

911 addressing

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know there will be some expense to repairing this system but those costs are less than going forward with a flawed system. I do not believe in passing a problem to our children to fix," Mayor McCarty said.

City Attorney Forrest Phifer explained that the city would not be deemed legally responsible if someone died before an ambulance picked them up.

Lee Flowers of the CCAD presented a schedule for putting the 911 addressing system in place:

- His staff will mail a notice to all addresses in the city. The notice should contain the new 911 address, phone number, resident name and instructions concerning posting requirements.

- There should be a deadline for posting the new number on property. This will assist emergency services in responding to the correct address.

- There should be a deadline to confirm phone number and resident information with the CCAD.

- As phone number and resident information is confirmed, the information will be submitted to Entrado via an address change form (ACF). This will result in the new address appearing on 911 operator screens during dispatch.

- The postal service will send their own notice concerning

when they will no longer deliver mail to the old address. That deadline should be one year.

- Police and EMS personnel will work with CCAD to develop map resources for first responders.

- Annual CCAD budget for 911 addressing will be approximately \$30,000 with the city of Rusk's cost estimated at \$2,500 per year. This is based on a prorata share. The county will cover the majority of the budget due to the number of rural addresses in Cherokee Co.

During the discussion pertaining to tax abatement, Mr. Phifer presented the different ways to provide this service to local businesses and industries. He and City Manager Murray will present a proposed resolution and ordinance for the council's discussion and consideration at the next meeting. The council plans to offer tax abatements at a minimum of \$750,000 for three to five years.

"The least complicated the more attractive an abatement plan is for prospective businesses," Mr. Phifer said.

The council approved new water and sewer fees. Taps will be increased from \$250 each to \$400 each. Fees will be established to include \$25 for turn on and \$20 for transfer fee. In the circumstance where a new tap is not required but a new meter and/or appurtenances

are required, the fee will be \$100.

The city authorized the fire department to apply for a \$300,000 grant to purchase a new vehicle for transporting equipment to a fire site. In the event the grant is approved the city would be required to pay 10 percent of the grant cost. The grant is being sought to replace a vehicle that was purchased in 1990. The grant funds will come from Homeland Security. Rusk aids in fire protection in an area from Maydelle to Shady Grove, border to border of Cherokee County; and up to the seven mile hill and down to Alto or below as needed.

Mr. Murray announced the Rusk Police Department has obtained a \$9,500 National Rifle Association grant. Details as to what the money will be used for were not presented at the meeting.

The council approved a contract with Schaumburg & Polk, Inc. for engineering services excluding the arbitration clause. Also, a work order was approved for Schaumburg & Polk Inc. for a new water well for the city to be located off the Atoy Road and another for a new ground storage tank at the water well. Fees for the work orders are \$42,500 for engineering work at the water well and \$42,200 for the ground storage tank.

Texas Rangers

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corruption of public employees and officials.

Sources familiar with city hall suggested that the Cherokeean Herald that the investigation centers on missing funds collected at city hall.

Mr. Phifer declined to confirm the nature of the investigation, saying that he could not comment on a personnel issue or an ongoing investigation. Rusk City Manager Mike Murray declined to address the specifics and called the status "ongoing."

At press deadline, the lead investigator for the Texas Rangers was unavailable for comment. Mr. Beckworth was testifying on legislation in Austin and was also unavailable for comment.

Rules

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increased from \$7 to \$10 per hour. The sheriff was authorized to sell a surplus vehicle.

The county will purchase gravel from Double Rocking C Trucking Co. in Jacksonville. A load of gravel was authorized to be distributed in an area provided to accommodate county equipment in Precinct 2.

Two bids for a portable building for Precinct 4 were rejected. Commissioner Byron Underway said he would seek TDCJ inmate assistance to construct a building

Ballots set for May 12

Rusk mayor draws opponent

Former chamber president Angela Raiborn filed Friday afternoon as a candidate for Rusk mayor. She will face incumbent Mayor Suzann McCarty in the May 12 city election.

Other candidates filing are Councilmembers Kris Morgan, District 1 and Walter Session, District 2. Mr. Morgan was appointed several months ago to fill the unexpired term of the late Ruth Ross. Mr. Session is a long-time councilmember.

