex Council of Governments (ATCOG) 5-year Regionally Coordinated Public Transportation Plan (RCTP).

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

Item 15. Ms. Rea Allen presented for review and consideration approval of the addition of LifeNet Emergency Medical Services (EMS) as a secondary Public Safety Answering Point (PSAP) on the ATCOG 9-1-1 network to include the purchase of applicable call-taking equipment.

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

Item 16. Mr. Brown presented for review and consideration approval to cancel the July ATCOG Executive Committee Meeting.

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

Announcements

The next Executive Committee meeting will be held on August 25, 2022, 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 teleconference/webinar.

With no other announcements, a motion to adjourn was made by Judge Scott Lee and seconded by Judge Ransom. The meeting adjourned.

NETEDD BOARD MEMBERS PRESENT

Bobby Howell, Judge, Bowie County
Scott Lee, Judge, Franklin County
Robert Newsom, Judge, Hopkins County
Scott Norton, Executive Director/CEO, TexAmericas Center
Travis Ransom, Judge, Cass County
Doug Reeder, Judge, Morris County
Marc Reiter, Mayor, City of Hooks
Ann Rushing, Mayor, City of Clarksville
L.D. Williamson, Judge, Red River County

ATCOG EXECUTIVE COMMITTEE MEMBERS PRESENT

Bobby Howell, Judge, Bowie County
Scott Lee, Judge, Franklin County
Robert Newsom, Judge, Hopkins County
Scott Norton, Executive Director/CEO, TexAmericas Center
Travis Ransom, Judge, Cass County
Doug Reeder, Judge, Morris County
Marc Reiter, Mayor, City of Hooks
Ann Rushing, Mayor, City of Clarksville
L.D. Williamson, Judge, Red River County

ATCOG BOARD MEMBERS PRESENT

Ron Humphry, Mayor, City of New Boston
Gary Spraggins, Councilman, City of Sulphur Springs

GUESTS PRESENT

Gaye Beard, Office of United States Representative Pat Fallon
Kathy Comer, Office of United States Senator John Cornyn
Jo Anne Gray, Planner, Texarkana Metropolitan Planner Organization
Whitney Hale, City Secretary, City of Hooks

STAFF MEMBERS PRESENT

Rea Allen, 9-1-1 Program Director
Chris Brown, Executive Director
Mark Compton, Transportation Director
Whitney Fezell, Homeland Security Coordinator
Patricia Haley, Criminal Justice Coordinator
Mae Lewis, Housing Director
Toni Lindsey, Regional Development Director
Marla Matthews, Executive Assistant
Leslie McBride, Human Resources Director
Brianna O'Shaughnessy, Development Specialist
Paul Prange, Environmental Resources Coordinator
Lisa Reeve, Area Agency on Aging Director
Sheena Record, Transportation Coordinator
Mary Beth Rudel, Deputy Director
Melinda Tickle, Finance Director
Veronica Williams, Transportation Planner

L.D. Williamson, President
Board of Directors
Ark-Tex Council of Governments

ATTEST:

BRIEFING PAPER

ITEM 11:

Review and consider authorizing the Executive Director to enter into an Interlocal Agreement to provide transportation management services for the Texarkana Urban Transit District (TUTD).

BACKGROUND:

ATCOG signed the original agreement with TUTD for the management of the T-line Bus service in October 2012. The district includes the Cities of Texarkana, Texas, Texarkana, AR, Nash, TX, and Wake Village, TX.

DISCUSSION:

The current agreement will expire on September 30, 2022. After reviewing the current Agreement, the TUTD Board of Directors elected to execute a new Agreement with the same terms and conditions with an end date of September 30, 2027. This was passed by their Board of Directors at the September meeting.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD22-24

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN INTERLOCAL AGREEMENT TO PROVIDE TRANSPORTATION MANAGEMENT SERVICES FOR THE TEXARKANA URBAN TRANSIT DISTRICT (TUTD).

