

MINUTES OF MAY 8, 2007  
TOWN OF TALTY  
BOARD OF ALDERMEN

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I. The meeting was called to order at 7:30 p.m. by Mayor Earl Carter at Trinity Family Church at FM 1641 and I-20, and a quorum was announced. Aldermen members present were Frank Garrison, Todd Hutton, Barbie Kraig, and Carla Milligan. Brad Davis was not present. Also present were Connie Goodwin, Town Administrator, and Sherry Bagby, Town Secretary.

II. Mayor Carter led the Pledge of Allegiance.

III. Mayor Carter opened the public hearing on the following:

Application for preliminary plat for Montelena Estates,  
Located in the Friend McMahan Survey, A-313, Talty, Texas

Jim Dewey with JDJR Engineers addressed the Board. He stated that their original plat had expired and that is why they are before the Board again. They have made three changes to the original plat submitted; (a) relocated one lot on Dove Street to move it a further distance between the drive-way (b) plat adds access to Hwy 148; and (c) will be developed in two phases due to down-turn in market conditions. There will be 38 lots in phase I. By early Fall, there should be lots on the ground. Phase II will begin one year later which will complete the project. The builders will be required to get building permits, and obtain inspections. Builders David Besser Homes and Colonade will be purchasing lots. There are a total of 84 lots in the development. The average home will be 2000 square feet on one acre. The corner lots will have a 35' set back. It is not in a flood plain. After discussions with Tex Dot, there will be a continuous left turning lane, between the two entrances. The entrance will be widen as a boulevard and will have brick and stone columns with the name of the subdivision. There will be an island in the center. A rod-iron fence will be installed between the two entrances. The street names have been approved by Kaufman County for 911 services and Terrell. There is a natural drainage of the property into the undeveloped land behind this development.

IV. Public Hearing was closed and Mayor Carter opened the regular meeting.

1. Police Report was distributed to Board. There were no officers in attendance.

**V. Action Items**

1. Gary Murrey and his assistant, Meredith Briggs, from Murrey & Co., P.C. addressed the Board to present the Audit for the fiscal year October 2005 – September, 2006.

Each Alderman had a copy of the Audit, as well as the management letter. The assets exceed the liabilities with an increase of \$56,000. He did a budget comparison with 2005 fiscal year. Some observations were made in his management letter. In response to various concerns over the financials, Mr. Murrey stated that they do offer bookkeeping services and, because of the growth this town is experiencing, the Town needs to get a better handle on the books. He stated that they are available to sit down and go over some items or answer "short" phone calls. Todd Hutton asked "Is there is anything that would affect the current fiscal year commencing October 2006 to date?" Murrey said he was not aware of anything.

Motion made by Frank Garrison to approve the audit as submitted.

Seconded: Carla Milligan

Vote: All in favor, motion carried.

The Board received a recommendation from the Planning & Zoning Commission from John Jackson. The Planning & Zoning Commission recommends that the Board approve the preliminary plat for Montelena Estates, located in the Friend McMahan Survey, A-313, Talty, Texas.

2. The Board discussed and considered the preliminary plat for Montelena Estates. Mr. Dewey stated that the roads would be privately maintained and HOA will be responsible for roads. Carla Milligan mentioned speed bumps, humps, knobs, etc. – something that would slow traffic on two of the streets and the Board expressed their concerns. Mr. Goodwin stated that the board should be careful requiring a developer to put speed bumps on the roads. Mr. Goodwin also stated that our ordinance extends to the ETJ for building permits and inspections, which are required in the ETJ. Carla Milligan stated that she would approve the plat if the developer would consider looking into addressing the speed on the two long streets in the development. The developer acknowledged that he would consider doing some kind of speed control.

A Motion by Barbie Kraig to approve Montelena Estates preliminary plat as presented.

Seconded: Frank Garrison

Vote: All in favor, motion carried.

3. The Board reviewed and discussed the Minutes of March 20, 2007. A Motion was made by Frank Garrison to approve the Minutes of March 20, 2007 as submitted.  
Seconded: Barbie Kraig  
Vote: 2-2 -- Mayor Carter broke the tie in favor. The Minutes were approved as submitted. Carla Milligan and Todd Hutton voted "against" because they felt the minutes were deficient in their level of discussion.

The board then reviewed and discussed the Minutes of April 10, 2007. Carla Milligan had a written statement requesting "that the minutes of 5-8-07 reflect that she has concerns that the minutes since February 2007 have not adequately reflected discussion. I believe that the minutes should include this information. The discussion gives the minutes more substance and allows the citizens to know why the board conducts business the way it does."

