

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

The regular monthly meeting of the Bartonville Town Council was held on November 16, 2010, 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, November 12, 2010, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:

Ron Robertson, Mayor
Carla Anderson, Mayor Pro Tem
James Ashburn
Bill Reaves
Jim Farrell
Gracie Egan

Absent:

None

Also present: Debbie E. Millican, Town Administrator
Dave Howell, Chief of Police
Kristi Gilbert, Town Secretary
Bob Hager, Town Attorney
Gary Vickery, Town Engineer

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 Ashburn asked to consider agenda item D) separately and moved to approve the following consent agenda items as presented: *A) Approval of the minutes for the October 19, 2010, Regular Monthly Meeting and *C) Approval of Resolution 2010-22, Appreciation of and Commendation for the Argyle High School Eagle Marching Band; Councilmember Reaves seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0. No action was taken on agenda item *B) Approval and final acceptance of improvements for the 2010 Street Reconstruction Project.

ACTION:
Approve Consent:
A&C

Mayor Pro Tem Anderson moved to approve the following consent agenda item as presented: *D) Approval of a Special Called Work Session/Meeting of the Town Council for November 30, 2010 at 7:00 p.m. to Discuss and Consider Environmental Issues Associated with Gas Well Drilling and Production Activities. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

ACTION:
Approve Consent:
Agenda Item #D

Mayor Pro Tem Carla Anderson reported that the Old Town Bartonville Entrance Project was substantially complete. Town Administrator Debbie Millican stated that bids were being taken on the newly purchased property at 2001 Jeter Road. Chief of Police, Dave Howell, presented Department Statistics for October 2010.

Liaison Reports

No one chose to speak.

Citizens' Speak

Mayor Robertson stated that due to the number of people in attendance, the public hearing for annexation would be considered before the remaining agenda items. He then opened the hearing concerning the annexation of approximately 167+ acres located south of Rockgate Road and west of Porter Road near Hawk Road.

Annexation Hearing opened

Jon Newman of 1119 Latigo stated that he had signed the petition voting for annexation because he prefers Bartonville to Flower Mound.

In Favor/Opposed

Kay Carlton of 1288 Porter Road stated that she did not want to be railroaded into Bartonville. She said that the petitions from her neighbors were signed under duress. She further stated that Bartonville released the property hoping Flower Mound would take it. Ms. Carlton said a lot of people that signed the petitions were coerced. She said she believes it is unethical and possibly illegal that a contract was offered to the residents on the east side of Porter.

Brian Kari of 1550 Bridle Bit stated he was in favor of being annexed into Bartonville.

Patricia DeBarros-Kari of 1550 Bridle Bit, stated that she was for the annexation and that she had voluntarily signed the petition.

Allison Birmingham of 1353 Latigo stated she was in favor of annexation and that there was no duress or misrepresentations. She said she signed the petition of her own free will.

Cal Chawonski stated that he was against being annexed into Bartonville. He asked if they could then de-annex.

Don Byrd of 1709 Bridle Bit stated that he had lived here for 38 years and that he had signed the petition under duress. He said he would move before allowing Flower Mound to take in his property. Mr. Byrd said he was not given enough time to think about the annexation. He expressed concern that with his fixed income he would not be able to pay the additional taxes.

Val Erwin of 1419 Latigo questioned the criteria for determining the 51% majority. He asked if everyone in a household was allowed to vote or if it was only registered voters. Town Administrator Millican responded that it was registered voters.

Sam Burke of 1630 Oakridge, Corinth, Texas, stated that he represented the interests of Mockingbird Pipeline. He stated that from the public comments there was conflicting information and confusion. Mr. Burke stated that there was a

legal deficiency in the annexation in that a municipality was not allowed to annex land that is greater than ½ mile in width. He said the statute did not stipulate how the measurement was taken. Mr. Burke further stated that his client had picked a site that was hidden from view and that this was just an attempt to prevent his client from developing their property. He expressed concern for a situation where the town could end up being sued. He said that response to fear was not more regulation. Mr. Burke asked that the Operator be allowed to do their job.

