

**STATE OF TEXAS** §  
**COUNTY OF DENTON** §  
**TOWN OF BARTONVILLE** §

The regular meeting of the Planning and Zoning Commission of the Town of Bartonville was held on October 6, 2010, at 7:00 p.m., in the Bartonville Town Hall. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted at on Friday, October 1, 2010, at 3:30 p.m., at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

<b>Present:</b>	<b>Absent:</b>
Ralph Arment, Chairperson	Betty Medlock
Gloria McDonald, Vice Chairperson	Don Abernathy
Jim Langford (arrived at 8:10 p.m.)	
Kathy Bradham, Alternate (voting, left at 7:11 p.m.)	
Jim Strange, Alternate (voting)	

**Also present:** Kristi Gilbert, Town Secretary  
Gary Vickery, Town Engineer

This constituting a quorum, the following business took place:

Chairperson Arment called the meeting to order at 7:04 p.m.

**Call to Order**

The Commissioners considered the October 6, 2010, regular meeting minutes. Alternate Commissioner Bradham moved to approve the minutes as corrected. Alternate Commissioner Strange seconded the motion. For: Arment, Bradham McDonald and Strange. Against: None. The motion carried 4 to 0.

**ACTION: Approve Minutes**

No one was signed in to speak.

**Open Forum**

Chairperson Arment left the order of the agenda to consider Item 5 being Ordinance 505-10.

Vice Chairperson Gloria McDonald recused herself due to a conflict of interest in that she is related in the first degree of affinity to a Board Member of the Bartonville Water Supply Corporation.

The Commission discussed recommendations to the Town Council regarding Ordinance 505-10, a proposed ordinance amending the zoning regulations for the Town by granting a conditional use permit to allow an elevated water tank and related facilities on a 4.735 acre tract of land known as Lot 1, Block A of the Bartonville Water Supply Addition.

**Discussion:  
Ordinance 505-10**

Chairman Arment stated that the Town was still awaiting a report from the Town Engineer addressing the necessity of the facility and that the Commission should table the item until the report was complete. Discussion was held with regard to the color and style of the facility.

Alternate Commissioner Jim Strange moved to table consideration of Ordinance 505-10 until the November 3, 2010 meeting. Alternate Commissioner Bradham seconded the motion. For: Arment, Bradham and Strange. Against: None. Abstained: McDonald. The motion carried 3-0-1.

**ACTION: Table Ordinance 505-10**

Vice Chairperson McDonald returned to her seat.

Alternate Commissioner Kathy Bradham left the meeting at 7:11 p.m.

The Commission considered recommendations to the Town Council regarding a request by GulfTex Operating, Inc for a fracing permit for the Frenchtown 2H gas well.

**Discussion: Frenchtown 2H Fracing Permit**

Town Secretary Kristi Gilbert stated that the application was complete with the exception of the Certificate of Insurance that had expired on October 1, 2010. No representatives from GulfTex Operating were present to inquire as to the status of the insurance.

Vice Chairperson McDonald moved to table action until the November 3, 2010 meeting to confirm that the insurance was still current. Alternate Commissioner Strange seconded the motion. For: Arment, McDonald and Strange. Against: None. The motion carried 3 to 0.

**ACTION: Table Frenchtown 2H Fracing Permit**

Ms. Gilbert reviewed the proposed Ordinance 506-10 providing for amendments to the gas drilling regulations with the Commission. Discussion was held with regard to amending setbacks, providing more stringent regulations for fresh water frac tanks, expanding the regulations for the abandonment of wells and the utilization of waste minimization techniques.

**Discussion: Amending Oil and Gas Drilling Regulations**

Commissioner Langford arrived at 8:10 p.m.

Vice Chairperson McDonald moved to recommend to the Town Council the approval of Ordinance 506-10 with the following changes: change all setbacks from the wellhead to from the edge of the pad site; remove the double negatives in all areas that say “no Protected Use exists no closer...”; change F(c) to “within” instead of “at least” and add requirement for posting on web; change G(2)(k)(1) to indicate the requirement of paving to the

lesser of the gate or 70' from the edge of the pavement; change G(2)(k)(2) to "angled" instead of "designed"; change G(2)(t) to require electric compressors as well as electric drilling rigs; change G(4)(m)(2) to allow fresh water frac tanks only on the same property as the well it is servicing; remove G(4)(m)(5)(b) and replace it with the following: "The Fresh Water Fracture Pit shall be designed to look like a rural stock pond."; change G(8)(d) to state that "the Town Secretary may approve the application, or may, for any reason, elect to present the application to the Planning and Zoning Commission and Town Council for their consideration."; and, change G(12)(d) to include requirements for testing the water and soil for contamination within 30 days of abandoning the well. Alternate Commissioner Strange seconded the motion. For: Arment, Langford, McDonald and Strange. Against: None. The motion carried 4 to 0.

Future agenda items include the items tabled.

**Future Agenda  
Items**

There being no further business, Chairperson Arment adjourned the meeting at 9:00 p.m.

**ADJOURNMENT**

**APPROVED this the 3<sup>rd</sup> day of November, 2010.**

**Approved:**

(Seal)

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**Ralph Arment, Chairperson**

**Attest:**

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**Kristi Gilbert, Town Secretary, TRMC, CMC**