

NOTICE OF  
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING  
TOWN OF PROVIDENCE VILLAGE, TEXAS  
PROVIDENCE VILLAGE TOWN HALL  
1745 F.M. 2931  
**MONDAY, JANUARY 13, 2014**  
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 7:16 p.m. Town Council members present were Alderman Steve Miller, Alderman Lynn Jaco, Alderman Dave Shuck and Alderman Darren Vader, being a quorum. Mayor Pro-Tem Earnest Law was absent.

**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 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.*

Alderman Dave Shuck announced a meet the candidate session scheduled for Saturday, January 18, 2014 at 11:00 a.m. at the Copeland Center to meet all of the candidates in the Primary Election. He further stated that it was a non-partisan event. There were no requests to address the Town Council in open forum.

Alderman Shuck motioned to close open forum; Alderman Jaco seconded. Motion carried: 4 in favor; 0 opposed.

**V. WORKSESSION/COMMITTEE REPORTS/STAFF REPORTS:**

- a. Monthly Reports from Committees: Communications, Emergency Preparedness, HOA, Ordinance and Transition

Communication Committee – Nothing to report.

Emergency Preparedness Committee – Nothing to report.

HOA – Mayor Roberson reported that the HOA has joined in the lawsuit between the Town, PVWCID and Mustang Water. Philip Mack Furlow further reported that the HOA had officially filed a Plea in Intervention and the HOA is participating in the lawsuit on behalf of the HOA and the homeowners.

Ordinance Committee – Nothing to report.

Transition Committee – Nothing to report.

- b. Staff Reports

Code Enforcement – Mike Carroll provided a brief summary of his written report.

Law Enforcement – Nothing to report.

Town Secretary/Municipal Court – Connie Hansen provided a summary of the municipal court statistics.

Alderman Jaco motioned to close the committee and staff reports; Alderman Shuck seconded. Motion carried: 4 in favor, 0 opposed.

**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
- b. Treasury Report
- c. Pay Bills
- d. Approve Purchase Orders

Alderman Shuck motioned to approve the consent agenda; Alderman Jaco seconded. Motion carried: 4 in favor, 0 opposed.

**VII. ACTION ITEMS**

- a. Consider, discuss and act upon 2012-13 Fiscal Year Budget Audit Report as presented by William C. Spore, P.C.

William Spore provided an audit presentation to the Council regarding the 2012-13 Fiscal Year Budget Audit he conducted. Reported that legal services were over

budget, while personnel costs were under budget. In summary, the audit is positive with the Town growing, revenues increasing and expenditures below budget, with the exception of legal services. All of the current funds are protected by FDIC. The internal control letter does not identified any deficiency in the management.

Mayor Pro-Tem Earnest Law arrived at 7:26 p.m.

Alderman Shuck motioned to table approval to the next meeting; Alderman Miller seconded. Motion carried: 4 in favor, 0 opposed.

- b. Consider, discuss and act upon approval of Atmos Energy's Protected Tree Removal Permit Application pursuant to a private easement right-of-way on the south side of Fishtrap Road within the corporate limits of the Town of Providence Village.

Mike Carroll, Code Enforcer, provided the Council with a brief history of activities leading up to the need for the Protected Tree Removal Permit Application. There was a brief discussion regarding the private easement owned by Atmos and the need for the utility maintenance and how it relates to the Town's current Tree Protection Ordinance. Alderman Miller motioned to approve the Protected Tree Removal Permit Application; Mayor Pro-Tem Law seconded. Motion carried: 5 in favor, 0 opposed.

- c. Consider, discuss and act upon approval of Resolution Ordering a General Election for May 10, 2014.

Mayor Pro-Tem Law motioned to approve the resolution ordering a general election for May 10, 2014; Alderman Jaco seconded. Motion carried: 5 in favor, 0 opposed.

- d. Consider and discuss proposed comprehensive plan ordinance.

Philip Mack Furlow stated that both the comprehensive plan ordinance and the zoning ordinance are being finalized. The comprehensive plan ordinance is tied to the zoning district map. Philip Mack stated that it was time to begin the public hearings and getting notice to all of the property owners. There was extensive discussion regarding the comprehensive plan ordinance and how the Town can designate zoning districts to represent that when, and if, we have this particular zoning district, this is where it will be located. Alderman Shuck questioned the requirement that all zoning districts be accounted for even if no one is interested in developing such an area.

Connie Hansen will coordinate with council members to confirm availability dates and set a schedule for public hearings, publicizing public hearing notice and providing notice to all property owners in the Town.

- e. Consider and discuss proposed subdivision ordinance.

See action item (d).

- f. Consider and discuss proposed zoning ordinance.

See action item (d).

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

Philip Mack Furlow stated that the HOA, on behalf of the HOA and the homeowners, has intervened in the lawsuit on the Town's side. He also reported that there has been no interlocutory appeal filed by Mustang following the December hearing and court ruling.

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

1. Comprehensive Master Plan Ordinance
2. Subdivision Ordinance
3. Zoning Ordinance
4. Representative Pat Fallon
5. Approval of the 2012-13 Fiscal Year Audit Report

Alderman Jaco motioned to close Town Council regular session meeting and convene into Executive Session; Alderman Miller seconded. Motion carried: 5 in favor, 0 opposed.

Mayor Roberson closed Town Council regular session and opened executive session at 8:29 p.m.

## **VIII. EXECUTIVE SESSION**

The Town Council will convene into executive session pursuant to Texas Government Code Sections 551.074, Personnel Matters, and 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.

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

Alderman Jaco motioned to closed executive session and reconvene into Town Council regular session; Alderman Shuck seconded. Motion carried: 5 in favor, 0 opposed.

**IX. RECONVENE INTO OPEN SESSION**


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

Mayor Roberson closed executive session and reconvened regular session meeting at 8:51 p.m.

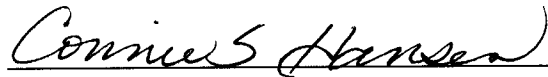
**X. ADJOURNMENT**

Alderman Jaco motioned to adjourn the Town Council meeting; Alderman Vader seconded. Motion carried: 5 in favor, 0 against.

Meeting was adjourned at 8:52 p.m.

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

3/10/14  
\_\_\_\_\_  
Date Minutes Approved

  
\_\_\_\_\_  
Connie S. Hansen  
Town Secretary

3/10/14  
\_\_\_\_\_  
Date Minutes Approved