David Rettig of 1254 Bridle Bit stated that he was speaking for he and wife due to her recent hospitalization. Mr. Rettig said that no one favoring the annexation had made an informed decision because no consistent information had been made available. He said that his neighbors only signed because they were afraid of Flower Mound and they were under duress. Mr. Rettig said he did not sign because there were no advantages to come in to Bartonville. He said at the initial meeting he was told that they had four days to decide whether to sign a 15-year option or be annexed. He said his wife, Mary, had asked the Mayor on the phone to grant a 90-day extension, and was told by the Mayor that he would support an extension. Then later on she was told that 51% would have to sign an annexation petition. He asked how anyone could vote to approve the annexation with the amount of questionable activities that had been going on.

Michael Ayers stated he, along with everyone, was told that they should want to be annexed into Flower Mound because their property would have a higher value if it was in Flower Mound. Mr. Ayers cited the Crosstimbers Gazette as reporting that Bartonville property values were much higher than Flower Mound. He said their choices were to come into Bartonville or go into Flower Mound's ETJ. He said that Flower Mound officials had said over and over again that their objective was to have no ETJ which meant that they would annex them as soon as they were in Flower Mound's ETJ. Mr. Ayers said he was in favor of being annexed into Bartonville and that there was no duress.

Mary Rettig of 1254 Bridle Bit stated that she would speak for herself against the annexation. She asked why Flower Mound would want to annex them with a vested proposed development looming. She said there was blatant discrimination in that they had not been offered the 15-year annexation agreement like their neighbors to the east. She suggested that the big hurry was so that the Town could get the properties on the books before January 1 in order to get taxes sooner than later.

Julie Germain of 1212 Porter Rd stated she was definitely for annexation because she wanted the protection of Bartonville to keep Mockingbird from surrounding her on two sides instead of just one. She said she was worried not only about proposed development, but she feared even more future gas well development. Ms. Germain said she sat next to a man on an airplane that worked on gas rigs in Wyoming, and was told by him that he would never have home within 600' of a gas well. She expressed hope there is a way to stop what is already underway.

Gale Loeffler of 1472 Latigo Lane stated she was opposed to annexation because it was happening way too fast. She said that there were three people trying to contact her within 2 days. She said they used fear tactics that Flower Mound was going to annex them. She said she had received a draft of the original 15-year annexation contract with no taxes. She said that all that they were asking for was time to consider options without being under duress.

Annemarie Moore of 1394 Post Oak Lane, said she had lived in Bartonville for a long time and that this was not a new issue. She said it had come up before, that it was not all of a sudden. Ms. Moore stated that eventually the state or the county would say no more unincorporated county because it causes confusion. She said that they might as well decide which way to go. Ms. Moore said she was on a fixed income and could still afford taxes.

Mayor Robertson closed the hearing to public comment and stated that no action would be taken until the December 14 meeting.

Hearing Closed

Zoe Nance of 890 Noble Champions stated that May 10, 2010 was the first day she had experienced negative reaction due to gas wells. She said she had suffered partial paralysis, skin lesions, sores, headaches, and dizziness. She said her children were also suffering. Ms. Nance said that her doctor expressed grave concern because of effects on her system. She distributed the MSDS sheet for GulfTex regarding 2BE, which she said causes kidney problems, liver problems, rare adrenal tumors, and death. She asked that the Council just say “no” to gas companies and not allow any future permits. No one else chose to speak.

**Citizen Input –
Non Agenda**

The Town Council considered appropriate action relative to the Murphy Addition and a request for a waiver from the minimum street frontage on a cul-de-sac lot to allow for a minimum street frontage of approximately 55’ being less than the required minimum street frontage of sixty-feet (60’) and approval of the Murphy Addition Final Plat. Councilmember Egan recused herself from the deliberations. Ms. Egan lives within 200’ of the proposed subdivision.

**Discuss: Murphy
Addition and
Waiver**

Councilmember Ashburn moved to approve the request for waiver and the final plat of the Murphy Addition as recommended by the Planning and Zoning Commission. Councilmember Farrell seconded the motion. For: Ashburn, Farrell, Anderson, and Reaves. Against: None. Abstained: Egan. The motion carried by a vote of 4-0-1.

