

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

The regular monthly meeting of the Bartonville Town Council was held on July 21, 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, July 17, 2009, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:

Carla Anderson, Mayor Pro Tem
Wayne Hoyt
Ryan Litherland
Bill Reaves

Absent:

Ron Robertson, Mayor
James Ashburn

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

This constituting a quorum, the following business took place:

Mayor Pro Tem Anderson 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 Hoyt moved to approve the following consent agenda, as presented: *A) Approval of Minutes: June 16, 2009, Regular Monthly Meeting; and June 30, 2009, Special Called Meeting and Budget Work Session; *B) Approval of Interlocal Cooperation Agreement (ICA) with Denton County for Tax Collections for the 2009-2010 Fiscal Year; and *C) Approval of Resolutions: Resolution 2009-05, Re-appointing Don Abernathy to the Planning & Zoning Commission; Resolution 2009-06, Re-appointing Jim Langford to the Planning & Zoning Commission; and Resolution 2009-07, Re-appointing Kathy Bradham as an Alternate to the Planning & Zoning Commission. Councilmember Litherland seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

**ACTION: Approve
Consent Agenda**

No one chose to speak during the Citizens' Appearances portion of the meeting.

Citizens' Appearances

Chief of Police, Dave Howell, presented Police Department statistics for June 2009. Town Administrator, Debbie Millican reported that the 2009 Certified Tax Roles had been delivered and that the total values had come in at

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approximately 233,000,000, which was the estimate that had been used in the first draft of the preliminary budget. Ms. Millican stated that the final draft would be reviewed at the July 28 Budget Work Session and Meeting. No action was called for or taken.

Councilmembers considered the proposed Gas Well Drilling and Production Permit and Road Damage Remediation Agreement for the Frenchtown 2H Well. The pad site is located approximately 2,100 feet east of W Jeter Road and measures approximately 280' by 310'. The proposed well site is located in the Newton Allsup Survey, Abstract No. 3, Town of Bartonville, Denton County, Texas. The applicant is Gulftex Operating, Inc. The surface owner is Mary Hager. Town Administrator Millican stated that the only one outstanding issue, the casement letter, had been received and that the Planning and Zoning Commission recommended approval.

Councilmember Reaves moved to approve the proposed Gas Well Drilling and Production Permit and Road Damage Remediation Agreement for the Frenchtown 2H Well, as recommended by the Planning and Zoning Commission. Councilmember Hoyt seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

The Town Council considered a request by XTO Energy, Inc. for an extension of the Red Hot 1H Gas Well Drilling and Production Permit. Town Administrator Millican presented the following information regarding the request. The Red Hot 1H permit was approved on December 16, 2008 and was valid until June 16, 2009. It was approved under the previous drilling regulations. The ordinance provides that the Commission may recommend to Council an extension of up to one year if conditions are the same. The applicant has requested an extension until September 30, 2010, which is not possible according to our ordinance. The maximum extension allowed would be until June 16, 2010. The Planning and Zoning Commission recommended approval of the request by XTO Energy, Inc. for an extension of the Red Hot 1H Gas Well Drilling and Production Permit, with the condition that the permit and operation of the well conform to the town's current regulations.

Councilmember Litherland moved to approve the request for extension for the Red Hot 1H Drilling and Production Permit, as recommended by the Planning and Zoning Commission. Councilmember Reaves seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

The Town Council considered awarding the bid for the Annual Drainage and Street Maintenance Contract. Town Engineer Gary Vickery reviewed the tally sheet for the bids. Mr. Vickery recommended that the Council award the annual contract to the lowest responsible bidder, Aventura Construction. Mr. Vickery stated that technically, Calvert Paving was the lowest bidder with a bid approximately \$30,000 under all of the three other bidders. He stated that because poor performance in the past, he could not recommend Calvert Paving for the contract. Mr. Vickery recommended that the bid go to the next

lowest bidder, Aventura Construction.

Councilmember Litherland moved to award the annual street maintenance contract to Aventura Construction. Councilmember Reaves seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

The Town Council considered the revised ICA with Denton County for surface road repairs, drainage improvements, and culvert replacement as necessary on Gibbons Road, Porter Road, Glenview Lane, and Wolf Run Road.

Councilmember Reaves moved to approve the revised Denton County Street Repair ICA. Councilmember Litherland seconded the motion. For: Unanimous. The motion carried by a vote of 4 to 0.

There were no requests for future agenda items.

Future Agenda Items

There being no further business to come before the Council, Mayor Robertson declared the meeting adjourned at 7:27 p.m.

Adjournment

APPROVED this the 18th day of August 2009.

Approved:

Ron Robertson, Mayor

(Seal)

Attest:

Debbie E. Millican, Town Administrator