

MINUTES OF JANUARY 30, 2007
TOWN OF TALTY
BOARD OF ALDERMEN

The meeting was called to order at 7:50 p.m. by Mayor Earl Carter at the Trinity Family Church, and a quorum was announced. Board of Aldermen members present were Brad Davis, Frank Garrison, Todd Hutton, Barbie Kraig, and Carla Milligan. Also present were Connie Goodwin, Town Administrator, and Sherry Bagby, Town Secretary.

- III. Matt Stephens signed in to address the Board of Aldermen. Mr. Stephens was there to address the Board, on behalf of his elderly father, who owns 11.8 acres next door to the property being discussed wherein Trinity Valley Electric Coop. was requesting a change in zoning so that they could purchase the property for a sub-station. Mr. Stephens is Director of Construction for Brinker International in the corporate development department. He suggested that the Town would have a substantial loss of tax revenue if the property was sold to Trinity Valley. He suggested that the property values of those homes in the surrounding subdivision of Shamrock, and his father's land would decrease drastically. He asked the Board to deny Trinity Valley's request for the rezoning of this property.
- IV. The regular meeting was adjourned at 7:55 p.m. and the Mayor opened the public hearing to hear the two zoning request before the Board.
 1. Chuck Hudson, managing partner of GMC, LLC, addressed the Board regarding the application from GMC, LLC requesting a zoning change from R-1 to commercial on 9.999 acres from the Stephen White Survey, Abstract 440, Kaufman County, Texas. Mr. Hudson stated that it was a higher and better use for it being zoned commercial property as the town grows. The property faces FM 1641, which is a major thoroughfare. It would be a prime location for professional offices, due to the depth of the property. He suggested that it would be a logical decision to grant his request to change the zoning. The corner is already zoned retail, as well as the property across FM 1641. Mr. Hudson is in final negotiations with the Forney I.S.D. to move their elementary school site forward. Currently, he has committed lots to D.R. Horton and First Texas Homes, but not closed. PBS&J, the Town's engineers, have agreed with Hudson's plan regarding the flow of water and the 3 lots being set aside for holding tanks.
 2. Mr. Ray Raymond, interim manager for Trinity Valley Electric Cooperative, Inc., addressed the Board regarding their Application for rezoning the land from single family residence to commercial/industrial on all that certain lot, tract or parcel of land,

part of the W. White Survey, Abstract 567, Kaufman County, Texas all of that certain called 9.699 acres of land and all that certain lot, tract or parcel of the S. White Survey, Abstract 567, Kaufman County, Texas containing 1.639 acres of land. He introduced the following individuals:

1. John Mosley, their attorney with Morgan & Mosley;
2. Tim Craig, their engineer with Trinity Valley,
3. Richard Hutchison, Project Manager;
4. Jerry Boze, Public Relations; and
5. George Keifus, Cornelius & Pierce, engineering firm in Fort Worth.

Mr. Raymond stated that Trinity Valley could not guarantee that they can adequately serve the area and meet the growth demands without expansion of a substation in this area. He emphasized that there would be appropriate screening to minimize the visual impact of the site, and improve the liability to the area. Trinity Valley has not requested permission from Tex Dot for use of their roadway because it is too premature at this time since the zoning is in question, and the only road currently available is CR213. Trinity Valley still has adequate time to request permission from Tex Dot because the project would not get started for 24 months. Mr. Raymond indicated that the best possible site would be in the center of the load in order to maintain the current service level, and also improve their service. He indicated that several sites were discussed and they could not reach any final terms with other landowners in the area. There is a limit to how much Trinity Valley can spend on a substation. This site would not be a service center. Mr. Raymond stated that easements for the high power lines, and transformers from the substation would have to be in place.

V. The Public Hearing was closed at 8:50 p.m. and the regular meeting was commenced.

1. Gavin Hill, Chairman of The Planning & Zoning Commission, addressed the Board and stated that they unanimously approved the application from GMC, LLC to rezone the property from residential to commercial.
2. The Board considered and discussed the Application from GMC, LLC to change zoning from Residential to commercial on 9.999 acres from the Stephen White Survey, Abstract 440, Kaufman County, Texas.

Motion made by Frank Garrison to approve the zoning request of the 9.999 acres from the Stephen White Survey, Abstract 440, Kaufman County, Texas.

Seconded: Barbie Kraig.
Vote: 3-2, Carla Milligan and Todd Hutton voted “no” **Motion carried.**

3. Gavin Hill, Chairman of the Planning & Zoning Commission, addressed the Board and stated that the P&Z felt it was a necessary evil to have adequate electricity in the area to handle the growth. The P&Z approved by a 4-2 vote to approve Trinity Valley Electric Cooperative's application to rezone that certain tract or parcel of land, 9.699 acres of the S. White Survey, Abstract 567, Kaufman County, Texas.
4. The Board considered and discussed the Application from Trinity Valley Electric Cooperative, Inc. to change zoning from single family residence to commercial/industrial on all that certain lot, tract or parcel of land, part of the S. White Survey, Abstract 567, Kaufman County, Texas all of that certain land called 9.699 acres of land and all that certain lot, tract or parcel of the S. White Survey, Abstract 567, Kaufman County, Texas containing 1.639 acres of land.

Motion made by Brad Davis to deny Trinity Valley Electric Cooperative, Inc.'s application to rezone the property on that certain tract or parcel of land, part of the W. White Survey, Abstract 567, Kaufman County, Texas containing 9.699 acres of land and 1.639 acres of land.

Seconded: Frank Garrison.

Vote: All in favor, **motion carried.**

5. Police Chief West has requested approval to purchase a taser gun.

Motion made by Brad Davis for the Town of Talty to purchase a taser gun, not to exceed \$800, after Alderman Barbie Kraig has exhausted her contacts with the Garland Police Dept.

Seconded: Todd Hutton

Vote: All in favor, **motion carried.**

6. The Board discussed giving Gastonia-Scurry Water a letter of approval for a special utility district ("SUD") to be created to supply water to parts of Talty. Gastonia-Scurry can finance 2% less if they have a special utility district. A SUD cannot levy a tax. It forces an election in May when Talty has their election and they must give public notice of an election.

Motion made by Brad Davis to allow the Mayor to sign a letter of approval for a "SUD" to be created.

Seconded: Barbie Kraig

Vote: All in favor, **motion carried.**

7. The Board discussed appointing two alternates to the Planning & Zoning Commission in case regular members are absent. Mr. Goodwin suggested the two alternates be at every meeting, without voting, and rotate their turn to vote. It was discussed to revise the ordinance whereas individuals living in the ETJ could serve on the P&Z, however they cannot vote in the

elections. Currently, the ordinance states that P&Z members must be able to vote in the Town of Talty's elections.

Motion made by Brad Davis to table this item until February, after board members have had an opportunity to bring names of individuals interested in serving on the P&Z.

Seconded: Frank Garrison

Vote: All in favor, **motion carried.**

8. Discussion Items:

- a. Update on development in and around Talty.

A developer, Preston Irvin, is pursuing his residential development on FM 148, and is working on the sewer with Randy Touchstone.

Mr. Goodwin asked the Board if they would allow him to meet with Mesquite regarding ETJ annexation issues. The Board said it would be "ok" to try and find out how far Mesquite wanted to annex.

Mr. Goodwin gave an update on getting Officer West a cell phone. He called several companies and would like to go with Cingular Wireless. They have a new office in Forney, and it is convenient. The Town does not have any credit; therefore, would be required to put a \$300 deposit.

Meeting adjourned at 9:55 p.m.

Dated: _____

Mayor Earl Carter

Sherry Bagby, Town Secretary