

MINUTES OF SEPTEMBER 12, 2006
TOWN OF TALTY
BOARD OF ALDERMEN

I. The meeting was called to order at 7:15 p.m. at the Trinity Family Church, and a quorum was announced by Mayor Carter. Board of Aldermen members present were Brad Davis, Frank Garrison, Barbie Kraig, and Carla Milligan. Also present were Connie Goodwin and Sherry Bagby, as Town Secretary. Todd Hutton was absent due to illness.

III. The regular meeting was adjourned and Public Hearing was held to consider the following:

1. Randy Touchstone addressed the Board seeking approval of final plat regarding the Application submitted for final plat of Founders Place, Phase 1, located North and East side of FM 2932, south of Horseshoe Estates, Talty, Texas.
2. Brian Baker addressed the Board seeking approval of replat Application submitted to replat 1.85 acres, part of tract 1, Friendly Acres in the Stephen White Survey, Abstract 567. Town of Talty, Kaufman County, Texas, recorded in volume 1239, page 117, of the Deed of Records of Kaufman, County, Texas. Mr. Baker, a custom homebuilder, d/b/a Blue Diamond Homes, had photographs of the two proposed homes on the site. He divided the drive and allowed for two separate drive-ways; one for each home because of the AT&T fiber optic cable running below ground. He wanted to divide the property into two equal parts, each being a .925 lot size. His plans to build two 2,000sf homes; one for his mother-in-law and one for her adult daughter.

W.A. Werning, addressed the Board, who lives next door (on CR216) to the proposed site of Brian Baker's replat property. He would like the Board of Aldermen to concur with the P&Z's recommendation to deny this request.

3. The application from GMC, LLC to change the zoning from residential to commercial on 9.999 acres from the Stephen White Survey, Abstract No. 440, in Kaufman County, Texas on FM 1641 was not heard at this time. There was not a representative of GMC, LLC present.
4. Connie Goodwin read the proposed budget for fiscal year October 1, 2006-September 30, 2007, which showed a total revenue of \$293,345. There was discussion on various items in the budget.

The Public Hearing was adjourned at 7:45 p.m. The regular meeting went back into regular session at 7:45 p.m.

IV. Citizens Participation

Allison Weaver addressed the Board and asked if the budget workshop special meeting had been posted. It was posted and published on August 24 and August 31, 2006, in the Forney Messenger. Ms. Weaver also asked how many employees the Town had and the positions each employee held. She asked if the proposed budget had been posted on the website. It will be posted on the website once the Board has approved the new Budget for fiscal year Oct. 1, 2006 through September 30, 2007.

Allison Weaver stated that she was not in favor of having anyone on the Planning & Zoning Commission that does not live within the town's limits. If a citizen lives in the ETJ she does not want them to be able to serve because they are not subject to the Town's ordinances and they won't be impacted by the P&Z's recommendations to the Board.

V. Action Items

1. The Planning & Zoning Commission made the recommendation to accept the final plat of Founders Place, Phase 1, located on the North and East side of FM 2932, south of Horseshoe Estates, Talty, Texas, and they must comply with stipulations (furnish all documents to the Town, pay fees and have in place a maintenance bond).

Motion was made to accept the P&Z's recommendation and approve the final plat of Founders Place, Phase 1 with stipulations stated.

Motion by: Carla Milligan

Seconded: Frank Garrison

Vote: All in favor, motion carried.

2. The Planning & Zoning Commission made the recommendation to deny the replat and variance request of Brian Baker to replat 1.85 acres, Part of Tract 1 of Friendly Acres into two separate properties and the Board wants to continue the one acre requirement in Talty, Texas.

Motion was made to accept the P&Z's recommendation and deny the replat and variance request of Brian Baker.

Motion by Carla Milligan

Seconded: Frank Garrison

Vote: All in favor, motion carried.

3. The Planning & Zoning Commission made the recommendation to table the zoning request by GMC, LLC to change the zoning from residential to commercial on 9.99 acres from the Stephen White Survey, Abstract No. 440, Kaufman County, on FM 1641.

A motion was made to accept the P&Z's recommendation and table the vote because no one was present on behalf of GMC to answer any questions.

Motion by Frank Garrison

Seconded: Brad Davis

Vote: All in favor, motion carried.

6. The Board discussed the possible fine and amount for Almo Plaza for not having Winner's Circle off the septic system by June 1, 2006.

Tatari incurred several problems beyond his control, including AT&T's fiber optic cable running across his property that was not discovered from the title company; the size of the transformer from Trinity Valley was not adequate; the size of the septic system was enlarged to 25,000; and various engineering problems.

