



CITY COUNCIL MINUTES

August 19, 2021

STATE OF TEXAS

COUNTY OF WISE

CITY OF NEW FAIRVIEW

THE CITY COUNCIL CONVENED INTO A CITY COUNCIL MEETING THE SAME BEING OPEN TO THE PUBLIC, THE 19TH DAY OF AUGUST IN THE NEW FAIRVIEW CITY HALL AND NOTICE OF SAID MEETING GIVING THE TIME PLACE AND SUBJECT THEREFORE HAVING BEEN POSTED AS PRESCRIBED BY ARTICLE 5 OF THE TEXAS GOVERNMENT CODE WITH THE FOLLOWING MEMBERS PRESENT:

CITY COUNCIL

Mayor Nolan Schoonmaker

Councilman John Taylor

Councilwoman Cindy Poe

Councilwoman Julie Burger

Councilman Steve Misner

STAFF

Ben Nibarger, City Administrator

Brooke Boller, Interim Deputy City Secretary / City Clerk

Larry Collister, City Attorney

ABSENT

Councilman Mickey Malone

REGULAR SESSION: 7:00 PM

1. Call to Order and roll call. **(Regular Session called to order by Mayor Nolan Schoonmaker at 7:00 pm; Roll Call with the above-mentioned names present.)**

2. **EXECUTIVE SESSION:** The Council will conduct an executive, or closed, session pursuant to Section 551.074 (Personnel Matters) and Section 551.071 (Consultations with Attorney) of the Texas Government Code to (i) deliberate the appointment, employment, evaluation, duties, discipline, or dismissal of the City Secretary; (ii) deliberate the appointment, employment, evaluation, duties, discipline, or dismissal of the City Administrator, and (iii) consult with the City Attorney about contemplated litigation related to (i) and (ii) above; and (iv) consult with the City Attorney about legal issues related to (i) and (ii) above.

(Adjourned to Executive Session at 7:02 pm; reconvened regular session at 9:41 pm.)

The City Administrator requested that the executive session regarding personnel matters related to the City Administrator be moved into an open session. The auditor presented his report of the 140 transactions provided for review by the City Attorney. The auditor provided a limited statement, related only to those specific items provided by the City attorney for review, stating that there were no irregularities found. Following the auditor's report, the Mayor asked if this was sufficient and Council members Julie Burger and Steve Misner stated that the review was too narrow in scope and needed to be expanded.

The Mayor asked the Council, if the review is expanded, when we get the answers back, will we be done with this. Councilwoman Julie Burger responded, do we have to be. Councilwoman Julie Burger presented bank statements to the auditor as evidence of wrongdoing. The City Attorney asked that all materials be delivered to him and he would compile and forward to the auditor. The City Administrator stated that he had requested a deep dive audit of the Mayor as well, and the Council agreed to expand the audit to include a review of 100% of the FY 2020-2021 transactions. The auditor requested that the Council members provide him with "all their concerns" so that when he completed his review and presented his report, there would not be additional items added at that time. The City Attorney agreed to collect "all concerns" from the Council members and forward to the auditor.

Councilman Steve Misner asked the City Attorney if they needed a motion to adjourn and was told that it was not necessary.

3. ADJOURN:

Motion: N/A

Second: N/A

Vote: N/A

Result: Meeting was adjourned at 10:34 pm.

MINUTES APPROVED ON THIS, THE 1ST DAY OF NOVEMBER 2021:



Nolan Schoonmaker (Nov 3, 2021 20:52 GMT+2)

Mayor Nolan Schoonmaker



Steve Misner (Nov 8, 2021 19:57 CST)

Place 3 Councilman Steve Misner



John Taylor (Nov 2, 2021 15:22 CDT)

Mayor Pro Tem John Taylor

Place 4 Councilwoman Cindy Poe

Place 1 Councilwoman Julie Burger

ATTEST:



**Brooke Boller,
Interim Deputy City Secretary**

