



REGULAR MEETING MINUTES

A Regular Meeting of the Governing Body of the City of Ranger, Texas, was held on **Monday, February 26, 2024 at 5:30 p.m.** in City Hall, 400 West Main Street Ranger, Texas. The following subjects were discussed, to wit:

COUNCIL MEMBERS AND CITY STAFF PRESENT:

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

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

Agenda Item 02: Citizen's Presentation: **1.** Bob Green stated he has been on the ECWSD Board for 13 years and has served on every board the city had to offer. He believes there has been false information posted online and spoke about the ECWSD and people need to quit listening to garbage. **2.** Bryan Rogers stated he had put in a public information request with the ECWSD in regards to the supervisory control and data acquisition. He also commented that he wished the department heads were required to attend the meetings to be able to answer questions. Mr. Rogers also referred to an information request he had received stating, signing the position of more than one candidate for the same office in the same election is prohibited. He retrieved this information from the Secretary of State's website. Mr. Rogers informed that he would be putting in a public information request with the city on water usage. He will be requesting how much was bought in February, how much the city sold, and what the percentage of loss is for the year.

Agenda Item 03: Announcements from City Council or Staff- **1.** City Manager, Savannah Fortenberry, announced early voting for the primary elections were taking place at the Eastland County Courthouse and will end March 2, 2024. Primary Voting Day is Tuesday, March 5, 2024. Commissioner Erwin informed there was a burn ban in effect.

Agenda Item 04: Discuss/Consider: approval of the city council meeting minutes for the called meeting on February 8, 2024, and the regular meeting on February 12, 2024.

*Motion made by Commissioner Erwin to approve the minutes for the called meeting on February 8, 2024, and the regular meeting minutes on February 12, 2024 and 2nd by Commissioner Sigler. **All Ayes: Erwin, Sigler, Robinson; Motion Passed**

Agenda Item 05: Discuss/Consider: update from the Eastland County Water Supply District (Elected Ranger Directors).

Ranger Place 1 Bobby Adams
Ranger Place 2 Charles Calvert
Ranger Place 3 Bob Green
Ranger Place 4 Steve Gerdes

*Charles Calvert stated the supply district delivers water to Ranger at a delivery point of a quality which meets or exceeds all federal and state standards. At that delivery point the supply district's responsibilities end. Ranger then delivers water to their citizens and other communities with its own infrastructure. The supply district does not own or have any responsibility in Ranger's water delivery infrastructure.

The City of Ranger is impacted by its antiquated system which dates to the 1920s, built for the oil boom population of over 20,000. That means not only does Ranger have an aging infrastructure, but it also has infrastructure designed to serve a much larger population which translates to many miles of waterlines, manholes, fire hydrants, and valves now supported by a population of less than 2500. The supply district believes this is a main factor in Ranger's high-water loss, a water loss on average 3X higher than Eastland's.

The supply district is responsible for Lake Leon Dam and its repairs and maintenance regulated by the Texas Commission on Environmental Quality. The supply district operates and maintains the raw water pump station and over ten miles of pipeline. The supply district chemically disinfects and filters water through a state-of-the-art membrane-filtering system that is one of the newest in Texas. The treatment plant is operated 24-7, 365 days a year.

The district has in the past and continues to maintain and upgrade the system through grant funding as much as possible. In the past several years over \$30,000,000 in improvements have been accomplished at a cost to the district of just over \$5,000,000. Most of the upgrades were mandated by Texas and other regulatory agencies. The district has to maintain numerous account balances that are required by law. Those account balances are in regard to bonds that were issued between 1992 and 2019, and are required and controlled by the USDA and Texas Water Development Board. The district retains a percentage of its annual operating budget as a contingency fund. Our auditor recommends 1 year of operating expenses in reserve. Currently the district has fewer than 6 months of reserves.