A Motion was made by Frank Garrison to approve the Minutes of April 10, 2007 as submitted.

Seconded: Barbie Kraig

Vote: 2-2 -- Mayor Carter broke the tie in favor. The Minutes were approved as submitted. Carla Milligan and Todd Hutton voted "against" because they felt the minutes were deficient in their level of discussion.

4. The Board discussed appointing an alternate to the Planning & Zoning Commission. Frank Garrison nominated Rodney Cottrell.

A Motion was made by Frank Garrison to nominate Rodney Cottrell.

Seconded: Barbie Kraig

Vote: 2-2 -- Mayor Carter broke the tie in favor. Rodney Cottrell is appointed as an alternate to the Planning & Zoning Commission. Carla Milligan stated that she wanted to meet him first. Carla Milligan would like to bring her nomination to the next meeting. Todd Hutton wanted to table until other nominations were submitted.

5. The Board discussed and considered the two Resolutions relating to signatures on Town bank accounts and checks:

Resolution 2007-002 was a clarification of an existing resolution.  
Resolution 2007-003 was drafted by the town's attorney.

A Motion was made by Barbie Kraig to table the approval of these two resolutions until further advice from the town's attorney on the language to merge these two resolutions.

Seconded: Frank Garrison

Vote: All in favor, motion carried.

6. The Board reviewed and discussed the financials of February 2007 and March 2007. Connie Goodwin stated that for the last six months, the Town is \$31,948 income over budget, and expenses are \$156,000 and the budget allowed \$146,000. Barbie Kraig wanted to know if the line item mattered? Connie Goodwin said "yes." Connie Goodwin stated that his car allowance is now considered taxable income because he claims it at the end of the year on

a 1099 and deducts his mileage. Barbie Kraig stated “we need to record it as taxable income because that what it is and it’s the legal way of doing it.”

Todd Hutton questioned items paid to Sprocket Data, Jeffrey Johnson. He wanted to know on the P&L statement if \$1,179.90 to Active Networks was for web hosting for one year in advance.

Carla Milligan asked why payroll was increasing. She questioned how the court clerk was paid to attend school. Mr. Goodwin said “hourly.” Barbie said hourly is higher than salary.

Carla asked about Jason West setting up a drug account. She asked who are the signatures on this account. Mr. Goodwin stated “Jason West and Mayor Carter.” She stated that Jason West should not be setting up any accounts. Connie stated that the drug account money was in the complete discretion of Chief West. Connie stated that police also need their own locked cabinet for police use.

Carla Milligan had a written statement requesting that “the minutes of 5-8-07 reflect that I have great concerns that the financials are not being done correctly and for several months now I have voiced those concerns. I believe the town staff does not have the knowledge to handle this part of their job.”

A Motion made by Frank Garrison to approve the financials of February 2007 and March 2007 as submitted.

Seconded: Barbie Kraig

Vote: 2-2 -- Mayor Earl Carter broke the tie in favor. Motion carried and the financials for February 2007 and March 2007 are approved as submitted. Carla Milligan and Todd Hutton voted “against” because they felt the whole issue surrounding the financials remained unresolved.

### **Discussion Items:**

1. Updates on development in and around Talty.
  - a. Connie Goodwin had nothing to report.
  - b. Frank Garrison and Barbie Kraig asked about the status of Preston Irvin’s development. Neither Mayor Carter, nor Connie Goodwin knew of any new information at this time.
  - c. Barbie Kraig asked about Mike Tatari’s property. Mr. Goodwin stated that he is hauling in dirt now.
  - d. Carla Milligan asked about Mike Tatari’s fence behind Sonic. Frank Garrison commented it had been fixed.

- e. Carla Milligan asked about the status of repairing Cleaver Lane. Connie Goodwin said that Kaufman County is in the process of submitting a bid to smooth down the road. She wants the Town to put pressure on them to hurry up, and she wants a bid this week.
- f. Barbie Kraig asked about a civil defense siren. She asked Connie Goodwin to check into getting one with Forney. Connie Goodwin stated that he had a good response from Bob Deuell's office and he will receive papers soon to complete from Jeb Hensarling's office.

2. Alderman update.

None.

VI. Motion to adjourn by Carla Milligan.

Seconded: Barbie Kraig

Vote: All in favor, motion carried.

Meeting was adjourned at 9:55 p.m.

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Mayor Todd W. Hutton

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Sherry Bagby, Town Secretary