



## Town Council Meeting

Monday, November 14, 2022 at 6:30 PM  
102 W. Bailey Street, Ponder, TX 76259

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### NOTICE

**THE TOWN COUNCIL FOR THE TOWN OF PONDER, TEXAS, WILL CONVENE IN REGULAR SESSION AT 6:30 P.M. ON NOVEMBER 14, 2022, IN PONDER TOWN HALL, AT 102 W. BAILEY STREET, PONDER.**

### REGULAR SESSION AGENDA

#### **CALL TO ORDER**

Mayor Poole called the meeting to order at 6:30 pm on November 14, 2022.

#### **ROLL CALL**

Those present were Council Member Lynch, Council Member Deussen, Mayor Pro-Tem McGregor, Council Member Couch, Council Member McWilliams, and Mayor Poole. Staff Members present were Town Attorney, Matthew Boyle, Gary Morris, Sheri Clearman and Scott Caster.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Poole led both.

**OPEN FORUM FOR CITIZEN INPUT** (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name).

*This is a time for the public to address the Town Council on any subject. However, the Texas Open Meetings Act prohibits the Town Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to Town Staff for research and possible future action.*

No one signed up to speak.

#### **CONSENT AGENDA**

None.

#### **ORAL STAFF REPORTS**

Gary Morris reported that the Ferti waterline project is about 30 days out and that the new sewerline easement has been ordered.

#### **ITEMS OF BUSINESS**

- 1. Consider and act on approval of a replat for the Ponder Veterinary Hospital.**  
Mayor Pro-Tem moved to approve the replat for the Ponder Vet Hospital contingent on satisfaction of the deficiencies listed in the Town Engineer's recommendation. Motion seconded by Council Member Lynch. Ayes: Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams, and Council Member Deussen. Motion passed with 5 ayes, 0 nays and 0 abstentions.
- 2. Consider and act on securing all buildings located at 401 Shaffner Street.**  
Council Member Lynch moved to secure all buildings located at 401 Shaffner Street. Motion seconded by Council Member Couch. Ayes: Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams, and Council Member Deussen. Motion passed with 5 ayes, 0 nays and 0 abstentions.
- 3. Hear, consider and act on an Appeal to Employment Termination relative to an employee of the Police Department.**  
Council member Lynch asked to be recused from this item.

Mayor Poole asked Robert Genova if he wished to hold this appeal in open session or in executive session. Mr. Genova replied that he preferred open session.

Mayor Poole reported that Mr. Genova had an accident in a Ponder patrol vehicle that was not reported to him and another accident in a patrol vehicle that Town Staff found out about when Lewisville PD contacted them regarding it being a hit and run. Mayor Poole stated that he has no confidence in Mr. Genova as an employee. He also reported that he terminated Mr. Genova on Nov 1, 2022 after he was informed that he took a fellow officer with him to a body shop to pay cash for the damage to the patrol vehicle.

Robert Genova stated that the accident in Lewisville did occur, but that he was ill when it occurred and was hospitalized the next day. He stated that the other accident was in his driveway and that it was done by his own vehicle while the patrol vehicle was parked. He believed that since he damaged it, that it was his responsibility to have it repaired at his cost. Robert also asked that the Council give his next statement some independent thought. He stated that during the budget process that he and the Mayor were talking and the Mayor stated to him "just tell me what you want because they will do what I say"

Council Member Deussen asked Mr. Genova if he was asking to retire. Robert replied that he was eligible to retire and that he was asked to retire earlier and that this is what started all of this.

Mayor Pro-Tem McGregor moved to uphold the termination of Robert Genova. Motion seconded by Council Member McWilliams. Ayes: Mayor Pro-Tem McGregor, Council Member McWilliams, and Council Member Couch. Nays: Council Member Deussen. Abstentions: Council Member Lynch. Motion passed with 3 ayes, 1 nay and 1 abstention.

- 4. Acceptance of an appointment of an interim Chief of Police.**  
Mayor Pro-Tem McGregor moved to accept the appointment of Scott Caster as the Interim Chief of Police. Motion seconded by Council Member Couch. Ayes: Council Member

Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams, and Council Member Deussen. Motion passed with 5 ayes, 0 nays and 0 abstentions.

**5. Conduct training for the Town of Ponder elected and appointed members.**

Town Attorney, Matthew Boyle issued the Council and present Board Members an orientation packet. Mr. Boyle stressed the importance of the training through the Attorney General. He also went over the packet and discussed different types of violations of the open meetings act.

**ITEMS FOR NEXT AGENDA**

**ADJOURN**

Council Member Deussen moved to adjourn at 7:13pm. Motion seconded by Council Member Lynch. Ayes: Council Member Lynch, Council Member Couch, Mayor Pro-Tem McGregor, Council Member McWilliams and Council Member Deussen. Motion passed with 5 ayes, 0 nays and 0 abstentions.

**APPROVED:**

**ATTEST:**

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**Matthew Poole, Mayor**

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**Sheri Clearman, Town Secretary**

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**Date**