**ACTION: Approve
Murphy Addition
Plat & Waiver**

The Town Council considered appropriate action relative to a request by GulfTex Operating, Inc for a Fracing Permit for the Frenchtown 2H gas well. Susan Knoll of 104 Burghley stated that air on her property had been tested indicating 96 parts per million of contaminants when 5 parts per million triggers an investigation by the TCEQ. She expressed concerns for a reoccurring pesticide smell in the neighborhood and sores on her leg when after her daily run. Ms. Knoll stated that cities are starting to ban fracing. Ms. Knoll asked if the Council could not deny the permit could it at least be postponed until further testing can be done. She further stated that there is no proof that the chemicals used in fracing are safe. Michael Knoll stated that his family’s health problems have continued. He stated

**Discuss: GulfTex
Fracing Permit**

that in 2005 legislation was enacted that exempted gas well producers from having to disclose the types of chemicals they used in fracing and now the people are paying the price. Jean Underwood stated that she was opposed to the fracing permit because they had been told lies by the gas well developer in the past. She asked the Council to vote no. Christina Manos of 791 Latigo stated that she was opposed to issuing a fracing permit for the Frenchtown Gas Well. Jayme Sizelove of 622 Frenchtown Road expressed concern for her son's health. She listed the numerous times he has suffered with migraine headaches since September 22. She asked if we (Bartonville) had reached the saturation point with respect to chemicals.

Gulftex owner and operator, David York, stated that he dug his first well in Bartonville six years ago and that he lived in Bridlewood and was trying to be a good neighbor. He said his employee, Justin Hamilton, visited each well site twice each day. Mr. York stated that all their water testing had negative results and that he had only been cited for two items by the town, lack of a Knox box and audible alarm. He stated further that he only had two complaints from the Railroad Commission. Mr. York stated that fracing was performed 8,000' below the surface which was more than a mile below any aquifer. Dr. Edward Vincent, a chemical consultant for Gulftex, stated that the chemical 2BE is not a necessary component. However, he said that it is in one of the chemicals proposed for fracing the Frenchtown Well. He suggested that there are other safer chemicals that could be used or that fracing could be done without any chemicals. Mr. York stated that if it was a concern, he could not use 2BE. Councilmember Farrell asked why they would use it in the first place. Mr. York said believes there are enough safeguards in place to make it safe. With a Frac date of November 29, 30 & December 31st, He said he would like to get started ASAP

Mayor Robertson asked Bartonville Water Supply Corporation's General Manager, Jim Leggiigi if there were any water issues to consider. Mr. Leggiigi stated that the Texas Commission for Environmental Quality (TCEQ) is the only authority to test water and based on all of the testing the TCEQ has done, there have not been any issues as far as meeting the safe drinking act. He said that nothing had exceeded acceptable levels. He went on to say that no water is "pure" so therefore maximum safe levels have been set. Mr. Leggiigi said that to ease their (BWSC) own minds, he had independent testing. He said he had received the first half of the results showing that with the total petroleum hydrocarbons, no detectible limits had been discovered in any of the BWSC seven wells. He stated that Ms. Nance's sample that had been tested was an independent sampling, however, on October 21, her home was only receiving water from the Upper Trinity Regional Water District (UTRWD,) which means there is a potential for contaminants in surface water. Mr. Leggiigi said that the TCEQ had authorized sampling of all water wells and surface water supplies to test for metals, MBAS, and hydrocarbons over next two weeks.

Mayor Pro Tem Anderson moved to table action regarding the fracing permit until the December 14 Council meeting. Councilmember Reaves seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

ACTION: Fracing Permit Continued

The Town Council reconvened at 8:17 p.m., after taking a ten-minute break.

Break

The Town Council resumed the continued public hearing to hear comments and consider: Ordinance 505-10, an Ordinance of the Town of Bartonville, Texas, amending Town of Bartonville Code of Ordinances, Chapter 14, Article 14.300, Ordinance 361-05, Zoning Regulations for the Town of Bartonville, by granting a Conditional Use Permit (CUP) to allow an elevated water tank and related facilities on a tract of land of approximately 4.735 acres known as Lot 1, Block A of the Bartonville Water Supply Addition, an addition to the Town of Bartonville, Texas, as recorded in Cabinet V, Page 806 of the Plat Records of Denton County, Texas, being more specifically described herein and attached hereto as Exhibit "A"; providing for an amendment to the Official Zoning Map; Providing for conditions as described herein and attached hereto as Exhibit "B"; Providing for conformance with an approved site plan, which is attached hereto as Exhibit "C."

