

Village of Timbercreek Canyon

July 13, 2023

Members of the Board of Aldermen met in a Regular Meeting at 6:01 PM on July 13, 2023 at the Timbercreek Canyon Gatehouse with the following present:

Mayor:	Brian Giffin	City Secretary	Betty Howe
Aldermen:	Mike Fuller	City Managers:	Amber Gerber & Max Seymore
	Dickie Haney	Fire Chief:	Eddie Wood
	Jennifer Huddleston	Police Chief:	Kevin Willis
	Janis Naiman		
Not attending:			
Treasurer:	Elaine Dollar		

Also attending: Kenneth Craig; Elise Hartenstein; Tom Satterwhite; and from the Amarillo Area Public Health District Cooperative, John W. Gates and Cosie Stoughton.

1. CALL TO ORDER, QUORUM CHECK AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

The Regular Meeting was called to order at the Timbercreek Canyon Gatehouse at 6:01 PM by Mayor Brian Giffin. Brian Giffin led the Pledge of Allegiance. Village Secretary, Betty Howe, determined that a quorum was present.

2. PUBLIC COMMENTS

Kenneth Craig voiced his concerns:

1. Mr. Craig said he is upset that the speed limits and the code restrictions on ATV's and Golf Carts that are not being enforced. He sees many violations of both restrictions near his home.
2. Mr. Craig would like to see the codes enforced for "junk cars".
3. He sees a lack of trust and respect in the Village for the Police Department among the residents.
4. He is also concerned about erosion issues within the Village.

Elise Hartenstein voiced her concerns:

1. Ms. Hartenstein said she would like clarification on the subdivision issue.
2. She wants further clarification on the cost of the Police Department providing house and property watches.
3. Ms. Hartenstein also would like clarification on why the Village cannot pay for the roads.

Jennifer Huddleston responded that due to a previous law suit and ruling by a Judge, the Timbercreek Canyon Property Owners Association own the roads and the gates. This prohibits the Village of Timbercreek Canyon to pay for roads.

AT THIS POINT IN THE AGENDA THE BOARD MOVED TO ADDRESS AGENDA ITEM #7

7. UPDATE, DISCUSS AND TAKE APPROPRIATE ACTION ON THE RENEWAL OF THE AMARILLO AREA PUBLIC HEALTH DISTRICT COOPERATIVE AGREEMENT

John Gates and Cosie Stoughton from the Amarillo Area Public Health Cooperative were present to explain the need for an updated agreement among members of the Cooperative. Ms. Stoughton said that this is just an updated agreement to make it more consistent and that the changes are primarily in Articles 5, 6, and 7. The changes are just changes in language. Mike Fuller made the motion to approve the updated Cooperative Agreement and the motion was seconded by Dickie Haney. The motion passed unanimously.

AT THIS POINT THE BOARD MOVED BACK TO ITEM #3

3. DISCUSS AND TAKE APPROPRIATE ACTION ON THE VILLAGE OF TIMBERCREEK BOARD OF ALDERMAN MEETINGS BEING AVAILABLE TO THE PUBLIC THROUGH A VIRTUAL OPTION

During the Public Comment period at the June 27, 2023 Board Meeting, a resident of the Village requested the Alderman Board Meetings be available by Zoom or another virtual option in order to have public involvement. The Board discussed the possibility of providing this virtual option. Amber Gerber noted there

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would be expenses incurred in providing Zoom meetings, both the expense of Zoom and the addition of the necessary equipment. If the Village were to use the free Zoom, the meetings could only be 55 minutes and meetings almost always last longer. Another issue is who would oversee the technical equipment and setup prior to the meetings. It is anticipated that only four or five citizens would want to view the meetings. If 15 or 16 were to view, it might be worth the expense. Jennifer Huddleston said this may be something to look at again in the future. Mike Fuller moved to deny the request. It was seconded by Jennifer Huddleston and passed unanimously.

4. DISCUSS AND TAKE APPROPRIATE ACTION ON UPDATING ORDINANCE 10.5, MOTORIZED VEHICLES- ATVS, GOLF CARTS, ETC.

Public Comment concern has been expressed on Ordinance 10.5 and violations within the Village. At the June 27, 2023 Board Meeting, a discussion took place between the Board and the Police Department where the Ordinance needs to be updated. The Board sought the opinion of the Asst. Police Chief and his responses are attached. Police Chief Kevin Willis was present for the discussion. Amber Gerber said she would look at and bring the similar ordinance from Lake Tanglewood to the next meeting.

5. UPDATE AND DISCUSSION REGARDING THE VILLAGE OF TIMBERCREEK CANYON SENIOR FACILITY PROJECT THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Alex Guerrero provided an update regarding the bid date and posting of notices. Amber Gerber provided the information to the Board. The first notice requesting bids for the Senior Facility has gone out and the second one will go out in the time required. The bid opening is scheduled for July 31, 2023 at ODJ offices. Several Board members said they would like to attend the bid opening. A notice will be posted that a quorum may be present.

6. DISCUSS AND TAKE APPROPRIATE ACTION ON THE CREATION OF A SUB-COMMITTEE TO REVIEW AND UPDATE THE VILLAGE OF TIMBERCREEK ORDINANCES

The Aldermen had discussed making changes and updates to the Village Code of Ordinances. The development of a sub-committee would be most effective in order to complete this task. The sub-committee would be for a short duration, depending on how often and long they will meet to discuss and update these items to then be brought for Board approval. Janis Naiman and Jennifer Huddleston volunteered to make up the committee. They will meet and bring a plan of action to the next meeting.