Candidates for three Rusk ISD trustee positions are incumbents Mike Ross, Roy Cavazoz and David Fulton and challengers Oliver Sturns and Karen LaVergne.

ALTO – Carey Palmer has filed as a candidate for Alto mayor and Bob Pearman and Michael Sanders as councilmembers. Terms of Mayor Debbie White and Councilmembers Glen Willhite and Kenneth Brethouwer were to expire with the election. As there are no contested races the election is expected to be cancelled.

Six candidates are vying for two seats on the Alto ISD board of trustees. They are Robert Hicks, Lee Pearman, Jay Jones, Richard Bertrand, Bob Grammer and Linda Brooks. Terms of Teddy Pearman and Randy Sturrock expire with the election.

Mobility

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was moved to the top of the organization's agenda, and board president Jeff Austin III told the 30 persons present that, "We want to make ourselves available."

As a quasi-state agency created by the Texas Department of Transportation, NET RMA is able to accept money from TxDOT and issue grants to help advance the completion of transportation-related projects.

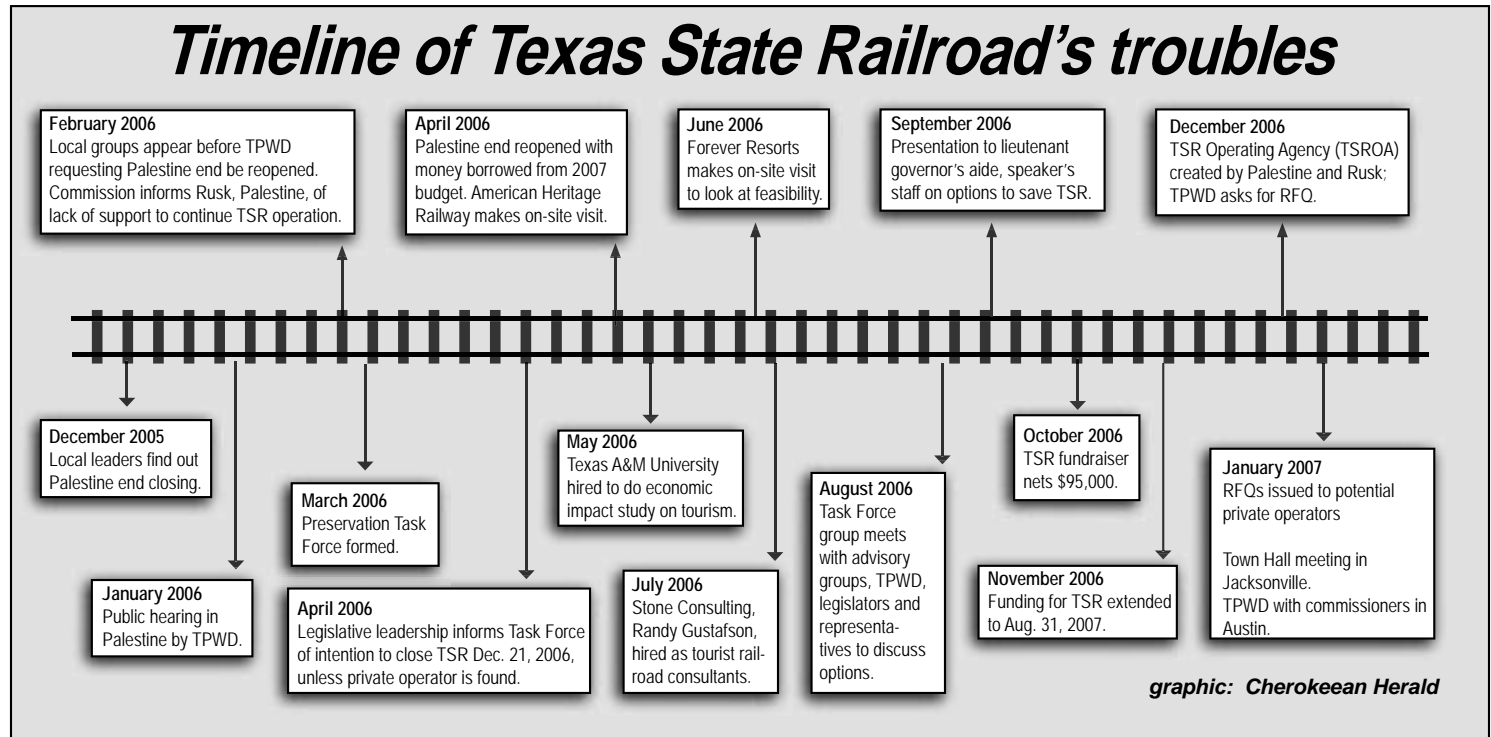
Concurrent house and senate bills were introduced last Thursday to create an operating agency to oversee the privatization of the Texas State Railroad. Prior to the bill's introduction, privatization advocates suggested using the NET RMA as a conduit to facilitate privatization.

