

**MINUTES FOR 09/27/04  
BOARD OF ALDERMAN  
TOWN OF TALTY**

**I. Call to Order and Announce a Quorum**

Mayor Weaver called the meeting to order at 7:00 p.m. All Board members were present except for JoAnn McKethan and Mark Graybill.

**II. Citizen Participation**

- Carolyn Werning spoke about repairing CR 216/Bunny Run.
- Albert Rodriguez spoke about annexation and meeting schedule.

**III. Action Items:**

**a. Discussion and consideration of solid waste franchise agreement with Ferris Container Services;**

**Discussion:** Mayor Weaver reviewed the franchise agreement and introduced Mr. Kelly Ferris, owner of Ferris Container Services. She also mentioned that with the approval of the franchise agreement, Mr. Ferris has provided all required documentation for receiving a permit.

**Motion:** To approve Ordinance No. 2004-89 entering into a solid waste franchise agreement with Ferris Container Services.

**Made by:** Ginny Carter      **Second:** Brad Davis

**Vote:** All in favor. Motion passes.

**b. Discussion and consideration of hiring Murrey & Co. PC to perform the annual audit;**

**Discussion:** Mayor Weaver presented the bid for \$2,450 received from Gary Murrey to perform this year's audit.

**Motion:** To approve hiring of Murrey & Co. PC to perform the annual audit.

**Made by:** Brad Davis **Second:** Donna Avery

**Vote:** All in favor. Motion passes

**c. Discussion and consideration of annexing a portion of Farm to Market Road 1641 adjoining the town limits as provided by Local Government Code Section 43.103;**

**Motion:** To approve proceeding with annexation of a portion of Farm to Market Road 1641 adjoining the town limits as provided by Local Government Code Section 43.103.

**Made by:** Brad Davis **Second:** Ginny Carter

**Vote:** All in favor. Motion passes.

**d. Discussion and consideration of Ordinance No. 2004-86 calling for a public hearing on the proposed annexation of a portion of Farm to Market Road 1641 adjoining to the town limits;**

**Discussion:** The first public hearing is scheduled for November 9, 2004 at 7:00 p.m.

**Motion:** To approve Ordinance No. 2004-86 calling for a public hearing on the proposed annexation of a portion of Farm to Market Road 1641 adjoining to the town limits.

**Made by:** Donna Avery **Second:** Brad Davis

**Vote:** All in favor. Motion passes.

**e. Discussion and consideration of annexing a portion of Farm to Market Road 148 adjoining the town limits as provided by Local Government Code Section 43.103;**

**Motion:** To approve proceeding with annexation of a portion of Farm to Market Road 148 adjoining the town limits as provided by Local Government Code Section 43.103.

**Made by:** Ginny Carter **Second:** Brad Davis

**Vote:** All in favor. Motion passes.

**f. Discussion and consideration of Ordinance No. 2004-87 calling for a public hearing on the proposed annexation of a portion of Farm to Market Road 148 adjoining the town limits;**

**Discussion:** The first public hearing is scheduled for November 9, 2004 at 7:00 p.m.

**Motion:** To approve Ordinance No. 2004-87 calling for a public hearing on the proposed annexation of a portion of Farm to Market Road 148 adjoining the town limits.

**Made by:** Brad Davis **Second:** Donna Avery

**Vote:** All in favor. Motion passes

**g. Discussion and consideration of expenses for striping County Road 213;**

**Discussion:** Mayor Weaver reviewed four bids she received for this project. The lowest bid was from A-Straight-Line Striping for \$3,161.94. Work can begin immediately and be completed prior to the end of the month.

**Motion:** To approve expenses for striping County Road 213 to be paid out of the 2003-2004 budget.

**Made by:** Ginny Carter **Second:** Donna Avery

**Vote:** All in favor. Motion passes

**h. Discussion and consideration of expenses for road repairs;**

**Discussion:** Mayor Weaver reported that repairs had been made to County Road 215 and Cleaver Lane, and the expenses exceeded the \$2,000 previously approved by the Board on 04/13/04. Unfortunately, the County had completed the repairs without consulting with the town on the cost of the repairs. Total cost to repair CR 215 and Cleaver Lane was \$4,295.82. The County estimated about \$7,700 with a maximum of \$10,000 for repairs on CR 216/Bunny Run and estimated about \$1,000.00 for pot-hole repairs in Quail Creek Bend (Douglas Circle and George's Drive). Mayor Weaver reviewed our current road repair budget for 2003-2004 and 2004-2005 budget years.

Mayor Weaver indicated that since this is the end of the County's budget year, they have run out of money and are not working on any County projects. They have a very narrow window (last week of Sept/first week of Oct) to repair roads in Talty.

**Motion:** To approve expenses for road repairs as follows: Cleaver Lane/CR 215 \$4,295.82 from 2003-2004 Budget; CR 216/Bunny Run \$7,700 and Quail Creek Bend \$1,000 from the 2004-2005 Budget.

**Made by:** Donna Avery      **Second:** Brad Davis

**Vote:** All in favor. Motion passes.

**i. Discussion and consideration of the minutes for the August 10, 2004 and August 27, 2004 meetings and August 31, 2004 workshop;**

**Discussion:** None.

**Motion:** To approve the minutes for August 10, 2004 and August 27, 2004 meetings and August 31, 2004 workshop.

**Made by:** Ginny Carter      **Second:** Donna Avery

**Vote:** All in favor. Motion passes.

**j. Discussion and consideration of the August 2004 Financial Report;**

**Discussion:** Mayor Weaver reviewed the report and key items.

**Motion:** To approve the August 2004 Financial Report.

**Made by:** Brad Davis      **Second:** Ginny Carter

**Vote:** All in favor. Motion passes.

**k. Discussion and consideration of Ordinance No. 2004-88 providing for line item adjustments to the 2003-2004 Budget;**

**Discussion:** Mayor Weaver proposed an adjustment for \$7,000 from Road Repairs to Engineering Fees. This is needed because of an agreement with the developer to use the funds escrowed for improving CR 213 to also cover the engineering expenses for CR 213. The developer further agreed, in writing, to remit any shortfall on expenses

to complete CR 213. The budget for Road Repairs was now being used to pay Engineering fees and this needed to be reflected on the budget.

**Motion:** To approve Ordinance No. 2004-88 providing for line item adjustments to the 2003-2004 Budget.

**Made by:** Brad Davis **Second:** Donna Avery

**Vote:** All in favor. Motion passes.

**IV. Discussion Items:**

**a. Update on litigation;**

- 1) Exxon: Mayor Weaver reports that Judge Tygret in Kaufman County District Court ruled in the town's favor. The status of the Planned Development application from Mr. Tatari was also discussed.

**b. Update on development in and around Talty;**

Nothing new to report.

**c. Alderman updates and other communications;**

- 1) Cebridge payment should be arriving soon.
- 2) Mayor Weaver reviewed a few items that will be included in the next meeting.

**V. Adjourn**

**Discussion:** None

**Motion:** To adjourn

**Made by:** Brad Davis **Second:** Ginny Carter

**Vote:** All in favor. Motion passes. The meeting adjourned at 8:20 p.m.

**Minutes approved on October 12, 2004.**

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**Allison Weaver, Mayor**