WHEREAS, TUTD is a political subdivision 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 signed an Interlocal Agreement with ATCOG to manage their urban transportation services (T-line); and

WHEREAS, ATCOG created the non-profit corporation Ark-Tex Urban Transit, Inc (ATUT) for the sole purpose of employing and managing T-line employees; and

WHEREAS, the original Agreement, effective October 1, 2012, was executed for a term of 5 years with a 5-year extension option and will end on September 30, 2022; and

WHEREAS, a new Agreement has been established with the same terms and conditions and has a contract end date of September 30, 3027.

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

Section 1 - That the Board of Directors authorizes the Executive Director enter into an Interlocal Agreement to provide transportation management services for the Texarkana Urban Transit District (TUTD).

Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the Agreement.

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 29TH DAY OF SEPTEMBER, 2022.

ATTEST:

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

BRIEFING PAPER

ITEM 12:

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, 2022 – Sept. 30, 2023, is 17.92%.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD22-25

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) BOARD OF DIRECTORS APPROVING THE UTILIZATION OF ATCOG'S INDIRECT COST RATE FOR ATCOG EMPLOYEES WHILE 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, 2022 – Sept. 30, 2023, is 17.92%.
- 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 2023 Fiscal Year.

REVIEWED AND APPROVED THIS 29TH DAY OF SEPTEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 13:

Review and consider approval of revisions to the ATCOG Policies and Procedures Manual.

BACKGROUND

The Board of Directors is required to approve all revisions to the Policies and Procedures Manual.

DISCUSSION

The following revisions to the **policy and procedures manual** are being proposed:

15.03 Employee Performance Reviews. The quarterly schedule for employee performance reviews is shifting by a month. The new proposed schedule will allow additional time for budget preparations relating to performance reviews and employee salaries. The proposed schedule is as follows:

- 1st Quarter – May-July
- 2nd Quarter – August-October
- 3rd Quarter – November-January
- 4th Quarter – February-April

If approved by the Board, the policy revisions will be distributed to all employees and added to our Policies and Procedures Manual.

RECOMMENDATION

Staff recommends approval.

15.03 EMPLOYEE PERFORMANCE REVIEWS

The Executive Director will implement a system to subjectively evaluate every employee's job performance at regular intervals.

1. Employee job performance evaluations shall be conducted as follows:
 - a. Quarterly according to the established schedule below:
 - 1st Quarter – May-July
 - 2nd Quarter – August-October
 - 3rd Quarter – November-January
 - 4th Quarter – February-April
 - b. A review can be performed at any time at the request of the supervisor, either when the supervisor deems job performance warrants a merit increase or notices a significant decline in the quality of job performance.
Note: A performance review is necessary for recommendation of a merit pay increase.
2. Quarterly reviews can be completed and submitted during the last week of the review quarter but no later than the first week of the next quarter.
3. Every employee performance review shall be in written form.
4. The employee's immediate supervisor shall conduct the review and the results will be discussed with the employee.
5. Each employee will be given the opportunity to respond, in writing, to any portion of the review. Such response, if any, will become a permanent part of the review.
6. The Executive Director may review employee performance reviews. The Executive Director shall have the authority to accept or reject and/or make written comments to the review.
7. Employee performance reviews will become a permanent part of the employee's personnel record.
8. A new employee's first review will be due during the first pre-established quarter after the hire date unless the hire date is within the last month of the quarter. If hired during the last month of the quarter, the first review will be due during the next pre-established quarter after hire date. Supervisors will establish goals and objectives for new hires within one week of hire date.

RESOLUTION NO. ABD22-26

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING REVISIONS TO THE ATCOG POLICY AND PROCEDURES MANUAL.