**Public Hearing:
BWSC Elevated
Rank**

As a member of the BWSC Board of Trustees, Councilmember Egan excused herself from the deliberations and voting.

Gracie Recused

Mayor Robertson opened the hearing and asked to hear from those in favor and those opposed.

Hearing Opened

Dick Arme, a Bartonville resident, reflected back on his decision to purchase his property and being told by the BWSC that storage tanks would be no larger than storage tanks in area. He said he became concerned when he was notified that it was going to be an elevated tank. Mr. Arme stated that he does not believe the elevated tank is necessary. He referred to the Teague, Nall, and Perkins study and stated that the study used statistics generated by BWSC for their calculations. He said BWSC had indicated they have had 29 new connections per year. Mr. Arme said that it would take 119 years to reach capacity. He stated that BWSC anticipates 40 to 50 connections will take 69 years. Mr. Arme said that he considered it an unnecessary eyesore and an aggravation that reduces property values. He said he could not see a sense of urgency. He further stated that if the connections are needed for growth in Flower Mound, then they should build it there.

In Favor/Opposed

Susan Arme, a Bartonville resident, thanked the Town for notifying them. Ms. Arme said that she understood that BWSC has stated that she and her husband were not opposed to the tower, when in fact they were. She said they built their house to enjoy a pastoral view, not look at a water tower. She said that BWSC says they need the tower for redundancy when Lantana has a single water tower and could provide the needed backup to BWSC. She suggested alternatives such as lower, larger storage tanks similar to the ones in Southlake. Ms. Arme said she hoped that the Council does not approve the CUP because BWSC is nowhere near 85% capacity. She said she had noticed that Gracie Egan was also on the Board, and asked if she had been voting. She also asked if there had ever been any water in the UTRWD line that crosses her property.

Cammie Turgeon, realtor in Bartonville area, stated she was concerned for the citizens and for their property values. Ms. Turgeon said she felt as though it was

going to impact Saddlebrook, Road Runner, the Stargate facilities, and other nearby property values negatively. She distributed pictures of Southlake ground storage tanks. Ms. Turgeon urged Council to think twice about decision.

Annemarie Moore stated that she lives nowhere near the proposed water tower; however, there is already one in Lantana and one in Double Oak. She said as a citizen, she does not want to see another water tower.

Applicant Jim Leggieri, General Manager for BWSC, stated that the UTRWD line has not been used to date, but that it was just a matter of activation. He said it does hold water and is pressure tested. He stated that elevated storage must be at least 80' above the highest residential connection and that this site was selected because of the elevation of the land. Mr. Leggieri stated that the elevated storage tank was a necessity in order to provide water for the entire system. He said that the Army's are Argyle Water Supply Corporation (AWSC) customers and that their view was already obstructed by the 120' electrical lines.

Mike Pucciarello of 1000 Roadrunner stated that he and his wife are both realtors representing banks in foreclosure listings. He said they do 800 to 900 brokers-price-opinions per year. He said they look at many factors when they approach a job. He said that railroad tracks, busy intersections, water tower all effect value. Mr. Pucciarello stated that it would also affect the value of his house and others in the Saddlebrook Addition. He said that by law If a current seller does not disclose the proposed future tower, it could result in lawsuits.

Mayor Robertson closed the hearing to public comment.

Hearing Closed

Kerry Maroney, P.E., with Biggs & Mathews Engineering spoke on behalf of BWSC. Mr. Maroney stated he had looked at BWSC's CCN and it covers 10,000 acres. He said he backed out dual certifications and flood plain acreage in the calculations and determined that at build-out stage there would be 5,400 connections on the system. Maroney stated that he used a factor of 1.25 connections per acre. In response to a question by the Town Administrator, Mr. Maroney stated that he had not used the Land Use Plans for Bartonville, Copper Canyon, Double Oak, or Flower Mound in his calculations. Mr. Maroney was non-responsive when asked how he came up with the 1.25 connections per acre in his calculations. He said the elevated tank was necessary to have the AWWA recommended 35% minimum capacity of elevated reserve for fire protection which would mean 200 gallons of water per customer. He said this means that BWSC is lacking the necessary elevated storage capacity for fire protection today. Mr. Maroney stated that of the 2,118 current customers only 35% were Bartonville residents and that Bartonville residents used an average of 2,000 gallons of water per day. He said that the State of Texas required elevated storage tanks for all systems that have 2500 connections or the potential to have 2,500 connections. Councilmember Farrell asked Mr. Maroney why it had to be built today and not in five to 10 years when it was needed. He stated that in addition to the need for fire protection, the elevated tank could be built today more economically than in 10 years. Mayor Robertson stated that BWSC was in the water business not in the fire suppression business. He said at least that was what

