

NOTICE OF
TOWN COUNCIL WORKSESSION, PUBLIC HEARING & REGULAR MEETING
TOWN OF PROVIDENCE VILLAGE, TEXAS
PROVIDENCE VILLAGE TOWN HALL
1745 F.M. 2931
MONDAY, FEBRUARY 27, 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 7:01 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. Alderman McCroskey would be arriving late.

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

Lenny Ramos 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.*

Vicky Dyer, a resident who resides at 9125 Eagle Ln., Providence Village, spoke regarding her discontent about unnamed individuals talking about seven children killed in the area because of school zone speeding and requested that the Council produce the seven kids.

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 – Nothing to report.

Finance Committee – Alderman Garcia reported that the Child Safety Funds would not be received until October and that she was working on trying to get the funds to be retroactive to when the Town was created, but the retroactivity is highly unlikely. Mayor Roberson provided a brief explanation of the Child Safety Fund, how it was collected and the requirements for use of the funds by the Town.

HOA Committee – Alderman McCullough reported that the HOA meeting was scheduled for February 28th, so there was not to report at this time.

Ordinance Committee – Alderman Thompson reported that ordinance action items would be discussed later in the agenda.

Transition Committee – Alderman Garcia stated that there was nothing to report at this time but that the committee was working on scheduling a meeting in the near future between the Transition Committee, HOA and PVWCID.

- b. Staff Reports

Town Secretary, Connie Hansen, provided a written report and provided a summary of same.

Alderman McCullough 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: February 13, 2012 Regular Session
b. Treasury Report
c. Pay Bills
d. Approve Purchase Orders

Mayor Pro-Tem Law motioned to approve the Consent Agenda; Alderman McCullough seconded. Motion carried: 4 in favor, 0 against.

VII. ACTION ITEMS

- a. Consider, discuss and act upon proposal from Providence Village HOA Board of Directors requesting the Town and Providence Village Water Control

Improvement District to share the cost of hiring the Aubrey Fire Department and Denton County Sheriff's Department Office for the July 4th Festivities.

Following a discussion regarding the HOA proposal request, Mayor Roberson suggested that the HOA, PVWCID, DCSO and Aubrey Fire Department meet to discuss the details of what is absolutely needed and that a member from the HOA Committee and the Transition Committee attend the meeting and report back to the Council. It was agreed to table this action item until the HOA and Transition Committee participants could report back with their recommendations.

- b. Consider, discuss and act upon committee assignments.

Following a brief discussion, Alderman Garcia motion to approve the assignment of Alderman McCroskey to the Communication Committee; Alderman Thompson seconded. Motion carried: 4 in favor, 0 against.

- c. Consider, discuss and act upon address modifications resulting from the replatting of Lots 9 through 13, Block S, Eagle Village at Providence Phase 7 into Lots 9R through 12R, Block S, Eagle Village at Providence Phase 7, and the removal of the address 9011 Greene Drive from the Providence Village MSAG and Denco 911 records.

Mayor Roberson provided an explanation of Huffines replatting of 5 lots into 4 lots, requiring the modification of the Town's Municipal Street Address Grid by removing one of the addresses already listed. Alderman Garcia moved to approve the removal of the address 9011 Greene Drive from the Town's MSAG and Denco 911 records; Alderman Thompson seconded. Motion carried; 4 in favor, 0 against.

- d. Consider and discuss Ordinance Establishing Regulations for Signs in the Town of Providence Village and its ETJ.

There was lengthy discussion regarding the revised sign ordinance and questions submitted by residents, developers and the HOA through a variety of communication medias.

Alderman McCroskey arrived at 7:37 p.m.

Town Attorney, Philip Mack Furlow will review the ordinance to include seasonal sign issues. There was continued discussion regarding grandfathering existing signs. The consensus was that after 50% or more of deterioration of an existing sign which has been grandfathered, the sign will be required to be replaced and in compliance with the sign ordinance. There was discussion regarding case law research being required relating to limitations on "for sale" signs. Mayor Roberson suggested that there be a joint meeting between the Ordinance Committee and the HOA to discuss the issue of "For Sale" sign requirements and enforcement.

There was further discussion regarding the reference in the sign ordinance to historic district. It was agreed that there are potential historic areas and that this section of the ordinance would need to be discussed further.

There was further discussion as to who would be responsible for enforcement of the sign ordinance and it was agreed that the Town Code Enforcer would be enforcing the ordinance.

Alderman Thompson will revise the sign ordinance as discussed and will distribute same.

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

Philip Mack Furlow reported that the case is currently in the Court of Appeals and that he has just received the brief filed by Mustang. He reported that the Town's responsive brief will be completed by late March, but that most likely an extension to the filing deadline will be requested. The brief filed by Mustang is voluminous and convoluted, and really only has a few pages that actually touch on the reserve powers doctrine issue. Philip Mack Furlow stated that the remaining information would be discussed in executive session.

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

FY2011-2012 Budget Amendments
Denton County Zoning
Amendments to Building Permit

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

Mayor Roberson closed Town Council regular session at 8:27 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 McCullough made a motion to close Executive Session and reconvene into Town Council regular session; Alderman Thompson seconded. Motion carried: 5 in favor, 0 against.

IX. RECONVENE INTO OPEN SESSION

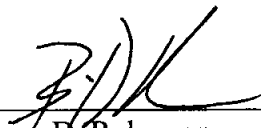
a. Consider and act upon items discussed in Executive Session.

Mayor Roberson closed Executive Session and reconvened Town Council regular session at 8:49 p.m.

X. ADJOURNMENT

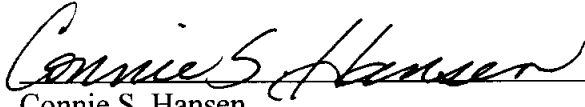
Alderman McCullough motioned to adjourn the Town Council meeting; Mayor Pro-Tem Law seconded. Motion carried, 5 in favor, 0 against.

Meeting was adjourned at 8:50 p.m.



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

3-12-12
Date Minutes Approved



Connie S. Hansen
Town Secretary

3/12/12
Date Minutes Approved