Calling the Texas State Railroad the "crown jewel of Cherokee County," Mr. Austin said while his organization does not have a "pot of money," they are willing to work on solutions to keep the train open, in whatever direction that is.

Dr. Michael Banks, president of Save Texas Parks, spoke during an open forum regarding NET RMA's possible involvement with the TSR.

"Save Texas Parks opposes privatization of the Texas State Railroad," he told the board. "We had heard that you, the Regional Mobility Authority, had offered to be the entity which would receive the railroad if privatization was used. We urge you not to become involved in privatization of the Texas State Railroad."

Dr. Banks reviewed details of the Texas State Railroad's current operating agency's



announcement two weeks ago that they have selected their first choice of private companies to take over the management and operation of the train.

"The operating agency created by Rusk and Palestine has selected American Heritage Railways as the potential operator of the railroad should privatization be considered." He alleged that, "We have information showing American Heritage to have a checkered past, with previous bankruptcies; an accident record which includes a death; a safety record plagued with a fire that resulted in a fine by the federal government which lead to a shut down of their railroad; and a maintenance history of not repairing their smoke stacks, due to lack of funds, which lead

to pollution. As recently as last year, the Durango newspaper claimed American Heritage was in financial trouble. We urge you to not become involved with the privatization of the Texas State Railroad."

Another viewpoint

Bob Goldsberry, on behalf of the Rusk Economic Development Corporation, reviewed a timeline of the Texas State Railroad's problems which surfaced in December 2005. (See chart above.)

"When you're told that the state won't fund the railroad, the only option is to look for a plan B, where plan C is a static display. It's still a fluid process."

Mr. Goldsberry said that the TSROA, of which he is a member, is working with no

legal mandate from the state to negotiate the privatization. "If we don't do something, they will probably shut this down. My goal is to make sure this train runs."

Board members asked Mr. Goldsberry about needed capital expenditures at the railroad and followed with questions on the TSR's operating budget and overall safety of the tracks.

"It's not that it's unsafe. The tracks are in fairly good shape," he said. "There is no maintenance plan in place to repair them, and it will be that much more difficult to bring the track back up."

TSR Superintendent Robert Crossman interjected that very little of the TSR's budget is spent on capital improvements at this time, but he underscored that

the rails are safe.

"We are going down a dangerous path to not replace track," said Mr. Crossman.

Board members expressed curiosity about the camping area at Rusk State Park and how the two state parks share resources. Mr. Crossman indicated that reservations are made separately for train rides and camping.

Mr. Goldsberry's presentation focused on area tourism that extended to Caddoan Mounds and Mission Tejas in Houston County. However, board members were less interested in tourism outside Cherokee County and more focused on economic development issues and tourism closer to home.

"Don't you have the longest footbridge in the world," asked

Steve McCarty, board member from Alto.

Mr. Austin asked Mr. Goldsberry to address economic development and the jobs at Rusk State Hospital and Texas Department of Criminal Justice in Rusk.

He also suggested that alternate uses of the track could potentially generate additional revenue. The consensus is that while there are commercial applications for the track, the best usage is on the Palestine end, where rail sitings and transfer stations could be constructed.

Mr. Austin explained the agenda item on the TSR was not an "action item" associated with a vote but was for informational purposes.

"We are an interested party," said Mr. Austin, "and we want to stay close and up to date if we are called upon to help."

County Judge Chris Davis made opening remarks at the board meeting, which was held in the theatre at the Texas State Railroad depot.

Board members present included: Keith Honey, Gregg County; John Cloutier, Rusk County; Mr. McCarty, Cherokee County; Mr. Austin, board chairman, Smith County; Tab Beall, Smith County; Jeff Warr, Smith County; and Gaylon White, Harrison County.

