

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

The regular monthly meeting of the Bartonville Town Council was held on August 18, 2009, at 7:00 p.m., in the Council Chambers of Bartonville Town Hall, 1941 East Jeter Road, Bartonville, Texas. 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 3:00 p.m., on Friday, September 11, 2009, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:

Ron Robertson, Mayor
Carla Anderson, Mayor Pro Tem
Wayne Hoyt
Ryan Litherland
James Ashburn

Absent:

Bill Reaves

Also present: Debbie E. Millican, Town Administrator
Dave Howell, Chief of Police

This constituting a quorum, the following business took place:

Mayor Robertson called the meeting to order at 7:00 p.m. and led the recitation of the Pledge of Allegiance to the American Flag.

Call to Order

The Town Council considered the Consent Agenda. Agenda items were marked with a single asterisk as a part of a Consent Agenda requiring no deliberation by the Council and could be approved with a single motion. Councilmembers were given the prerogative of removing an item from the Consent Agenda for separate discussion and consideration.

Consent Agenda

Councilmember Litherland moved to approve the following consent agenda items, as presented: *A) Approval of Minutes: July 21, 2009, Regular Monthly Meeting; and 2) July 28, 2009, Special Called Meeting and Budget Work Session. Councilmember Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION: Approve
Consent Agenda**

Blair Barclay expressed displeasure that seismic testing was conducted on Wolf Run after Richard Jackson, representing the testing company had assured him that they would not be testing in Wolf Hill Estates. Mr. Barclay raised his voice and accused the Mayor of being in the back pocket of the gas well operators. Mayor Robertson stated that he had never taken money from anyone and instructed Mr. Barclay to lower his voice and take a seat or the Police Chief would remove him from the meeting room. Mr. Barclay continued shouting. Mayor Robertson asked Police Chief Howell to escort Mr. Barclay from the meeting room. Chief Howell accompanied Mr. Barclay outside.

Citizens' Appearances

Tom Plichta expressed concern that the seismic testing company had gathered information from under his property and that the town staff had issued a permit for them to do so. Mr. Plichta stated that the town's oil and gas regulations state that there had to be a public hearing and the Town Council were the only ones to approve of using the Right-of-Way (ROW). Mr. Plichta asked that since the Council had not issued the permit, that they launch an investigation into why this permit was issued and by whom. Town Administrator, Debbie Millican stated that ROW Use Permits are issued by the Town Administrator or designee. She said that no investigation was needed. Ms. Millican said that, after conferring with the Town Engineer, that she had issued the permit. Ms. Millican said that the Town Council considers requests for Oil and Gas Permits with recommendations by the Planning and Zoning Commission. Permits are not required for seismic testing. Dale Knowler asked that the Council consider reconstructing Stoney Ridge Road. Mr. Knowler stated that drainage problems along the road should be addressed soon. No one else chose to speak during the Citizens' Appearances portion of the meeting.

Chief of Police, Dave Howell, presented Police Department statistics for July 2009. Town Administrator, Debbie Millican reported on the Old Town Bartonville Entrance Features; amendments to Personnel Policy; the expansion of the Town Hall parking lot. No action was called for or taken.

Reports

Mayor Robertson presented the Proposed Fiscal Year 2009-2010 budget and opened the Public Hearing to comments. The Mayor stated that no action regarding the budget would be taken until the next regularly scheduled meeting on September 15, 2009.

Budget Hearing

Mayor Robertson asked to hear from those in favor and those in opposition to the proposed budget. No one chose to speak.

In Favor-Opposed

Mayor Robertson declared the public hearing closed to public comment.

Hearing Closed

Councilmember Anderson moved to set September 15, 2009, as the date for the adoption of the Fiscal Year 2009-2010 Budget and the 2009 Ad Valorem Tax Rate. Councilmember Litherland seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

ACTION: Set Date to Adopt Budget/Tax Rate

The Town Council held a public hearing to receive comments and consider approval of a proposed natural gas pipeline, 8.625" in diameter that will run from the Red Hot pad site, heading in a northerly direction approximately 1,300 feet to W Jeter Rd, turning east and running parallel with W. Jeter Rd approximately 550' then traveling northeast parallel with the Upper Trinity Regional Water District easement a distance of approximately 1,200' under W. Jeter Rd and S. Gibbons Rd, then running north, parallel with S. Gibbons Road a distance of approximately 600' and terminating at an above ground meter site. Mayor Robertson turned the proceedings over to the Mayor Pro Tem, stating a possible conflict of interest. The Mayor stated that his mineral

Red Hot Pipeline Permit

rights were leased to XTO for the Red Hot Wells.

Mayor Pro Tem Anderson opened the hearing and asked to hear from the applicant.

Hearing Opened

Joseph Calva, representing Barnett Gathering, reviewed the proposed route and discussed the additional precautions that were taken to prevent the loss of trees. Mr. Calva stated that they would be boring at a depth of fifteen feet (15') under an UTRWD easement West Jeter Road. He said that they had also moved the bore pit further west to avoid a large tree on the south side of West Jeter Road.

Applicant

Staff recommended approval of the pipeline permit as presented.

Staff

No one spoke in favor or in opposition.

In Favor-Opposed

Mayor Pro-Tem Anderson closed the hearing to public comment. Ms. Anderson commended Mr. Calva, Barnett Gathering, Town Staff and Council for working so diligently together to protect private property and trees.

Hearing Closed

Councilmember Litherland moved to approve Barnett Gathering's proposed natural gas pipeline permit from the Red Hot Well Site to the metering station for the GulfTex Pipeline located on the east side of south Gibbons Road. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

ACTION: Approve Pipeline Permit

Councilmembers considered appropriate action regarding funds for services to Denton County Children's Advocacy Center in the amount of \$5,000, utilizing Child Safety restricted funds. Police Chief Howell presented information about the Advocacy Center and how his department had relied on them during the investigation of a sexual assault of a child case. Councilmember Ashburn stated that he had talked with some of his co-workers and had done some research on various agencies. He said that the Advocacy Center was not a member of the Better Business Bureau and he understood that their expenditures leaned heavily toward upper management. He stated that the center should be researched a little further before the funds were released to them. In response to the Mayor's suggestion, he volunteered to do the research.

Discussion: Childrens' Advocacy Center

Councilmember Ashburn moved to continue any action on granting \$5,000 to the Denton County Children's Advocacy Center utilizing Child Safety restricted funds. Councilmember Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

ACTION: Continued Child Safety Fund

The Town Administrator asked for the Councilmembers to confirm their attendance at the next meeting. Ms. Millican stated that four Councilmembers must be present to levy a tax otherwise the meeting would have to be moved. There were no requests for future agenda items.

Future Agenda Items

There being no further business to come before the Council, Mayor Robertson **Adjournment**
declared the meeting adjourned at 7:45 p.m.

APPROVED this the 15th day of September 2009.

Approved:

Ron Robertson, Mayor

(Seal)

Attest:

Debbie E. Millican, Town Administrator