Applicant

the Town was told when they had to pay for additional hydrants in the Stonewood Addition. Councilmember Ashburn stated that according to the BWSC's calculations, total system build out would happen in 67 years at 50 connections per year. Councilmember Farrell asked how much water was being used by gas well operators. Mr. Maroney stated he would have to get that information. Jim Leggieri stated that he did not know how much water has been sold to operators. Councilmember Farrell asked if other locations had been investigated. Mr. Maroney said that yes, but the main factors in favor of the proposed site were the elevation and the proximity of the UTRWD delivery point.

Mayor Pro Tem Anderson moved to deny the request by the BWSC for a Conditional Use Permit to install and maintain an elevated water storage facility on a tract of land of approximately 4.735 acres known as Lot 1, Block A of the Bartonville Water Supply Addition. Councilmember Farrell seconded the motion. For: Anderson, Farrell, Ashburn and Reaves. Against: None. Abstain: Egan. The motion carried by a vote of 4 to 0 with one abstention.

**ACTION: Deny
BWSC Request for
CUP**

Councilmember Egan moved to continue consideration of Ordinance 506-10, an ordinance amending the Town of Bartonville Code of Ordinances, Article 14.300, Comprehensive Zoning Ordinance, Exhibit A," Chapter 30, Section 30.3, Oil and Gas Drilling and Production. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**Continue:
Ordinance 506-10
Amend Gas Well**

Councilmembers held a public hearing to hear comments and consider appropriate action relative to an application submitted by Crosstex DC Gathering, J.V. for the Red Oak Pitner Pipeline to construct a natural gas pipeline that will consist of six inch (6") and four inch (4") diameter steel pipeline measuring approximately 4,538 feet in length, a portion of which is located north of the Saddlebrook Addition within the Town limits of Bartonville.

**Public Hearing:
Pitner Pipeline**

Mayor Robertson opened the hearing and asked to hear from the applicant.

Hearing Opened

Mark Jordon of Crosstex Gathering reviewed the plans for the pipeline. Mr. Jordon explained that they would prefer to open trench the pipeline as opposed to boring. He said that more trees would be lost if they were to bore, in that the bore pit would require removing many more trees. He said that they would install the pipeline about ten feet away from the tree line on the north side of the Saddlebrook Addition. Mayor Pro Tem Anderson asked that the line be constructed outside the drip line of the trees in that area.

Applicant

No one spoke in favor or in opposition to the pipeline permit.

In Favor/Opposed

Mayor Robertson closed the hearing to public comment.

Hearing Closed

Councilmember Reaves moved to approve the requested permit providing that the applicant confirm that the line would be outside the drip line of the trees along the route. Councilmember Egan seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION: Approve
Pitner Pipeline**

Councilmembers held a public hearing to hear comments and consider appropriate action relative to Ordinance 507-10 amending Town of Bartonville Code of Ordinances, Chapter 14, Article 14.300, Ordinance 361-05, Zoning Regulations, so as to change the zoning designation of an approximately 2.00 acre tract of land, being all that certain lot, tract or parcel of land situated in the Newton Allsup Survey, Abstract Number 3 and the Robert Keith Survey, Abstract Number 1643, Town of Bartonville, Denton County, Texas, being part of that certain called 145 acre tract of land described in deed to O. E. Fuller and wife, Lorene Fuller recorded in Volume 301, Page 494 of the Deed Records of Denton County, Texas, and being all of that certain called 2.000 acre tract of land described in deed James L. Isakson and Estin K. Isakson recorded in Document Number 2010-82252 of the Real Property Records of Denton County, Texas, from a zoning designation of "AG" –Agriculture and to a zoning designation of "RE-2" – Residential Estates 2 acre lot minimum and by amending the Official Zoning Map to reflect such change.

**Public Hearing:
Ord 507-10,
Zoning Change
Frenchtown**

Mayor Robertson opened the hearing to public comment and asked to hear from the applicant.

