

**RANSOM CANYON CITY COUNCIL  
REGULAR MEETING NOVEMBER 12, 2002  
MINUTES**

The regular meeting of the Ransom Canyon City Council met in open session November 12, 2002. Mayor Robert Englund called the meeting to order. All council members were present: Leon Whetzel, David Peterson, Kyle Ashley, Dick Hulslander and Glen Robertson. Attorney John Sims was also present.

The meeting was held at the Ransom Canyon Fire Station, 1 Ridge Road. About thirty people plus staff attended the meeting. The Mayor called for a moment of silent meditation.

Minutes of the October meeting were unanimously approved on a motion from Leon Whetzel, second from Glen Robertson.

The fiscal end of year September financial report and September bills were approved on a motion from Dick Hulslander, second from David Peterson. All approved.

The October financial and bills were approved on a motion from Dick Hulslander, second from Kyle Ashley.

The Mayor reported that Energas/Atmos has agreed to re-classify the city accounts from commercial, which will mean a change to the base monthly charge from \$30 to \$9.00. Linda Williams identified this cost saving measure.

Mayor Englund reported on the status of the commercial development on the land adjacent to the front road. A good deal of history and many legal documents were researched, and the Mayor and the City Attorney met with the Lubbock County Commissioner James Kitten and the Lubbock County Attorney John Grace.

Ransom Canyon obtained a Quit Claim to a public roadway access easement several years ago. This easement was never a deed to real property, as the city believed. Ransom Canyon does not own the road, it was never annexed, and it was never part of the city.

The laws have changed in recent years, and it is not now possible for the city to annex this road. The law does not allow strip annexation.

The situation is further complicated by the stipulations of the water contract with the City of Lubbock. This contract states that Lubbock will sell a quantity of water as stated to Ransom Canyon, as defined by the city limits that exist as of the date of the contract. So Ransom Canyon cannot annex the land in the ETJ, because the law also says that if a city annexes land, it must be prepared to provide water and sewer. Ransom cannot do that. If a city annexes a road, the city must annex land 500 feet either side of the road. Ransom Canyon cannot provide water to this area.

Thinking that the city owned this road, Ransom Canyon has maintained this road for the last ten years. Lubbock County has recorded this maintenance as voluntary maintenance of a public road. Lubbock County says it is not a county road, they say it is a public roadway easement. They have no money in their budget this year to add maintenance expense, and Mayor Englund commented that perhaps in the next fiscal year a coordinated effort could be undertaken to maintain this roadway.

The Mayor and the Mayor Pro-Tem met the developer mid-construction and the developer, as it turns out, has every right to build improvements on his land. He has not subdivided his land into sections under ten acres, and until he does, he is not subject to the Extra Territorial Jurisdiction laws of the State of Texas.

The developer has a permit for construction for four culverts, four ingress-egress driveways onto Ransom Road. The state guarantees him the right to access the road, the county granted a permit to guarantee quality of construction.

As long as a landowner does not subdivide into less than ten acre acres, he does not have to comply with Ransom Canyon's regulations.

Along that vein, mayor Englund introduced Jim Bertram, chairman of the subdivision committee, who presented the new Ransom Canyon Land Use Plan and Subdivision and ETJ ordinance. The new Land Use Plan projects development for all of the land within Ransom Canyon's ETJ. This land is planned for residential development, and Jim prepared a map showing the flood zones, the steep slope areas not suitable for development, the thoroughfares, collector and residential streets, the dedicated green areas, the city property and projected commercial property at the corner of CR 3523 and Ransom Road. The committee that worked on this project developed the Plan for adoption as a Resolution, and the Ordinance itself refers to the Resolution.

Jim explained that the State of Texas grants cities under 5000 population the right to say what they will require of residential development of ten acres or less within a half mile of their city limits. It is up to the cities to say what they will require, and these subdivision regulations must be adopted in Ordinance form.

The committee took sample ordinances and adapted them to Ransom Canyon. The ordinance itself is lengthy, it is specific with definitions and descriptions for procedures and for requirements, and it is clear about street requirements and construction minimum requirements, as well as many other details.

The city council voted unanimously to pass Resolution 75, which states that Ransom Canyon adopts the Land Use Plan as described. This action was taken on a motion from Dick Hulslander, second from Leon Whetzel.

The council also voted unanimously to adopt Ordinance 188, the Subdivision and Extra Territorial Jurisdiction Regulations. This action was taken on a motion from Leon Whetzel, second from David Peterson.

The Mayor complimented and thanked this committee for their long hours of intensive work- Jim Bertram, Jack Randorff, Cindy Reinhardt, Glen Robertson, Lee Kitchens and Ron Childress are all outstanding professionals in this field and their contribution in this effort is invaluable to the future of Ransom Canyon. The Mayor presented them with a certificate of appreciation from the city. He discharged this committee at this time.

