

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1745 F.M. 2931
MONDAY, JANUARY 9, 2012
7:00 P.M. Regular Session

MINUTES

REGULAR SESSION 7:00 p.m.

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

Mayor Roberson called the meeting to order at 7:00 p.m. Town Council members present were Alderman Lisa Garcia, Mayor Pro-Tem Earnest Law, Alderman Mike Thompson, and Alderman Mark McCullough, being a quorum.

II. PLEDGE OF ALLEGIANCE

- a. United States Flag
- b. Texas Flag:
 - i. Honor the Texas Flag I pledge allegiance to thee Texas, one State under God, one and indivisible

III. INVOCATION

Philip Mack Furlow led the invocation.

IV. OPEN FORUM:

Open Forum is for information only. The Council can take no action. No charges and/or complaints will be heard against any elected official, appointed official or employee of the Town unless presented in writing as prescribed in Chapter 22, paragraph 22.043 of the Local Government Code. Speaking time will be limited to three (3) minutes.

**Please note* Anyone wishing to furnish the Town Council with copies/handouts regarding their item of interest must provide 9 copies and present them to the Town Secretary for distribution to the Town Council.*

Don Fisher, President of the Providence Village HOA, gave an update on the problems relating to the baseball field and recent retaliation vandalism damage done to one of the complaining resident's home. Mr. Fisher stated that the HOA is not closing the ball field and that information was sent out to the residents about the kinds of bats that can be used and other information. Mr. Fisher also announced that the HOA was planning a joint meeting with the Town Council on January 21, 2012

between the hours of 3:00 p.m. and 5:00 p.m. at the Community Center to update the residents on the current litigation matter between the Town, PVWCID and Mustang Water. Mr. Fisher also stated that he is now authorized to register new voters and plans to conduct a voter's registration drive during the joint meeting on January 21, 2012.

Jennifer Martinez, who resides at 9920 Martha's Vineyard Circle, Providence Village, Texas, requested to address the Town Council regarding the golf cart registration ordinance. Ms. Martinez stated that she does not have a problem with the \$25.00 registration fee, but that her complaint was more on the issue that the ordinance required additional costs to the resident to purchase the necessary insurance. Deputy Barnes stated that the insurance requirement did not involve purchasing additional insurance coverage, and that the golf carts were already covered under a homeowner's general liability policy. Alderman Thompson moved to close open forum; Alderman Garcia seconded. Motion carried: 4 in favor; 0 opposed.

V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:

- a. Monthly Reports from Committees: Communications, HOA, Water, Ordinance, Finance and Law Enforcement

Communication Committee – Mayor Pro-Tem Law reported that there were currently 37 subscribers to MailChimp. Mayor Roberson and Mayor Pro-Tem Law reiterated an explanation of the MailChimp software and purpose of providing subscribing residents with email updates of information from the Town.
HOA Committee – Nothing to report.

Water District Committee – Alderman Garcia stated that she had provided a written report and that the PVWCID has not taken action during either of their last two meetings relating to the Town's request that they join with the Town in representing the residents in the current litigation. Alderman Garcia also reported that Harris is the only remaining signature needed on the Order from the December 15, 2011 hearing. Alderman Garcia also stated that the Fire Committee is talking with Chief Starr who would like the PVWCID to consider contributing towards the purchase of another fire engine. Mayor Roberson also announced that the Upper Trinity Water District sent notice that there would be maintenance performed that could result in a possible drop in the water level of the Providence Lake, but that the work would only be temporary for approximately 10-12 days.
Ordinance Committee – Nothing to report.

Finance Committee – Lisa Garcia reported that items would be covered later in the agenda.

Law Enforcement Committee – Nothing to report.

- b. Staff Reports

Town Attorney, Philip Mack Furlow, reported on public information request activities recently handled.

Code Enforcer provided written report and discussed correction status and current level of violation issues.

Deputy Barnes provided a brief summary of law enforcement activities.

Town Secretary provided a brief summary report of municipal court activities and Town Hall activities.

Alderman Garcia motioned to close the committee and staff reports; Alderman Thompson seconded. Motion carried: 4 in favor, 0 against.

VI. CONSENT AGENDA – Items are considered self-explanatory and will be enacted with one motion. There will be no separate discussion of these items unless so requested by at least one member of the Town Council.