AGENDA ITEM #7 WAS ADDRESSED EARLIER IN THE MEETING

8. DISCUSS AND TAKE APPROPRIATE ACTION ON THE MOSQUITO TREATMENT COSTS FOR THE VILLAGE OF TIMBERCREEK CANYON

John Gates stated, when he was here, that the Amarillo Health Department is currently only spraying for mosquitos in Amarillo. Palisades and Lake Tanglewood are doing their own spraying. At the Emergency Meeting held on June 29th, Mike Fuller had requested a quoted price from a vendor; however, the quote was not ready at the time. Alderman Fuller updated the Board with the information he received. Mike Fuller said that if the Village goes with a private vendor, it would cost about \$100 a mile to have the Village fogged. With 12 miles of road, that would cost \$1,200 each time the Village needed to have the fogging. Brian Giffin commented that it could be expensive depending on the number of times the treatment is done.

9. CONSENT ITEMS – CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: a) MINUTES FROM THE JUNE 27, 2023 REGULAR BOARD MEETING AND JUNE 29, 2023 EMERGENCY MEETING

One correction will be made to the minutes of the Emergency Meeting on June 29, 2023. In Item 2, the words "... evidence of both West Nile virus and St. Louis Encephalitis in water samples ..." should read "... evidence of both West Nile virus and St Louis Encephalitis in mosquito samples ...".

b) VILLAGE FINANCIAL STATEMENTS FOR THE MONTH OF JUNE

Ayne Sharp provided the financial reports for June 2023. Copies are attached. Elaine Dollar was not present, but can answer questions at the next meeting.

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c) STAFF REPORTS

- 1) Fire Department: Chief Wood was present. The Chief reported that the Department had answered five calls, three medical and two fire calls with the Randall County Fire Department. The Chief is concerned that the grant may be lost unless action is taken soon. He has received bids, but now finds out the requests for bids must be advertised. Amber Gerber said that the PRPC will receive no funds from the FEMA Firetruck Grant and that the funding for the Senior Facility is the top priority. Ms. Gerber said that the FEMA Firetruck Grant went under Self-Monitor review on June 21, 2023. FEMA Grant is asking for more documentation, the most recent NFIRS report, the most recent audit, and match documentation. A formal amendment extension has been requested. If no extension is given, the Village will have to decline the grant. Dickie Haney commented that we are running out of time for this grant and hopes something can be done.
- 2) Firewise: Brian Giffin reported that they are waiting on the Texas Forest Service to do the chipping from cleanup day. He said he has closed the chipping site.
- 3) Police Department: Chief Kevin Willis was present to report and answer questions. Chief Willis said the Police Department was made aware of complaints from citizens regarding four-wheelers and ATVs. John Vaught has prepared information regarding the operation of ATVs. A copy is attached under agenda item #4. Asst. Chief Vaught said that one of the Village Ordinances is less restrictive than state law, thus he believes it needs to be reviewed and probably amended. The Chief said that in answer to questions about the cost of house watches, that the cost is zero for providing this service. He stated that the house watches are performed as Officers are already on patrol looking for crime. Chief Willis noted that all grants are complete. John Vaught reported that after reviewing section 5.04 of the ordinances, he realized they need certain notices drafted in order to progressively enforce section 5.01 regarding Inoperable Vehicles. A copy of these notices is attached. Chief Willis will be resigning and moving as of September 20, 2023. He believes that John Vaught would be an excellent choice for the Board to appoint as Chief.
- 4) Emergency Management Report: An Emergency Meeting was held on June 29, 2023 to discuss the mitigation of the mosquitos.
- 5) Building Committee: Amber Gerber reported there was one permit requested for a fence. No variances were submitted for consideration when she checked the shared Dropbox with the Building Committee. After issues with Dropbox last month, Ms. Gerber is suggesting another form of file be saved in a separate place.
- 6) HOA Liaison Report: Some public comment questions still need to be addressed by the TCPOA: 1) How many homes in the Village, how many of those homes pay TCPOA dues and how many do not? 2) Can the Property Owners regulate that they pay dues, if not already?
- 7) Mayor's Report: Brian Giffin reported that he is still looking for an Alderman and a Building Committee member. He said Gayla Busch has started preparing the Timbercreek Newsletter sent out by email to all residents.
- 8) PRPC City Manager: Amber Gerber reached out to the City Attorney, Angelique Weaver, hoping to have the attorney attend a training session for the Board possibly prior to the August 10th Board Meeting. Ms. Gerber reported that Max Seymore will be taking over for Ms. Gerber representing the Village of Timbercreek Canyon starting next month.

Janis Naiman made the motion to accept the minutes with one correction and all reports as presented. Jennifer Huddleston seconded the motion. The motion passed unanimously.

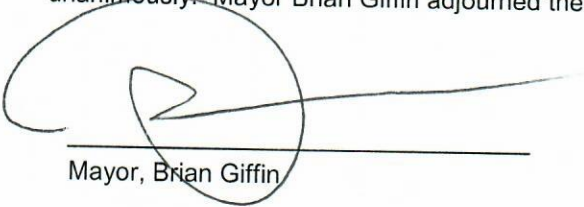
10. BOARD MEMBER COMMENTS AND ESTABLISH FUTURE AGENDA ITEMS

Items discussed for the next meeting include to have a report from the Ordinance Sub-committee and an update on the Senior Center including the bid opening. The Board needs to discuss repair to the erosion at the park. Mike Fuller suggested that maybe they could get Steve Busch to do the work. There will still need to be some soil brought in.

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11. ADJOURN

Janis Naiman made the motion to adjourn. Jennifer Huddleston seconded the motion and it passed unanimously. Mayor Brian Giffin adjourned the meeting at 8:30 PM.



Mayor, Brian Giffin



City Secretary, Betty Howe