A motion was made to fine Almo Plaza \$250 per day for 19 days, for a total fine of \$4,750.

Motion by Frank Garrison

Seconded: Barbie Kraig

Vote: 2-2; Mayor Earl Carter broke the tie and voted yes.

7. The Board reviewed and discussed the proposed Budget for fiscal year October 1, 2006 through September 30, 2007.

A motion was made to approve the Budget for fiscal year Oct. 1, 2006 through Sept. 30, 2007.

Motion by Frank Garrison

Seconded: Barbie Kraig

Vote: All in favor, motion carried.

8. The Board reviewed the building permit fees and discussed a graduated scale to decrease the multiplier of the fee as the project value increased.

A motion was made to adopt the following scale:

\$7.00 up to \$1,000,000

\$5.00 from \$1,000,001 to \$2,000,000 and

\$3.50 from \$2,000,001 and above

Motion by Brad Davis

Seconded: Carla Milligan

Vote: All in favor, motion carried.

9. The Board reviewed for consideration the financial reports for July and August, 2006. It was noted that the interest income from Texpool was not shown, and it was requested to reflect the interest income on the Sept. financial reports.

A motion was made to approve the July, 2006 and August, 2006 Financial Reports.

Motion by Brad Davis

Seconded: Frank Garrison

Vote: All in favor, motion carried.

10. The Board reviewed for consideration the Minutes of August 8, 2006.

Motion by Brad Davis Seconded: Carla Milligan

Vote: All in favor, motion carried.

The Board reviewed for consideration the Minutes of the Special Board Meeting for August 15, 2006.

A motion was made to approve the Minutes of the Special Meeting for August 15, 2006 with corrections.

Motion by Barbie Kraig Seconded: Frank Garrison

Vote: All in favor, motion carried.

11. The Board discussed the possibility of amending Section 6A-104 of Ordinance 2005-101, to add a member to the Planning & Zoning Commission from the ETJ, which “may be a resident living in Talty’s ETJ.”

No action was taken at this time, although the Board considered it a positive step to bring those residents living in the ETJ a voice. Rockwall and Royce City both allow their P&Z members to live in the ETJ. A public hearing will be forthcoming.

A Motion was made to table any vote until a public hearing could be scheduled for citizens’ input.

Motion by Frank Garrison Seconded: Brad Davis

Vote: All in favor, motion carried.

VI. Discussion Items

1. Presentation by Jeffrey Johnston d/b/a Sprocket Data began at 9:15 p.m. He is interested in getting Talty’s business to host it’s website as well as set-up the Town’s information on the Internet. A handout was distributed to the Board for review. A solid price for his services was not given. He cares about Talty because he lives in the community and wants Talty to have a positive image. The fee to manage the web hosting is \$20 a month, which is the market rate.
2. The building permit fees were discussed regarding Security Custom Homes. Talty’s attorney, David Berman, is out-of-town until September 29, 2006, and will be consulted before any action is taken.
3. The billboard sign erected at CR148 and FM1641 by James Ramsey was discussed. A letter from Talty was sent to him on Sept. 1, 2006 to remove the sign immediately; Attorney Berman sent a letter of Sept. 10, 2006 to remove the sign and gave Ramsey notice. A second letter from attorney’s office was sent Sept. 18,

2006 to remove sign. The Board has a few options: (a) hire a company to remove the sign and store it; and (b) file a lawsuit.

4. The monthly report from Chief of Police, Jason West, was read by the Town Secretary.
5. An update date on development around Talty, Connie Goodwin mentioned a developer from Irving interested in purchasing 200 acres near FM2932. PBS Engineers would be surveying the town's ETJ.

Carla Milligan gave a brief update on the Fall Festival. October is very busy and too much conflict with area churches and other surrounding town's activities. It was suggested to wait until spring, or have it on Saturday, November 4, 2006, if possible.

Mr. Goodwin would like to schedule a Comprehensive Planning meeting on Tuesday night, September 26, 2006 at 6:00 p.m. at the Trinity Family Church.

The Board would like to schedule a brief ribbon-cutting ceremony for the Sonic, which has been opened for over a week. A possible date is being considered in September, depending on the Mayor's schedule. The landscaping has not been done due to water restrictions in Talty.

- VII. The Board convened into closed executive session for the purpose of evaluations of personnel.
The Board reconvened into their regular meeting at 10:15 p.m. No action was taken from the executive session.

The meeting adjourned at 10:20 p.m.

Dated: _____

Mayor Earl Carter

Sherry Bagby, Town Secretary