WHEREAS, ATCOG maintains an employee policy and procedures manual to provide guidance to employees concerning employee rights, agency processes, and employee requirements; and

WHEREAS, the ATCOG Board of Directors must approve all revisions to the ATCOG Policy and Procedures Manual; and

WHEREAS, ATCOG changed its quarterly employee review schedule to allow additional budgeting planning time relating to employee salaries; and

WHEREAS, the new schedule is as follows; and

- 1st Quarter – May-July
- 2nd Quarter – August-October
- 3rd Quarter – November-January
- 4th Quarter – February-April

WHEREAS, all employees will be informed of the approved revisions.

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

- Section 1 - That the Board of Directors approves the revisions to the ATCOG Policy and Procedures Manual as stated above.
- Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the ATCOG Policy and Procedures Manual.
- 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 29TH DAY OF SEPTEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 14:

Review and consider the annual renewal of the Ark-Tex Council of Governments (ATCOG) Ethics Policy Manual.

BACKGROUND:

On January 29, 2009, the Texas Transportation Commission adopted administrative rules that require outside entities to implement internal ethics and compliance programs. In order to remain eligible to receive the funding, ATCOG is required to renew the manual annually. In addition, another rule adopted on March 25, 2010, requires public transportation entities to implement and enforce a compliance program meeting the minimum rules in order to be eligible for state and federal funding awarded after January 1, 2011, by the Texas Transportation Commission.

DISCUSSION:

The rules adopted by the Texas Transportation Commission established a framework for the internal ethics and compliance program of any entity that receives financial assistance from the department. The compliance program must satisfy certain requirements with the goal of discouraging fraud and illegal activity. TXDOT also instituted an internal ethics and compliance program designed to further encourage ethical behavior within the department, as well as compliance with the law and departmental policies.

As a result of these rules, the Ark-Tex Council of Governments (ATCOG) compiled an "Ethics Policy Manual" consisting of sections covering all requirements, to include Record Retention, Fraud, Equal Opportunity Employment, Sexual Harassment, and Sexual Misconduct, Conflicts of Interest, Personal Use of Property, and Gifts and Honoraria. The manual also includes a copy of the Code of Ethics which mirrors that established by the American Society for Public Administration and incorporates the general principles of ethical conduct set forth in Executive Order 12674. This Ethics Policy Manual was approved by the Board of Directors on December 16, 2010, making our agency eligible to apply for and receive state and federal funding.

ATCOG enforces a compliance program by reviewing and providing all employees a copy of the "Ethics Policy Manual" during new hire orientation; by conducting yearly Ethics Manual Training that is mandatory for all employees; by reminding Board members of the standard of ethical behavior that our employees and board members must meet; by internal controls used to monitor activities; and by conducting investigations of any alleged misconduct. A copy of the Ethics Policy Manual is also available on the shared administration computer folder for constant access by employees.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD22-27

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING THE RENEWAL OF THE ETHICS POLICY MANUAL FOR ATCOG DATED DECEMBER 16, 2010, AS REVISED MARCH 27, 2014.

WHEREAS, the Ark-Tex Council of Governments is a Regional Planning Commission established pursuant to the authority granted by Article 1011m, Revised Civil Statutes of Texas, and Arkansas Interlocal Cooperation Act 430; and

WHEREAS, the Ark-Tex Council of Governments' Board of Directors approved a new Ethics Policy Manual in December 2010, as required by the Texas Transportation Commission in order to be eligible for state and federal funding awarded after January 1, 2011; and

WHEREAS, annual renewal of the Ethics Policy Manual is required in order to remain eligible to receive funding, such renewal being required by the Texas Department of Transportation the first month of the grant period; and

WHEREAS, the new Transportation Program grant period begins October 1, 2022, making annual renewal necessary at the September Full Board Meeting.

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

- Section 1 - That the Ark-Tex Council of Governments approves renewal of the Ethics Policy Manual as adopted on December 16, 2010, and revised on March 27, 2014.
- Section 2 - That the Ethics Policy Manual meets or exceeds the minimum requirements for a compliance program as set forth by the Texas Transportation Commission, thus making ATCOG eligible to receive state and federal funding.
- Section 3 - That Ark-Tex Council of Governments' staff have been trained on and adhere to all ethics policies set forth in the Ethics Policy Manual, such training to be held annually.
- Section 4 - That this Resolution shall be in effect immediately upon its execution.