The supply district currently charges Eastland and Ranger \$4.37 per 1,000 gallons of water. Comparing to other supply districts is challenging because there are many variables. Every city is in a different stage of growth or decline, purchases raw water at different costs, may be entirely on well water, and may be spread out or condensed geographically. For one reference, one of the cheapest rates found is with North Texas Municipal Water District which serves 2.2 million people in 10 North Texas counties. Their huge customer base allows them to spread costs and buy materials in discounted bulk quantities. Still, their rate is \$3.74 per 1,000 gallons. About 15% less than the supply district charges Eastland and Ranger. The statements made by a recently recalled Ranger Commissioner that water should be cut by 50% is not only impossible, but plainly foolish. Statements like that gloss over what Ranger charges citizens. Ranger charges \$41.00 for the first 2,000 gallons and \$10.00 for each 1,000 gallons thereafter. For the same 1,000 gallons Ranger paid the supply district only \$4.37. What should be a great concern to

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Ranger's City Council is that Ranger's water/wastewater funds considered by law an enterprise fund. What does that mean? According to the rules of the Governmental Accounting Standards Board, water/wastewater must be accounted for as a separate fund from the general fund. The citizens monthly water bill should only cover the cost of the service, which is to operate, maintain and provide improvements to the water system. The City of Ranger fails to abide by the requirement to keep the funds separated from general fund and uses and abuses those funds in whatever manner they see fit. Ranger then tries to blame the high cost it charges its citizens on the Eastland County Water Supply District. Ranger's City Council should address their responsibilities especially since their current method of operation could be legally challenged. As outlined above, the district is required to operate under strict regulations. Being a director carries responsibility. From the very beginning all directors are elected at large and not as numbered seats, as Ranger incorrectly posted on their agenda. Each year the election is posted in accordance with all applicable laws. A position should not be sought by a person who has not attended a single water supply meeting. Last week a current Ranger City Commissioner was incorrectly posting online that the supply district is writing the election rules "on the fly". That is simply untrue. The supply district goes by the Special Code of Laws written by the Texas Legislature, Water Code and Election Law Code. Regarding vacancies the supply district is allowed to appoint to fill a vacancy y Water Code Section 49.105 titled Vacancies. Of the two Ranger Commissioners, one has never attended a district meeting and the other has only attended two. Contrast that Eastland's City Manager who consistently attends supply district meetings, while Ranger's City Manager has attended only one. Could it be eastland is satisfied with the supply district, and is against Ranger's PUC challenge, because Eastland attends the districts meetings and understands the operation and responsibilities of the supply district? It is time for Ranger's City Council to look inward at their own areas of responsibility and stop misplacing blame on the supply district.

*Ken Chapman spoke stating that he supported what Mr. Calvert had stated and he does not understand what is going on and why there is being so much time and effort wasted towards things that just don't need to be done. He says there is no reason that he believes they should have to attend Ranger Council Meetings, the ECWSD meetings are open, they do not attend Eastland's meetings. Mr. Chapman stated that he only gets paid \$5.00 per meeting and thinks it is ludicrous that he should have to attend meetings in every town, this is the way things have been since 1954.

*Larry Vernon, Mayor of Eastland, informed that he understands budgets and numbers and has a background in that world. He has seen the water district's numbers and what they are doing, and they are doing a great job. They can account for the money; they know what they are doing and they may surprise you with all the rhetoric that's going on. The water district for the last two years, not counting 2023, but 2021 and 2022, they have operated under a deficit budget. You would think with all the stuff that's going on and being said, that they are putting money back right and left, but that is not the case. They are indeed building up some of the funds they have to by law and that's what they need to do and continue to that. Eastland, from my standpoint is very happy with the job the water district does, we have a very good relationship with the water district. I am a personal friend with all of our people on the water district and trust them. Someone asked me if I trust the Ranger people, and yes, I do, the reason why I do is because the Eastland people trust the Ranger people and they work very well together. They do a great job to provide our water and the debate goes on about the quality of water. The Eastland Water District entered a competition and won that competition in the big country area, you can't do any better than that, they are doing a great job. Eastland is personally tired of hearing all the rhetoric going on and the talk about wanting to sue them and cost them all the money, this impacts yourself and us. It is getting to the point of ridiculous and I have no problem calling one of our water board

