

MINUTES OF OCTOBER 9, 2007
TOWN OF TALTY
BOARD OF ALDERMEN

- I. The meeting was called to order at 7:05 p.m. by Mayor Todd W. Hutton, at the Trinity Family Church, and a quorum was announced. Aldermen members present were Brad Davis, Frank Garrison, Barbie Kraig, and Carla Milligan. Larry Farthing was absent. Also present were Mr. Connie Goodwin, Town Administrator, and Sherry Bagby, Town Secretary.

- II. Mayor Hutton led the Pledge of Allegiance.

- III. Mayor Hutton adjourned the regular meeting and opened the public hearing to hear the following:
 - a. Preliminary plat for Rockford Builders, on all that parcel of land in Kaufman County, Texas, being a part of the F. McMahan Survey, Abstract 313, and being all that 29.61 acre tract of land conveyed to Rockford Builders, Inc., as recorded in Volume 3127, Page 417, of the Deed Records in Kaufman County, Texas. Variance request for cul de sac length of 725'.

 - b. Ordinance amending the existing Zoning Ordinance 99-08 to comply with the Comprehensive Plan, which was approved on July 24, 2007.

 - c. Ordinance amending the existing Subdivision Regulations Ordinance 2000-07, to comply with the Comprehensive Plan, which was approved on July 24, 2007.

No citizens wished to address the Board.

- IV. Mayor Hutton adjourned the public hearing and re-opened the regular meeting.

- V. Citizen's participation. No one signed in to address the Board.

- VI. Action Items:
 1. The Board considered the appointment of Chuck Gage as a new reserve officer. Chief West stated that he has done an extensive criminal background check on Gage, as well as called past employers.

A Motion was made by Frank Garrison to appoint Chuck Gage as a new reserve officer for the Town of Talty.

Seconded: Brad Davis

Vote: All in favor, motion carried.

2. The Board considered the Planning & Zoning Commission's recommendation to approve the preliminary plat for Rockford Builders, on all that parcel of land in Kaufman County, Texas, being a part of the F. McMahan Survey, Abstract 313, and being all that 29.61 acre tract of land conveyed to Rockford Builders, Inc., as recorded in Volume 3127, page 417, Deed Records of Kaufman County, Texas. Variance request for cul de sac length of 725'.

Mr. John Jackson, a member of the Planning & Zoning Commission, stated that they recommend approving the two ordinances; one for zoning (99-08), and one for subdivision regulations (2000-07) in accordance with the Comprehensive Plan, approved on July 24, 2007.

Mr. Rocky Gray, the developer and builder, introduced himself to the Board and was available for any questions. Mr. Scott Caruthers, of Jones & Boyd, Inc., a civil engineering firm working with Mr. Gray, was also present to answer any questions. Mr. Gray intends to subdivide five tracts. Mr. Gray stated that he is not sure if he will have a homeowner's association. The variance requested is the length of the cul de sac. The street bonds will be done at the final plat stage. The streets will be 30' wide. Mr. Gray has agreed to abide by all new subdivision regulations (being considered later at this same meeting) and to fully conform with the July 24, 2007 comprehensive plan.

A Motion was made by Brad Davis to approve the preliminary plat for Rockford Builders.

Seconded: Barbie Kraig

Vote: All in favor, motion carried.

3. The Board considered amending the Zoning Ordinance 1999-08 and approving Ordinance 2007-011, to comply with the Comprehensive Plan, approved on July 24, 2007.

A Motion was made by Brad Davis to approve Ordinance 2007-011.

Seconded: Frank Garrison

Vote: All in favor, motion carried.

4. The Board considered amending the subdivision regulations on the width of the streets from 24” to 30” to comply with the Comprehensive Plan, as set forth in Ordinance 2007-12.

A Motion was made by Frank Garrison to approve Ordinance 2007-012, amending the existing subdivision regulations.

Seconded: Brad Davis

Vote: All in favor, motion carried.

5. The Board considered Atmos Energy’s ordinance regarding a rate increase of 2.3%. The Board has the option to: (1) deny the rate increase; (2) pass a resolution to postpone action for 90 days to allow more time to gather information; (3) adopt the rate increase proposed; or (4) do nothing. Mayor Hutton explained that the risk of denial is that if Atmos is later granted an increase in excess of that proposed, they will then be able to charge the higher rate rather than the proposed agreed increase. Atmos Energy is required to go before the Railroad Commission for any rate increase.

