

Village of Palisades

Regular Meeting Agenda for October 11, 2022

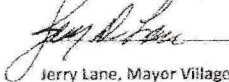
Community Center at 6:30 P.M. The Public is Always Welcome

1.

CALL TO ORDER:

1. QUORUM CHECK
2. PLEDGE OF ALLEGIANCE & INVOCATION
3. Discuss and take action on Excel Energy rate resolution
4. Discuss and take action on Atmos Energy rate resolution
3. READING AND APPROVAL OF MINUTES: September 13, 2022
4. ACKNOWLEDGEMENT OF NEW RESIDENTS:
5. TREASURERS REPORT (CAROLYN LARUE)
6. P.V.F.D. REPORT: (CHIEF DENNIS MASSEY)
7. PERMIT CLERK'S REPORT: (KELLY WEATHERFORD)
8. FLOOD PLAIN REPORT: (DAVE LARUE)
- 9.. ORDINANCE REPORT: (CAROLYN LARUE)
10. Discuss the Fall clean up
11. Discuss date for the Village Cleanup
12. PUBLIC COMMENT: EACH PERSON WISHING TO MAKE A PUBLIC COMMENT WILL BE LIMITED TO 2 MINUTES DIRECTED TO THE BOARD AS A WHOLE.
13. MAYOR'S REPORT:
14. ADJOURNMENT:

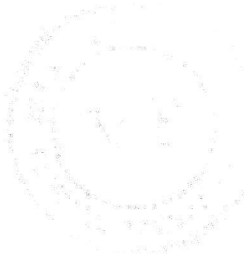
I certify that the above Village meeting's agenda was posted on the Village Communication board on or before Saturday October 8, 2022 before 6:30 P.M. Revisions have been made according to the city attorney.



Jerry Lane, Mayor Village of Palisades

There will be a public comment sheet at the door. Please put your name and the topic you wish to discuss. When your name is called, please stand and address the board.

The Village Board reserves the right to recess into Executive Session, Section 551.074 during the regular whenever necessary.



Village of Palisades

Regular Meeting October 11, 2022

Call to Order: Mayor Jerry Lane called the meeting to order at 6:30 p.m.

Quorum Check: Alderwomen Sherry Simms-Fleming, Amelia Salazar, Aldermen Beau Fletcher, Garry Swindell, and Dave LaRue were present.

Pledge of Allegiance: All in attendance recited the Pledge of Allegiance and the Lord's Prayer.

Reading of Minutes: Sherry Simms-Fleming made a motion to approve the minutes from September 13, with a correction to the Permit Report. Beau Fletcher seconded. Motion approved.

Acknowledgement of New Residents: None

Treasurer's Report: (Carolyn LaRue) Dave LaRue made a motion to approve the Treasurer's Report as read. Beau Fletcher seconded. Motion approved. (See attached)

P.V.F.D. Report: (Chief Dennis Massey) Dennis reported the Village of Palisades has a new contract with Randall County. (See attached)

Permit Clerk Report: (Kelly Weatherford) None

Flood Plain Report: (Dave LaRue) None

Ordinance Report: (Carolyn LaRue) None

New Business:

Ronnie Walker from Xcel Energy asked that we vote to deny the new rate resolution. Dave LaRue made a motion to deny the rate resolution totaling \$88,000,000.00. Garry Swindell seconded. Motion approved.

Michael Gonzales submitted a rate resolution from Atmos Energy. It was read by Dave LaRue. Garry Swindell made a motion to approve the resolution. Dave LaRue seconded. Motion approved.

Old Business:

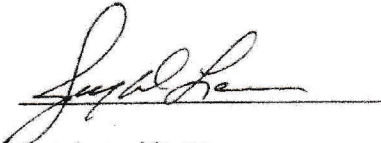
Fall Clean-up, October 22 will be our fall clean-up and it will begin at 9:00 a.m. Fire Wise will be present as well as Smoky the Bear. Timbercreek will provide food and Village of Palisades will supply drinks. John Wick will have a chipper on his property at 302 Canyon Creek the week following the clean-up. Three roll-offs will be available on the Community Center parking lot.

Public Comments: Carolyn LaRue suggested the Village publish a quarterly newsletter. We can purchase a route list for \$95.00. PRPC would help in narrowing the list to just Palisades residents. Panhandle Presort would do the mailout. No action taken at this time.

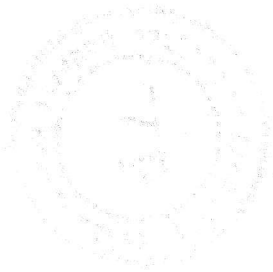
Mayor's Report: Mayor Jerry Lane reported that crumbled concrete may be available for use on our roads. Residents need to call him and let him know where it is needed. He and the road committee would assess amount needed for each location.