REVIEWED AND APPROVED THIS 29TH DAY OF SEPTEMBER 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 15:

Review and consider approval of updates to the Equal Employment Opportunity Plan.

BACKGROUND:

ATCOG Transportation Department has over 50 employees and is required to have an Equal Employment Opportunity Plan in place per the Texas Department of Transportation. ATCOG is required to make updates to this plan as needed.

DISCUSSION:

The purpose of the Equal Employment Opportunity Plan is to affirm that ATCOG will provide a work environment that is free from discrimination, including harassment, based on race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression.

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

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD22-28

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING THE UPDATES TO THE EQUAL EMPLOYMENT OPPORTUNITY PLAN FOR ATCOG DATED JUNE 29, 2017.

WHEREAS, the Ark-Tex Council of Governments is a Regional Planning Commission established pursuant to the authority granted by Article 1011m, Revised Civil Statutes of Texas, and Arkansas Interlocal Cooperation Act 430; and

WHEREAS, the Texas Department of Transportation requires ATCOG to update the Equal Employment Opportunity Plan in order to continue to receive funding (as defined in circular FTA C4704.1A); and

WHEREAS, the Equal Employment Opportunity Plan is required for ATCOG because our Transportation Program exceeds 50 employees.

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

- Section 1 - That the ATCOG Board of Directors approves updates to the Equal Employment Opportunity Plan dated June 29, 2017.
- Section 2 - That the Equal Employment Opportunity Plan meets or exceeds the minimum requirements provided by the Texas Department of Transportation.
- Section 3 - That all ATCOG employees will be informed of the Equal Employment Opportunity Plan and will be given access to the plan on the website and in designated locations throughout the office buildings.
- Section 3 - That this Resolution shall be in effect immediately upon its execution.

REVIEWED AND APPROVED THIS 29TH DAY OF SEPTEMBER 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 16:

Review and consider adoption of the ATCOG Flexible Benefits Cafeteria Plan for FY 2023.

BACKGROUND:

Section 125 of the Internal Revenue Code of 1986 allows employers to adopt cafeteria plans to offer employees certain benefits on a pre-tax basis. For more than 15 years, ATCOG has chosen to adopt the ATCOG Flexible Benefits Cafeteria Plan to continue to offer certain benefits on a pre-tax basis to eligible employees.

DISCUSSION:

Upon adoption, the ATCOG Flexible Benefits Cafeteria Plan will allow ATCOG to offer additional benefits to employees on a pre-tax basis, such as cancer, critical illness, and accident insurance. ATCOG remains in compliance with Section 125 of the Internal Revenue Code of 1986 by updating the written plan annually and distributing it to all eligible employees, offering the plan to all eligible employees, and completing nondiscrimination testing on the plan to ensure only those that are eligible are receiving the pre-tax benefit.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD22-29

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) ADOPTING THE ATCOG FLEXIBLE BENEFITS PLAN (FBP) CAFETERIA PLAN FOR FY 2023.

WHEREAS, the Ark-Tex Council of Governments (ATCOG) is a Regional Planning Commission established pursuant to the authority granted by Article 1011m, Revised Civil Statutes of Texas, and Arkansas Interlocal Cooperation Act 430; and

WHEREAS, ATCOG wishes to adopt the form of Cafeteria Plan, as authorized under Section 125 of the Internal Revenue Code of 1986, such Plan presented to the Board of Directors this date; and

WHEREAS, the Plan Year shall be for a period beginning October 1, 2022, and ending September 30, 2023; and

WHEREAS, ATCOG, the Employer, shall submit to the Plan amounts collected from participating employees sufficient to meet their obligation under the Cafeteria Plan, in accordance with the terms of the Plan Document, and shall notify the Plan Administrator to which periods said contributions shall be applied; and

WHEREAS, ATCOG, the Employer, shall notify employees immediately of the adoption of the Cafeteria Plan by making available for review to each employee the Summary Plan Description, such form presented and approved at this meeting.