A Motion was made by Carla Milligan to deny Atmos Energy’s rate increase.

Seconded: Brad Davis

Vote: All in favor, motion carried.

6. The Board reviewed and discussed the Minutes of August 14, 2007, and the Minutes of September 11, 2007, as submitted.

A Motion was made by Barbie Kraig to approve the Minutes of August 14, 2007 as submitted.

Seconded: Frank Garrison

Vote: All in favor, (Brad Davis abstained due to being absent on August 14, 2007) motion carried.

A Motion was made by Brad Davis to approve the Minutes of September 11, 2007 as submitted.

Seconded: Frank Garrison

Vote: 3-1 (Carla Milligan voted against) motion carried.

7. The Board reviewed and discussed the July and August, 2007 financial statements prepared by Murrey & Company. It was noted in the July financial report that the negative amount (\$5,761) shown as “other income” was treated as income when Talty was reimbursed for legal fees involving litigation over a billboard dispute. It was also noted that Wells Fargo Bank is charging service charges on the accounts. Mr. Goodwin stated that he will be

discussing this with the bank on Friday because they should not be charging any service charge.

A Motion was made by Brad Davis to accept the July 2007 financials.

Seconded: Barbie Kraig

Vote: All in favor, motion carried.

It was noted there was a discrepancy showing funds collected for fines were possibly overstated. Mayor Hutton explained that this was due to the CPAs changing the manner of accounting for fines.

A Motion was made by Barbie Kraig to table the August 2007 financials until the questions could be resolved regarding the court fines.

Seconded: Carla Milligan

Vote: All in favor, motion carried.

8. The Board discussed ratifying the amendments to the 2006-2007 fiscal budget to reflect the actual expenditures and ratify all past overages.

A Motion was made by Brad Davis to approve this by Ordinance.

Seconded: Frank Garrison

Vote: All in favor, motion carried.

VII. The Board discussed the need for an executive session and determined that it was not necessary at this time.

VIII. No executive session was held; therefore, the meeting was never closed. Instead, the Board recommended that Mayor Hutton and Mr. Goodwin review the two employee positions of court clerk and town secretary, then return to the Board with any recommendations. Any increase in salaries would be implemented on anniversary date of employment and could be retroactive if needed. Brad Davis suggested, and the Board agreed, that they would like to see a formal, semi-annual review process based upon job descriptions and done by the immediate supervisor and the Mayor. This would create a paper trail for any employee disputes. The Board would like employees to give input into the evaluation process. Mayor Hutton and Mr. Goodwin will schedule a meeting to review employees individually.

IX. Discussion Items:

1. Police Report: Chief Jason West distributed his monthly report to the Board. The new 2007 Dodge Charger police car will be picked-up soon. Mayor Hutton asked Mr. Goodwin to check on our insurance coverage for the new reserve officers. Chuck Gage is the new reserve officer.
2. Developments in Talty: County Road 213 got patched and looks better. The delay in the development of Whitney Properties was discussed. R & H Hydromulch did mosquito spraying three times in the city limits.
3. Aldermen Updates: Barbie Kraig suggested that the Town should look into a program to control loose dogs in the area. The Town and Board members have received many calls regarding animal control. The County only has two animal control officers and they will not respond to calls in Talty.

Carla Milligan asked about the status of Sprocket Data and the legal issues surrounding the website. Mayor Hutton did not wish to discuss any potential litigation.

Mayor Hutton suggested to the Board that it was not a good idea to visit Town Hall on the second Tuesday of the month, the day of the Board meetings, because the staff is very busy preparing for the meeting. Mayor Hutton invited Board members to visit the office on any of the other 29 days of the month. Carla Milligan stated that she would go to the Town office any time she pleased.

After no further discussion, a Motion was made by Frank Garrison to adjourn the meeting.

Seconded: Brad Davis

Vote: All in favor, motion carried.

The meeting was adjourned 9:05 p.m.

Approved: _____

Todd W. Hutton, Mayor

Sherry Bagby, Town Secretary