Adjournment: Dave LaRue made a motion to adjourn. Garry Swindell seconded. Meeting adjourned at 7:07 p.m.

Vicki Hooker, Secretary



Jerry Lane, Mayor



**VILLAGE OF PALISADES
FINANCIAL REPORT
September 30, 2022**

	Balance	Deposits	Debits/Withdrawals
Checking Account			
Beginning Balance 9-1-2022	\$31,334.80		
Income:			
Randall County Property Tax Collection		\$34.41	
Haywood Road Contribution		\$20.00	
Beau Fletcher - Community Center Rental		\$100.00	
Tx Division of Emergency Management		\$11,413.65	
Total Income		\$11,568.06	
Expenses:			
Safety Light - Gate			\$20.49
Community Center - Xcel			\$102.05
Atmos			\$63.52
Amazon - Flags			\$36.85
Jones Press - Stationary			\$14.07
Ck # 2288 Beau Fletcher- Refund Deposit for Comm Center			\$50.00
Total Expenses			\$286.98
Net Income for the month of September		\$11,281.08	
Ending Balance 9-30-2022	\$42,615.88		
Money Market Account			
Beginning Balance 9-1-2022	\$22,072.94		
Interest		\$6.20	
Ending Balance 9-30-2022	\$22,079.14		
COVID Grant Money Market Account			
Beginning Balance 9-1-2022	\$11,421.67		
Interest		\$3.21	
Ending Balance 9-30-2022	\$11,424.88		

RANDALL COUNTY VOLUNTEER FIRE DEPARTMENT
FIRE PROTECTION CONTRACT

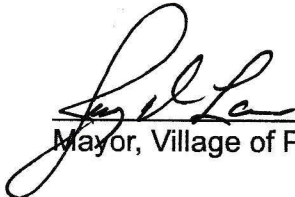
IT IS HEREBY AGREED by and between Randall County, Texas, (hereafter, Randall County) and Village of Palisades, Department of Public Safety, Volunteer Fire Department (hereafter, the Fire Department) through the parties' duly authorized officers and pursuant to Texas Local Government Code section 352.001 that:

1. The Fire Department shall provide the residents of Randall County with fire-fighting equipment, vehicles and volunteer personnel sufficient to fight fires that occur within its type and sphere of fire protection operation and will comply with policy considerations defined and adopted by Randall County's governing authority.
2. All fire calls received by the Fire Department from Randall County shall be promptly answered, attended and fought with the expected skills of a trained volunteer fire-fighting unit.
3. For any 911 call for fire or Emergency Medical Services (EMS) in the Village of Palisades, the Randall County Sheriff's Office dispatch will page the Fire Department to respond. Immediately afterward, Randall County Fire will be paged to respond. If the Village of Palisades Fire Department is available and able to handle the request for service, they will notify Randall County Fire to disregard using the common response channel (RCFD 1). If the Fire Department is unavailable or needs assistance with the incident, Randall County Fire will respond.
4. The Fire Department agrees that each of its volunteer or full-time firefighters shall have a minimum of twenty hours of firefighter training per year. Training may be either in-house or formalized training at fire schools and shall meet the requirements set forth by the National Fire Protection Agency (NFPA 1001). Firefighters responding to Randall County will hold as a minimum an intro level firefighter certification from the Texas State Firemen's and Fire Marshal's Association or a basic structure certification from the Texas Commission on Fire Protection and, in addition, shall have completed the National Wildland Coordinating Group S130 and S190 courses. Furthermore, the Fire Department agrees that each of its firefighters responding to EMS (Emergency Medical Services) incidents will hold a current license with the Texas Department of State Health Services at a minimum of the Emergency Care Attendant level and will operate under the current medical protocols approved by the medical director. These training requirements shall be documented for each individual on the State Firemen's and Fire Marshal's website and an annual progress report shall be printed and submitted to the Randall County Auditor before the end of January each year. Failure to confirm each member's training may result in termination of this contract.
5. The Fire Department shall be in compliance with the National Incident Management System (NIMS). All firefighters must complete the following classes: IS 100, 200, 700 and 800. All supervisors must complete the above-mentioned classes as well as IS 300. In addition, Chief Officers must complete IS 400.
6. In consideration of fire protection services, Randall County agrees to pay the Fire Department the sum of \$5,000 annually, to be paid in equal quarterly installments.

In addition, an allotment of 170% of this sum may be paid to the Fire Department by the Randall County Assistance District No. 1 if, in the sole discretion of the Randall County Commissioners Court, sufficient funds are collected by the Assistance District to pay this allotment along with all other obligations of the Assistance District. All monies received by the Fire Department shall be used for fire equipment and services. Payment may be withheld if any reports required by this agreement are delinquent. Randall County shall release withheld funds upon receipt of all currently due reports.