Hearing Opened

Property owner and applicant, Kim Isakson, stated that the purpose of the zoning change request was to allow for the construction of her personal home. Ms. Isakson stated that the request was in conformance with the adopted land use plan and compatible with surrounding uses.

Applicant

No one spoke in favor or in opposition to the zoning change.

In Favor/Opposed

Mayor Robertson closed the hearing to public comments.

Hearing Closed

Councilmember Ashburn moved to approve Ordinance 507-10 as recommended by the Planning and Zoning Commission. Councilmember Reaves seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION: Approve
Zoning Change**

In accordance with Texas Local Government Code, Section 22.073 (b), Ordinance 507 is hereby engrossed and enrolled by copying the exact Caption and the Effective Date Clause into these official minutes as follows: AN ORDINANCE AMENDING TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 14, ARTICLE 14.300, ORDINANCE 361-05, ZONING REGULATIONS FOR THE TOWN OF BARTONVILLE, SO AS TO CHANGE THE ZONING DESIGNATION OF AN APPROXIMATELY 2.00 ACRE TRACT OF LAND SITUATED IN THE NEWTON ALLSUP SURVEY, ABSTRACT NUMBER 3 AND THE ROBERT KEITH SURVEY, ABSTRACT NUMBER 1643, TOWN OF BARTONVILLE, DENTON COUNTY, TEXAS, BEING PART OF THAT CERTAIN CALLED 145 ACRE TRACT OF LAND DESCRIBED IN DEED TO O. E. FULLER AND WIFE, LORENE FULLER RECORDED IN VOLUME 301, PAGE 494 OF THE DEED RECORDS OF DENTON COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN CALLED 2.000 ACRE TRACT OF LAND DESCRIBED IN DEED JAMES L. ISAKSON AND ESTIN K. ISAKSON RECORDED IN DOCUMENT NUMBER 2010-82252 OF THE REAL PROPERTY RECORDS OF DENTON COUNTY,

**Engross/Enroll:
Ordinance 507-10**

TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO, FROM A ZONING DESIGNATION OF "AG"- AGRICULTURE TO A ZONING DESIGNATION OF "RE-2"- RESIDENTIAL ESTATES (2 ACRES) AND BY AMENDING THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING SAVINGS; PROVIDING SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND NAMING AN EFFECTIVE DATE. SECTION 9. EFFECTIVE DATE: This Ordinance shall be in full force and effect upon passage and publication in the official newspaper.

The Town Council considered appropriate action relative to Ordinance 508-10, an Ordinance amending Town of Bartonville Code of Ordinances, by Repealing Chapter 3, Article 3.400, Sign Regulations, Section 3.404, General Regulations, Subsection 3.404(K-W) in its Entirety, to renumber and provide for new regulations for Overhead Ranch Identification Signs and Monument Ranch Identification Signs, and by amending Section 3.405(a)(4), Center Identification Monument Signs to provide for an increase in the size of signs with a Conditional Use Permit.

**Discussion:
Ordinance 508-10,
Sign Regulations**

Councilmember Reaves moved to continue consideration of Ordinance 508-10. Councilmember Ashburn seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**Continue: Ord
508-10**

Councilmember Reaves moved to authorize the Town Administrator to enter into a contract with Well Starts for gas well permitting and inspection services. Mayor Pro Tem Anderson seconded the motion. For: Unanimous. The motion carried by a vote of 5 to 0.

**ACTION:
Authorize gas well
inspection contract**

Pursuant to Section 551.071 of the Texas Government Code the Town Council entered into a closed session at 10:04 p.m., regarding pending litigation: Cause No. 2010-30336-211; Mockingbird Pipeline, L.P. vs the Town of Flower Mound and the Town of Bartonville, pending in the 211th Judicial District Court, Denton County, Texas.

Executive Session

The Town Council adjourned the Executive Session and resumed the open session of the meeting at 10:12 p.m.

Open Session

No action was taken regarding the Executive Session.

No action

There were no requests for future agenda items.

Agenda Items

There being no further business to come before the Council, Mayor Robertson declared the meeting adjourned at 10:13 p.m.

Adjournment

APPROVED this the 14th day of December 2010.

Approved:

(Seal)

Ron Robertson, Mayor

Attest:

Debbie E. Millican, Town Administrator