- a. Minute Approval: November 28, 2011 and December 12, 2011 minutes available for approval.
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

There was discussion regarding the invoice from Kelly Hart and Philip Mack Furlow stated that the Council needed to wait on approval of the bill until he had the opportunity to discuss adjustments with the firm. It was also discussed that the 2011 property tax invoice would be addressed later in the agenda. The invoice from Kelly Hart and the invoice from the Denton County Tax Assessor were removed from the Consent Agenda. Alderman McCullough motioned to approve the Consent Agenda without the invoices from Kelly Hart and the 2011 Property Taxes; Alderman Thompson seconded. Mayor Pro-Tem Law opposed the motion. Motion carried by majority vote: 3 in favor, 1 against.

VII. ACTION ITEMS

- a. Consider, discuss and act upon resignation of Alderman Eddie Army.

Mayor Roberson reported due to a job promotion involving relocation to another state, Alderman Eddie Army has tendered his resignation from the Town Council, effective January 3, 2012. Mayor Pro-Tem Law motioned to accept Alderman Army's resignation effective as of January 3, 2012; Alderman Thompson seconded. Motion carried: 4 in favor, 0 against.

- b. Consider and discuss process for replacement of Alderman Place 1 on the Town Council.

Mayor Roberson reported on the process for appointment for vacancy replacements on the Town Council. Mayor Roberson further announced that if anyone had an interested in being considered for the position on the Town

Council, they should send their information to a Town Council Member. Mayor Roberson further stated that it is anticipated that an appointment will be made to fill the vacancy at the first Town Council meeting scheduled in February 2012.

- c. Consider, discuss and act upon voter turnout initiative.

There was a brief discussion regarding Don Fisher's recent registration to registered voters. No action was taken.

- d. Consider, discuss and act upon reassignment and creation of committees.

There was discussion regarding realignment of committees and members. Following discussion on possible labels for the combined committees, it was recommended that the Water District Committee and Law Enforcement Committee be combined and called the Transition Committee which will be responsible for coordinating the transfer of services and operations from the PVWCID to the Town.

Mayor Pro-Tem Law moved that Alderman Garcia and Alderman McCullough are assigned to the Finance Committee, Alderman McCullough and Alderman Thompson are assigned to the HOA Committee, Mayor Pro-Tem Law and Alderman Thompson are assigned to the Ordinance Committee and Alderman Garcia and Mayor Pro-Tem Law are assigned to the Transition Committee; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

- e. Consider, discuss and approve payment of 2011 property taxes on Town Hall location.

Following brief discussion, Alderman Garcia motioned to table this item; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

- f. Consider, discuss and act upon ordinance approving proposed amendments to FY 2011-2012 Town Budget.

Item tabled. No action taken.

- g. Discuss legal and administrative status involving CCN transfer from Providence Village Water Control and Improvement District to Mustang Special Utility District.

Philip Mack Furlow discussed the hearing held on December 15, 2011 on Second Plea in Abatement and Mustang's announcement in Court that they intended to file an interlocutory appeal. Philip Mack Furlow briefly described the appeal process, including initial brief, responses, and any reply. Philip Mack Furlow stated that he expected this appeal to move quickly, since the issue at hand is primarily a matter of law. Philip Mack Furlow further stated that any additional items to report would be discussed in Executive Session.

- h. Identify agenda items to be discussed at future meeting.

Sign Ordinance
Zoning Ordinance
Amendment to 2011-12 FY Budget

Mayor Pro-Tem Law motioned to close Town Council regular session meeting and convene into Executive Session; Alderman Garcia seconded. Motion carried: 4 in favor, 0 against.

Mayor Roberson closed Town Council regular session at 7:46 p.m. and convened into Executive Session.

VIII. EXECUTIVE SESSION

The Town Council will convene into executive session pursuant to Texas Government Code Section 551.071, Consultation with Attorney, to seek the advice of the Town Attorney or other legal counsel concerning pending or contemplated litigation or on a matter in which the duty of the attorney(s) to the Town under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

Alderman Thompson made a motion to close Executive Session and reconvene into Town Council regular session; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

IX. RECONVENE INTO OPEN SESSION

- a. Consider and act upon items discussed in Executive Session.

Mayor Roberson closed Executive Session and reconvened Town Council regular session at 8:32 p.m.

X. ADJOURNMENT

Alderman McCullough motioned to adjourn the Town Council meeting; Alderman Thompson seconded. Motion carried, 4 in favor, 0 against.

Meeting was adjourned at 8:33 p.m.



Brian D. Roberson
Mayor, Town of Providence Village, Texas

1-23-12
Date Minutes Approved



Connie Hansen
Town Secretary

1/23/12
Date Minutes Approved