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

- Section 1 - That the Board of Directors approves the Ark-Tex Council of Governments FBP Cafeteria Plan.
- Section 2 - That Exhibits A and B attached hereto are true copies of the Plan Document and Summary Plan Description for Ark-Tex Council of Governments FBP's Flexible Benefits Plan.
- Section 3 - That this Plan shall be made available for review by all employees of Ark-Tex Council of Governments upon its approval.
- Section 3 - That this Resolution shall be in effect immediately upon its execution.

REVIEWED AND APPROVED THIS 29TH DAY OF SEPTEMBER 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 17:

Review and consider approval of the revisions to the Ark-Tex Area Agency on Aging (AAA) Policy and Procedures Manual concerning interest lists.

BACKGROUND:

The Office of Area Agency on Aging (OAAA) updated its Policy and Procedures to reflect the interest lists; therefore, the Ark-Tex Area Agency on Aging must update its Policy and Procedures Manual as is required.

DISCUSSION:

Area Agency on Aging and sub-recipients must keep interest lists to give a correct count of people waiting for services to Texas Health and Human Services (HHSC) when asked. The proposed changes were presented to the AAA Regional Advisory Council on September 1, 2022, by Jenny Butler and were approved. The proposed changes are attached. The AAA providers that use interest lists will be sent the addition to add to their procedures to follow Section C-1030 of the OAAA Policy and Procedure manual once approved.

The Area Agency on Aging is seeking approval from the Ark-Tex Council of Governments' (ATCOG) Board for approval to revisions made to the AAA Policy and Procedures Manual.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD22-30

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING THE REVISIONS TO THE AREA AGENCY ON AGING POLICY AND PROCEDURES MANUAL CONCERNING INTEREST LISTS.

WHEREAS, the Office of the Area Agency on Aging updated its Policy and Procedures Manual to reflect the interest lists; and

WHEREAS, the Ark-Tex Area Agency on Aging must update its local Policy and Procedures Manual; and

WHEREAS, the proposed changes were made, presented, and approved by the AAA Regional Advisory Council; and

WHEREAS, after approval by the ATCOG board, the requirement will be sent to the appropriate sub-recipients.

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

Section 1 - That the ATCOG Board of Directors approves the revisions to the AAA Policy and Procedures Manual.

Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the revisions in the AAA Policy and Procedures Manual.

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 29TH DAY OF SEPTEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 18:

Review and consider approval for the ATCOG Executive Director to submit an application to the U.S. Department of Housing and Urban Development for the Older Home Modification Program.

BACKGROUND:

The U. S. Department of Housing and Urban Development (HUD) has issued a Notice of Funding Availability to invite applications for the Older Adult Home Modification Program. The goal of the home modification program is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high-impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their function abilities in their home. This will enable older adults to remain in their homes, that is, to "age in place," rather than moving to nursing homes or other assisted care facilities.

DISCUSSION:

ATCOG's goal is to utilize the funding for home modifications for homeowners who are low-income, to enable the homeowners to live in the home for as long as possible, safely. The Area Agency on Aging and the Housing Department staff will work together on this project. The minimum funding award is \$500,000. This funding will allow the AAA to provide home modification services that have not been allowed by State funding. There is a cap of \$5,000 per household unless approved by HUD. The entire ATCOG region will be eligible for this service.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD22-31

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BY THE EXECUTIVE DIRECTOR AS THE ATCOG AUTHORIZED OFFICIAL.

WHEREAS, the Office of the Area Agency on Aging will apply to the U.S. Department of Housing and Urban Development for the Older Adult home Modification Program; and

WHEREAS, the Ark-Tex Area Agency on Aging's goal is to utilize the funding for home modifications for homeowners who are low-income and elderly.