people and having a conversation, it's not a battle or a fight, it's not anything. I'll say this on public record for any attorneys here, you'll know what I mean when I say this. Attorneys don't get paid to fix anything; they get paid to litigate. If we get into this battle of wanting to sue somebody over something and just watch the attorneys get rich while everyone else suffers through the process. The water district is doing a great job and I appreciate what they are doing and thank them for the job that they do. I trust the money and what they charge us is what they need to do. I have seen the books and they are doing a great job.

*Phyllis Thompson asked the question of, I understand that the directors are elected, how does that come about? I have never seen any kind of information put out on an election. Bob Green spoke stating that it is announced in January or February in the local newspaper. By law they have to advertise it and it is announced in advance. If you don't look in the paper they are not going to come and knock on your door and say look you are having an election. It is up to you to find out when if you don't know, then call the secretary and she will be more than glad to explain. Mayor of Eastland, Larry Vernon, stated the following: To answer your question in 2024 the election was mentioned in the 12/14 Eastland Newspaper, in 2023 it was in the 2/18 newspaper, 2022 the 2/15 newspaper, they only have to mention it one time. The interesting thing is that we want to beat the water district up over stuff like this. It says in the law they have to do it ten days before, now I don't know if you know what kind of disaster that would be if they actually stuck with that plan and did it ten days before, because no one could sign up. They are doing more than enough to make sure they try to do it twice and they do it in December to give everyone plenty of time and plenty of notice. This notice is posted at the water district and also, as I understand it, posted on the Rangers website. They are doing their posting by law, what they are supposed to do, they have been going above and beyond. So that is another story that is not true.

***No Action Taken.**

Agenda Item 06: Discuss/Consider: presentation and approval of the Annual Audit prepared by Caroline McLane, CPA for the fiscal year end of 2022.

*Motion made by Commissioner Erwin to approve the presentation and approval of the Annual Audit prepared by Caroline McLane, CPA for the fiscal year end of 2022 until the next regular meeting and 2nd by Commissioner Sigler. **All Ayes: Erwin, Sigler, Robinson; Motion Passed.**

Agenda Item 07: Discuss: Consent Items; the Approval of Monthly Department Reports:

- **Finance Report-** Director Carol Stephens

***No Action Taken.**

Agenda Item 08: Discuss/Consider: Convene into executive session at 5:56 p.m. pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Professional Rules of Disciplinary Conduct to consult with legal counsel regarding:

1. Cause No. CV2246534, Ranger Airfield Maintenance Foundation vs. City of Ranger, in the 91st Judicial District Court, Eastland County, Texas and the Ranger Airfield Maintenance Foundation Lease Agreement; and
2. The election of directors to the Eastland County Water Supply District

Agenda Item 09: Discuss/Consider: Reconvene into open session at 6:52 p.m. to take action as determined appropriate in the City Council's discretion regarding:

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

*Commissioner Sigler made a motion to proceed as discussed in executive session and Commission Erwin 2nd the motion. **All Ayes: Sigler, Erwin, Robinson; Motion Passed.**

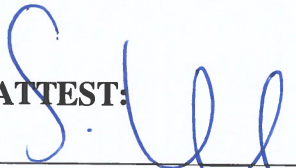
2. The election of directors to the Eastland County Water Supply District.

***No Action Taken.**

Agenda Item 10: Discuss/Consider: Adjournment- 6:53 p.m.

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

These minutes were approved on the 11th day of March, 2024.

ATTEST: 

Somers Lee, City Secretary

CITY OF RANGER, TEXAS



Terry Robinson, Mayor



