

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

The regular monthly meeting of the Bartonville Town Council was held on December 15, 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, December 11, 2009, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

**Present:**

Ron Robertson, Mayor  
Carla Anderson, Mayor Pro Tem  
Bill Reaves (7:44pm)  
Wayne Hoyt  
James Ashburn  
Ryan Litherland

**Absent:**

None

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

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 November 17, 2009, regular monthly meeting minutes. Councilmember Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION:  
Approve Consent**

Mayor Robertson briefed the Council on Gas Well Emissions Testing and the proposed Salt Water Disposal Wells on W. Jeter Road Pro Tem. Chief of Police, Dave Howell presented Department statistics for November 2009. Town Administrator Debbie Millican briefed the Council on the Old Town Project and the delivery of the funds from the sale of tax notes. Town Secretary, Kristi Gilbert briefly reviewed the filing deadlines and requirements for the May 8, 2010 General Election and information regarding the special elections related to sales tax. No action was called for or taken.

**Reports**

Annemarie Moore asked for clarification on the location of the proposed salt-water injection wells. Gracie Egan expressed concern for possible pollution of the water

**Citizens'  
Appearances**

table by the proposed injection wells and encouraged the Council to join the Bartonville Water Supply Corporation in their protest of a Railroad Commission Permit. Ms. Egan also asked that the Council protest pipelines carrying saltwater to the injection site on West Jeter Road.

William C. Spore, Certified Public Accountant presented the Fiscal Year 2008-2009 Audit. Mr. Spore complimented the Town Administrator for her management of the Town's accounts.

Councilmember Ashburn moved to accept and approve the Fiscal Year 2008-2009 Audit as presented by William C. Spore. Mayor Pro Tem Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION:  
Approve Audit**

The Council discussed a request by Williams Production Gulf Coast Company, L.P. to amend the text of the Town of Bartonville's Comprehensive Zoning Ordinance as it relates to the A.M Best rating for liability policies. Sharron Quinby, Risk Management Officer for Williams Production spoke on behalf of the applicant. Ms. Quinby stated her company's insurance carrier was recently downgraded to an A-rating and that the Town required an A or better rating. She said that Williams was under contract with carrier and would have to purchase an additional policy just for the wells in Bartonville unless the Town standards were amended. Mayor Robertson stated that all the other wells in Town were covered by A rated companies and that he was not in favor of changing the ordinance for economic reasons. Marilyn Rhoades, also representing Williams, withdrew the request for a text amendment. No action was taken.

**Discussion: Text  
Amendment to  
Zoning  
Ordinance**

The Council considered the proposed Rice Ranch Unit Development Plat. The plat indicates a total of seven wells on a single pad site located on the southeast corner of the Broome Road/Porter Road intersection approximately 450 feet south of Broome Road and 250 feet east of Porter Road and measures approximately 460' by 400'. The lease area is comprised of approximately 525.6097 acres. The proposed well site is located in the J. Burke Survey, Abstract No. 42, Town of Bartonville, Denton County, Texas. The applicant is Williams Production. The surface owner is Philip R. Rice and PR Production LLC. Bobby Dollak, PE, spoke on behalf of the applicant and presented the proposed gas well development plat.

Councilmember Reaves arrived to the meeting at 7:44 p.m.

**Reaves Arrived**

Mayor Pro Tem Anderson moved to approve the Rice Ranch Unit Gas Well Development Plat as recommended by the Planning and Zoning Commission. Councilmember Hoyt seconded the motion. For: Anderson, Hoyt, Litherland and Reaves. Against: None. Abstain: Ashburn. The motion carried by a vote of 4 -0-1. *(Councilmember Ashburn recused himself from the deliberations and voting, stating a conflict of interest as defined by Texas Statutes)*

**ACTION:  
Approve Rice  
Ranch Gas Plat**

The Council considered the gas well drilling permit applications and Road Damage Remediation Agreement for the Rice Ranch Unit A 1H, 2H, 3H and 4H wells and the Rice Ranch Unit B 5H, 6H and 7H wells. The drilling permit applications are

for well sites to be located on a single pad site, as indicated on the Rice Ranch Development Plat. Laura and Gene Schell expressed concern for noise and light pollution from the well site, stating that their front door was located approximately 600' from the site. Diane Bishop also expressed some concern for the light and noise produced by the wells.

Mayor Pro Tem Anderson moved to approve the gas well drilling permit applications and the Road Damage Remediation agreement for the Rice Ranch Unit A 1H, 2H, 3H and 4H wells and the Rice Ranch Unit B 5H, 6H and 7H wells as recommended by the Planning and Zoning Commission contingent upon all ordinance provisions being satisfied, including but not limited, to insurance rating requirements. Councilmember Litherland seconded the motion. For: Anderson, Litherland, Hoyt and Reaves. Against: None. Abstain: Ashburn. The motion carried by a vote of 4 -0-1. *(Councilmember Ashburn recused himself from the deliberations and voting, stating a conflict of interest as defined by Texas Statutes)*

**ACTION:**  
**Approve Rice  
Ranch Gas  
Drilling Permit**

Mayor Pro Tem Anderson presented and reviewed the provisions of Ordinance 486-09, an ordinance of the Town of Bartonville, Texas, amending the Bartonville Code of Ordinances, Chapter 9, Personnel, by repealing Article 9.800, Personnel Policy and replacing it with a new Article 9.800, Personnel Policy.

Councilmember Litherland moved to approve Ordinance 486-09, as corrected for minor typographical errors and to provide for a definition of "compensatory time." Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION:**  
**Approve Ord  
486-09**

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 486-09 is hereby engrossed and enrolled by copying the exact Caption and the Effective Date Clause into these official minutes as follows: AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE BARTONVILLE CODE OF ORDINANCES, CHAPTER 9, PERSONNEL, BY REPEALING ARTICLE 9.800, PERSONNEL POLICY AND REPLACING IT WITH A NEW ARTICLE 9.800, PERSONNEL POLICY; PROVIDING FOR GENERAL PROVISIONS; PROVIDING FOR EMPLOYMENT; PROVIDING FOR COMPENSATION; PROVIDING FOR BENEFITS; PROVIDING FOR EMPLOYEE CONDUCT; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE. SECTION 5. EFFECTIVE DATE. That this Ordinance shall be in full force and effect from and after the 15<sup>th</sup> day of December, 2009.

**Engrossed and  
Enrolled: Ord  
486-09 Personnel  
Policy**

There were no requests for future agenda items.

**Agenda Items**

There being no further business to come before the Council, Mayor Pro Tem Anderson declared the meeting adjourned at 8:43 p.m.

**Adjournment**

**APPROVED this the 19<sup>th</sup> day of January 2010.**

Approved:

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Ron Robertson, Mayor

(Seal)

Attest:

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Debbie E. Millican, Town Administrator