WHEREAS, the proposed submission of an application was presented, and discussed with the ATCOG board.

WHEREAS, after approval by the ATCOG board, the application will be submitted to HUD.

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

- Section 1 - That the ATCOG Board of Directors approves the submission of the application to HUD for the Older Adult Home Modification Program.
- Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the submission of the application.
- 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 29TH DAY OF SEPTEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 19:

Review and consider approval of the new resolution to include the updated grant ending date and as required by the Office of Governor, Public Safety Office-Criminal Justice Division.

BACKGROUND:

ATCOG previously submitted an application to the Office of the Governor, Public Safety Office - Criminal Justice Division (OOG/PSO/CJD), as approved by the Executive Committee on 4/29/21, to receive Coronavirus Emergency Supplemental Funds (CESF). The original funds were used for the purchase of PPE supplies to those local governments that responded with their list of needs.

DISCUSSION:

The original CESF grant was awarded in the amount of \$27,787.98 and was used to purchase and deliver PPE supplies for those local governments that needed them. OOG/PSO has just awarded ATCOG a supplemental amount of \$23,185.82. Once approved by OOG, ATCOG plans for the scope of the supplemental award to go toward additional supplies that will aid in the prevention, preparation, and response of the coronavirus in the ATCOG Criminal Justice Department/Programs. The Office of the Governor (OOG) has extended the end date of the grant from January 31, 2022, to October 31, 2022. Therefore, a new resolution is necessary to include the new date.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD22-32

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING THE SUBMISSION OF AN APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDS (CESF).

WHEREAS, the rules and regulations of the Office of the Governor, Criminal Justice Division, require that this application be reviewed and approved by the Ark-Tex Council of Governments Board of Directors.

WHEREAS, the CESF project will provide supplies and PPE to prevent, prepare for, and respond to the coronavirus in Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus Counties; and

WHEREAS, the Ark-Tex Council of Governments finds it in the best interest of the citizens of the Region that the CESF project be operated for the project's grant period of February 1, 2020 through October 31, 2022; and

WHEREAS, the Board of Directors agrees that in the event of loss or misuse of the Office of the Governor funds, the Board of Directors assures that the funds will be returned to the Office of the Governor in full.

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

- Section 1 - That the Board of Directors approved the submission of the CESF grant application to the Office of the Governor.
- Section 2 - That the Executive Director, Chris Brown, is designated as the grantee's authorized official and is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.
- 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 29TH DAY OF SEPTEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 20:

Review and consider approval of the appointment of the Ark-Tex Council of Governments (ATCOG) Board of Directors Executive Committee members, Officers, and sub-committees.

BACKGROUND:

Article V, Section A, of the Bylaws provides for the election of the Executive Committee members at the Annual Meeting, which is the regular meeting in September. These Executive Committee members shall serve a 2-year term beginning October 1.

DISCUSSION:

A Nominating Committee was appointed by President L.D. Williamson to make recommendations to appoint the ATCOG Board of Directors Executive Committee, Officers, and subcommittee members. The Nominating Committee consists of L.D. Williamson, Judge, Red River County/Chair; Brian Lee, Judge, Titus County/Vice-Chair; Ann Rushing, Mayor, City of Clarksville; Scott Norton, Executive Director/CEO, TexAmericas; Scott Lee, Judge, Franklin County; and Bobby Howell, Judge, Bowie County. The Nominating Committee recommends the following Executive Committee members for appointment beginning October 1, 2022.