7. At the end of each month, the Fire Department shall furnish to Randall County two copies of a complete written report of every call or run made by any of its fire engines and crews to every fire, or notice that no fire runs were made during the month. One copy of such report shall be mailed or emailed to the Randall County Judge and the other to the Randall County Auditor. Every report shall include: the nature of the fire; victim's name(s); the location thereof; the type of property involved; the cause, if known, of the fire; and the results of the efforts of the unit fighting said fire. Payment of any sums due shall be withheld until such call or run documentation has been properly reported.
8. Randall County shall provide workers compensation insurance for volunteer firefighters who are in good standing with the Fire Department. Said insurance shall cover each volunteer firefighter while in "on duty" status with his respective unit while responding to incidents occurring in the unincorporated areas of Randall County. The Fire Department shall provide a list of its volunteers to the Randall County Auditor's Office.
9. The Fire Department agrees to be an equal opportunity employer and shall not discriminate on the basis of race, color, national origin, sex, religion, age or handicap.
10. Randall County reserves the right to revoke this contract at any time due to lack of funding or for non-compliance with the terms outlined in this contract.
11. Randall County reserves the right to conduct a complete audit of the Fire Department.
12. This agreement is made in compliance with the current statutes granting Randall County authority to provide fire protection to its rural residents.
13. This Agreement shall become effective on October 1, 2022 and shall expire on September 30, 2023. This agreement may be terminated upon sixty (60) days written notice and the consent of both parties.

Signed on the 9 day of August, 2022.


Mayor, Village of Palisades


Secretary, Village of Palisades

Signed on the 9 day of August, 2022.

Christy Dyer, Randall County Judge

Attest:

Susan B. Allen, Randall County Clerk

RESOLUTION NO. 20221110

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE VILLAGE OF PALISADES, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE EXECUTIVE COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS ("CITIES") AND ATMOS ENERGY CORP., WEST TEXAS DIVISION REGARDING THE COMPANY'S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE CITIES' LEGAL COUNSEL.

WHEREAS, the Village of Palisades, Texas ("City") is a gas utility customer of Atmos Energy Corp., West Texas Division ("Atmos West Texas" or "Company"), and a regulatory authority with an interest in the rates and charges of Atmos West Texas; and

WHEREAS, the is a member of Cities Served by Atmos West Texas ("Cities"), a coalition of similarly-situated cities served by Atmos West Texas that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos West Texas service area; and

WHEREAS, Cities and the Company worked collaboratively to develop a new Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process by Cities as a substitute to the Gas Reliability Infrastructure Program ("GRIP") process instituted by the

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Legislature, and that will establish rates for Cities based on the system-wide cost of serving the Atmos West Texas service area; and

WHEREAS, the RRM tariff was adopted by the Village in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2022, Atmos West Texas filed its 2022 RRM rate request with Cities based on a test year ending December 31, 2021; and

WHEREAS, Cities coordinated its review of the Atmos West Texas 2022 RRM filing through its Executive Committee, assisted by Cities' attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as Cities' counsel and consultants, recommends that Cities approve an increase in base rates for Atmos West Texas of \$6.72 million with an Effective Date of October 1, 2022; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the Cities' Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2) and

WHEREAS, the RRM Tariff contemplates reimbursement of Cities' reasonable expenses associated with RRM applications;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF PALISADES, TEXAS:

RESOLUTION NO. 20221110

Section 1. That the findings set forth in this Resolution are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by Cities, the Board of Aldermen finds that the settled amount of an increase in revenues of \$6.72 million for Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos West Texas within the municipal limits arising from Atmos West Texas' 2022 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That the existing rates for natural gas service provided by Atmos West Texas are unreasonable. The new tariffs, attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos West Texas to recover annually an additional \$6.72 million in revenue from customers in Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 4. That the ratemaking treatment for pensions and retiree medical benefits in Atmos West Texas' next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

Section 5. That Atmos West Texas shall reimburse the reasonable ratemaking expenses of the Cities in processing the Company's 2022 RRM filing.

Section 6. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

Section 7. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.


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Section 8. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 9. That consistent with the Village Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2022.

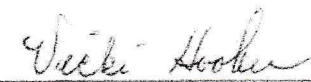
Section 10. That a copy of this Resolution shall be sent to Atmos West Texas, care of Philip Littlejohn, Vice President of Rates and Regulatory Affairs, West Texas Division, 6606 66th Street, Lubbock, Texas 79424, and Thomas Brocato, General Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this 11th day of October, 2022.




Mayor

ATTEST:



City Secretary

APPROVED AS TO FORM:



City Attorney