Dr. Ron Kendall, chairman of the Lake Advisory committee, delivered the committee's report to the city council. The committee published an executive summary that covers the work of the committee to date. The work of the committee will continue because they are still researching lake quality and quantity.

The lake committee has met 13 times during the last year, once with the engineers from the City of Lubbock. Dr. Kendall stressed the importance of active lake management, active conservation on the part of the city and the citizens, and active research and monitoring by the city. The lake is very susceptible to the extreme conditions brought about by weather extremes.

Drought can only be countered by conservation. Ransom Canyon water rights are inferior to others above and below, so while Ransom Canyon is required to release water downstream, Buffalo Lake is not required to release to Ransom Canyon.

On the other hand, Ransom Canyon is going to be affected by three drainage projects from the City of Lubbock. The City of Lubbock engineers say this affect will be no more than three or four inches rise in the event of a major rainstorm. Their models are based on FEMA models, and the lake committee is very concerned that one of these models might not be accurate. The committee has consulted an outside hydrologic engineer, and this research and question and answer process continues at this time.

The committee is very concerned about the effect a major flood event will have on the lake. The FEMA flood zone maps reflect that FEMA has expanded the flood zone area. The committee is concerned about

the added quantity of water that will be generated from the Lubbock drainage projects on top of floodwaters.

Also, the committee is concerned with the continued quality of the lake, and want to be certain that if the level of contaminants is affected adversely by watershed runoff, or by pollutants from some source, the health of the lake can be documented and defended. Researchers from the TEIHH at the Reese Center at Texas Tech are placing sample collection devices in the lake, and these samples are being analyzed in the labs at the center. This work continues.

The committee gathered a large volume of documents into one researchable body of work. These documents and detailed meeting minutes are being scanned into the web site, and will eventually be organized into CD write format. This research and the archiving of the documents will be available if they are ever needed in court.

David Peterson had prepared an interesting PowerPoint presentation, Wayne Rawls had included some interesting lake photographs of inventive lake properties that still had lake pumping equipment in operation, and Dr. Kendall commented that the committee had concluded that because conservation was necessary in times of drought, the city had turned off the weir as far as it would go, and their recommendation to the city was that homeowners must also accept their responsibility, participate in conservation practices, and obey the law and stop pumping from the lake.

Mayor Englund thanked Dr. Kendall for the work the committee had done, and he presented the members of the committee with certificates of appreciation. Committee members are: Ron Childress, Mike Cunningham, David Peterson, and Kyle Ashley. Wayne Rawls made all of the meetings, and Texas Tech law student, biologic science MA candidate Annie Thomson also was recognized. Thanks to all of these professionals for their input into this work.

Dick Hulslander moved to accept the committee report and consider the recommendations. David Peterson seconded and all approved.

SPAG, acting as the awarding body for a grant from the State of Texas, Texas Commission of Environmental Quality, granted \$23,600 to the Town of Ransom Canyon to buy a brush chipper as part of an annual grant program. This Vermeer 85 hp, 12" input chipper is the keynote of a recycle program that will turn brushy debris into wood chips that residents can have free of charge to use as flower bed cover, tree bed cover, mulch, etc. It is hoped that this program will keep sixteen containers of brush debris out of the landfill. Harold Needham and his crews are set for operation. To this end, the city council passed Resolution # 76 to authorize the grant application for \$23,600. Leon Whetzel made the motion, Dick Hulslander seconded, all approved.

The Building Control Committee approved one new house on West Lake Shore Drive.

The City Council discussed participation in Oller Engineering's annual seal coat program. This program will seal coat for around \$.67 per yard. The current seal coat program calls for coated rock, but costs \$1.50 approximately. Oller Engineering uses uncoated, white rock. After some audience discussion the council deferred any action on this subject.

Wayne Rawls reported that another section of the back hill had sheared away from the wall, and he cautioned drivers to be wary of debris as they drive.

The council approved Harold to use Lubbock County work release labor with a mixed vote. Dick Hulslander moved to authorize the activity, David Peterson seconded the motion. Hulslander, Peterson and Robertson all voted aye. Leon Whetzel voted nay, commenting that he did not want to invite this element into the city.

Rand McPherson reported that the fire engine was back from DACO. The new poly tank should last a long time. SPEC has a freeze on new truck purchases, so the grant program is also delayed until perhaps next summer. Pancake breakfast is Dec. 14.

Librarian Kim Copeland reported on the October 12 fun day. Thirty children had a great time. The annual Echo Christmas card fundraiser deadline is November 22. Christmas Gathering is December 10. This board is made up of Angie Rajcic, Terri Borman, Novice Bartlett, Scrub Hawley and Colleen Kendall. Thanks to all of these volunteers.

Candice Fletcher reported on the POA activities. Thanks to the fire department auxiliary for the new cover for the concrete slab. Maintenance fee statements have gone out, funds are coming in accordingly.

David Peterson moved to adjourn at 9:30, Glen Robertson seconded the motion, all approved and the meeting adjourned.

Melissa Verett