Executive Committee
Honorable L.D. Williamson, Judge, Red River County
Honorable Brian Lee, Judge, Titus County
Honorable Scott Lee, Judge, Franklin County
Honorable Travis Ransom, Judge, Cass County
Honorable Bobby Howell, Judge, Bowie County
Honorable Doug Reeder, Judge, Morris County
Honorable Brandon Bell, Judge, Lamar County
Honorable Robert Newsom, Judge, Hopkins County
Honorable Ann Rushing, Mayor, City of Clarksville
Honorable John Sellers, Mayor Pro Tem, City of Sulphur Springs
Honorable Marc Reiter, Mayor, City of Hooks
Mr. Scott Norton, Executive Director/CEO, TexAmericas
Mr. Stan Wyatt, NEX Municipal Water District/Board of Director

The Nominating Committee recommends the following Officers for appointment beginning January 1, 2023, with the exception of the Secretary Officer position to be effective upon election.

Board of Directors Officers
President – Honorable Bobby Howell, Judge, Bowie County
Vice-President – Mr. Scott Norton, Executive Director/CEO, TexAmericas
Secretary – Honorable Travis Ransom, Judge, Cass County
Treasurer – Honorable Scott Lee, Judge, Franklin County

The Nominating Committee recommends the following sub-committee members for appointment beginning January 1, 2023, upon Board approval of the officers listed above.

Audit Committee
Bobby Howell, Judge, Bowie County, President; Chair
Mr. Scott Norton, Executive Director/CEO, TexAmericas, Vice-President;Vice-Chair
Travis Ransom, Judge, Cass County
Brandon Bell, Judge, Lamar County
Scott Lee, Judge, Franklin County

Budget/Personnel Committee
Bobby Howell, Judge, Bowie County, President; Chair
Doug Reeder, Judge, Morris County
Robert Newsom, Judge, Hopkins County
Ann Rushing, Mayor, City of Clarksville
Mr. Stan Wyatt, NEX Municipal Water District/Board of Director

Nominating Committee
Bobby Howell, Judge, Bowie County, President; Chair
Mr. Scott Norton, Executive Director/CEO, TexAmericas, Vice-President;Vice-Chair
Ann Rushing, Mayor, City of Clarksville
Doug Reeder, Judge, Morris County
Scott Lee, Judge, Franklin County
Robert Newsom, Judge, Hopkins County

Retirement Plan Trustees Committee
Bobby Howell, Judge, Bowie County, President; Chair Permanent
Mr. Scott Norton, Executive Director/CEO, TexAmericas, Vice-President;Vice-Chair
Robert Newsom, Judge, Hopkins County
Mr. Stan Wyatt, NEX Municipal Water District/Board of Director
Mr. Chris Brown, Executive Director, ATCOG
Ms. Mary Beth Rudel, Deputy Director, ATCOG
Ms. Rea Allen, ATCOG Staff (elected by ATCOG staff)
Ms. Karon Khan, ATCOG Staff (elected by ATCOG staff)

RECOMMENDATION:

The Nominating Committee and staff recommend approval.

RESOLUTION NO. ABD22-33

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING APPOINTMENTS TO THE BOARD OF DIRECTORS EXECUTIVE COMMITTEE, OFFICERS, AND SUB-COMMITTEES.

WHEREAS, Article V, Section A, of the ATCOG Bylaws provides for the election of the Executive Committee members at the Annual Meeting, which is the regular meeting in September; and

WHEREAS, the following Executive Committee members shall serve a 2-year term beginning October 1, 2022; and

Executive Committee
Honorable L.D. Williamson, Judge, Red River County
Honorable Brian Lee, Judge, Titus County
Honorable Scott Lee, Judge, Franklin County
Honorable Travis Ransom, Judge, Cass County
Honorable Bobby Howell, Judge, Bowie County
Honorable Doug Reeder, Judge, Morris County
Honorable Brandon Bell, Judge, Lamar County
Honorable Robert Newsom, Judge, Hopkins County
Honorable Ann Rushing, Mayor, City of Clarksville
Honorable John Sellers, Mayor Pro Tem, City of Sulphur Springs
Honorable Marc Reiter, Mayor, City of Hooks
Mr. Scott Norton, Executive Director/CEO, TexAmericas
Mr. Stan Wyatt, NEX Municipal Water District/Board of Directors

WHEREAS, the following ATCOG Board of Directors Officers and subcommittees members shall serve beginning January 1, 2023, with the exception of the Secretary Officer position, which is to be effective this day.