The NET RMA was established in 2004 by Gov. Rick Perry with two counties, Smith and Gregg. Currently six counties including Cherokee are members of the 11-person board; five counties have submitted resolutions requesting inclusion and three additional counties are considering the option.

Operator

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press release well," said Al Harper, owner of American Heritage. Mr. Harper was addressing an article which appeared in the March 1 edition of the Durango Herald.

"Even if we had an agreement signed, it has to go through the Texas Parks and Wildlife Department (TPWD) and the state legislature," he said.

Mr. Harper said he is optimistic and hopeful that a contract will be finalized allowing American Heritage to operate the Texas State Railroad.

"I'm doing this because I want to preserve history," he said. "If I can make the Texas State Railroad perform like the Durango & Silverton railroad and the Great Smoky Mountains Railroad, it will be here for generations to come. You won't have to worry about finding funding every year."

Mr. Harper said trains are his life. "I'm very excited about railroad preservation, and I'm excited about applying it to the Texas State Railroad," he said. "We do it, it works, it's what my life is about."

Mr. Harper said he hopes to have the details of the contract finished March 15. After that, he said, it will be up to TPWD and the state legislature.

Nichols

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bill to privatize "a dual track."

While efforts are underway to have the train continue with state funding under the management of the Texas Parks & Wildlife Department, house and senate versions of a bill create a rail authority that can negotiate with an operator and privatize the tourist train which runs between Rusk and Palestine.

Sen. Nichols filed SB 1659 concurrently with state Rep. Byron Cook (R-Corsicana), who submitted HB 3113. Sen. Nichols' press statement included Rep. Cook as well as state Rep. Chuck Hopson (D-Jacksonville), whose legislative districts encompass the Texas State Railroad.

The language in the 17-page bill was initially authored by former state Sen. Todd Staples (R-Palestine). However, the bill has been modified in recent drafts, and references to eminent domain have been removed. The bill outlines the scope of the rail authority and specifies that seven directors will serve staggered, three-year terms. The mayors of Rusk and Palestine will each appoint three directors, with a seventh member elected by a majority of the directors.

The operating board will be given broad power to lease and convey prop-

erty to a private operator, as well as the authority to issue bonds. Officials at TPWD have said that infrastructure at the train, including more than 28 miles of track, will need \$40-\$60 million in repairs over the next decade.

"I have not given up on keeping the train funded by the state," state Rep. Hopson (D-Jacksonville) told the Cherokeean Herald at 9 p.m. Thursday in a telephone interview from his Capitol office. "My number one priority is to keep the railroad rolling with TPWD. My number two priority is to keep the train rolling."

Legislators are being bombarded with options on the popular tourist train.

The TPWD has a budget request pending for \$2.2 million to convert the train into a static exhibit. Another legislative appropriation request (LAR) for \$11.8 million will fully fund the train for two years and begin needed repairs to infrastructure. But without additional funding for the railroad, the Texas Parks and Wildlife Department will convert the train into a static display on Sept. 1.

"As an alternative to a static display, the communities of Palestine and Rusk have joined together to find an outside entity to maintain and expand train operations under the oversight of the

operating agency. HB 3113 and SB 1659 give the local operating agency the needed authority to pursue such a plan," said Sen. Nichols.

"It is vital that we keep the train running," said Rep. Hopson. "If the state doesn't come through with full funding for the train, we will need to pursue other options. By pursuing this legislation now, we can keep the option of an outside operator available."

The TSR Operating Agency, using a portion of the \$95,000 in funds netted from the Save the Train event in October 2006, has retained a lobbyist to make certain legislators are familiar with the bills to privatize the train.

The TSROA recently announced they had screened and interviewed four businesses interested in operating the Texas State Railroad. The frontrunner is American Heritage Railway of Durango, Colo.

An outspoken opponent of privatization is Dr. Michael Banks, president of Save Texas Parks. "A private operator will not work and we will be left without a railroad," he said. "This is not just my opinion, but the opinion of many smarter and more experienced than me. I am just the conduit."

He said his group will work to defeat the bills.



The Texas State Railroad's new brochure is "hot off the press," but the date on the cover only lists the operating schedule through August 2007.