Board of Directors Officers
President – Honorable Bobby Howell, Judge, Bowie County
Vice-President – Mr. Scott Norton, Executive Director/CEO, TexAmericas
Secretary – Honorable Travis Ransom, Judge, Cass County
Treasurer – Honorable Scott Lee, Judge, Franklin County

Audit Committee
Bobby Howell, Judge, Bowie County, President; Chair
Mr. Scott Norton, Executive Director/CEO, TexAmericas, Vice-President; Vice-Chair
Travis Ransom, Judge, Cass County
Brandon Bell, Judge, Lamar County
Scott Lee, Judge, Franklin County

Budget/Personnel Committee
Bobby Howell, Judge, Bowie County, President; Chair
Doug Reeder, Judge, Morris County
Robert Newsom, Judge, Hopkins County
Ann Rushing, Mayor, City of Clarksville
Mr. Stan Wyatt, NEX Municipal Water District/Board of Director

Nominating Committee
Bobby Howell, Judge, Bowie County, President; Chair
Mr. Scott Norton, Executive Director/CEO, TexAmericas, Vice-President;Vice-Chair
Ann Rushing, Mayor, City of Clarksville
Doug Reeder, Judge, Morris County
Scott Lee, Judge, Franklin County
Robert Newsom, Judge, Hopkins County

Retirement Plan Trustees Committee
Bobby Howell, Judge, Bowie County, President; Chair Permanent
Mr. Scott Norton, Executive Director/CEO, TexAmericas, Vice-President;Vice-Chair
Robert Newsom, Judge, Hopkins County
Mr. Stan Wyatt, NEX Municipal Water District/Board of Director
Mr. Chris Brown, Executive Director, ATCOG
Ms. Mary Beth Rudel, Deputy Director, ATCOG
Ms. Rea Allen, ATCOG Staff
Ms. Karon Khan, ATCOG Staff

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

- Section 1 - That the ATCOG Board of Directors approves the appointment of the ATCOG Executive Committee members to serve a two-year term beginning October 1, 2022.
- Section 2 - That the ATCOG Board of Directors approves the Board of Directors Officers and subcommittees appointments to begin January 1, 2023, with the exception of the Secretary Officer position, which is to be effective this day.
- 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 29TH DAY OF SEPTEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

RESOLUTION NO. ABD22-34

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS AUTHORIZING RECOGNITION OF NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK.

WHEREAS, the Ark-Tex Council of Governments (ATCOG) is a political subdivision of the State serving Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus, Texas counties, and Miller County, Arkansas; and

WHEREAS, ATCOG is committed to providing planning and training services for firefighters in the region; and

WHEREAS, ATCOG recognizes the professional and unending services of the firefighters as they respond to and strive to serve the communities of our region; and

WHEREAS, Fire Prevention Week is observed each year during the week of October 9th in commemoration of the Great Chicago Fire, which began on October 8, 1871; and

WHEREAS, In 1925, President Calvin Coolidge proclaimed Fire Prevention Week a national observance, making it the longest-running public health observance in our country;

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

Section 1 - That, on behalf of the firefighters serving in the ATCOG region, the ATCOG Board of Directors hereby declares the week of October 9, 2022, to be Fire Prevention Week

Section 2 - That the ATCOG Board of Directors encourages all local governments to sign a similar resolution to celebrate this week with appropriate activities and commemorations.

REVIEWED AND APPROVED THIS 29TH DAY OF SEPTEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 22:

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 8, 2022.

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. Therefore, schedule conflicts arise during the holiday season. This year, the dates fall on Thanksgiving Day in November and the day before New Year's Eve in December.

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 8, 2022.

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

RECOMMENDATION:

Staff recommends approval.