

**MINUTES OF THE
TOWN COUNCIL
July 21, 2011**

SPECIAL MEETING

ITEM 1 CALL TO ORDER

Mayor Scott McCarty called the meeting to order at 6:00 p.m.

ITEM 2 ROLL CALL

Those present were Mayor Pro-Tem Gorman, Council Member Crider, Council Member Rouse, Council Member Finley, Council Member Ashman and Mayor McCarty.

ITEM 3 INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Bruce Ashman led both.

ITEM 4 OPEN FORUM FOR CITIZEN INPUT

Wes Howard, a resident of Remington Park thanked the Council for their consideration on a moratorium. Mr. Howard stated that he is not anti-gas or anti-drilling. He believes that a moratorium would allow the time to address ordinances. Mr. Howard would like for people to benefit from their rights.

Chris Mills, a resident of Remington Park asked that since Ft. Worth, Corinth and Flower Mound have all gone through this recently, if the Council believed that 90 days was long enough.

ITEM 5 CONSIDER AND ACT ON APPROVAL OF RESOLUTION 11-11, DECLARING A 90 DAY MORATORIUM ON THE ACCEPTANCE OR PROCESSING OF APPLICATIONS FOR WELL PERMITS AND SPECIFIC USE PERMITS TO PERMIT MINERAL EXTRACTION THROUGH OIL AND GAS EXPLORATION OR OPERATIONS AND ON THE ACCEPTANCE OR PROCESSING OF APPLICATIONS FOR REGULATED OR UNREGULATED PIPELINE PERMITS WITHIN THE CORPORATE LIMITS OF THE TOWN OF PONDER.

Council Member Finley moved to approve Resolution 11-11. Motion died for lack of a second.

Council Member Finley moved for discussion. She said that this ordinance is from 2003 and citizens have the right to feel comfortable with our rules. If we don't discuss this we are failing our citizens.

Mayor Pro-Tem Gorman moved to not adopt Resolution 11-11. Motion seconded by Council Member Rouse.

Council Member Crider stated that he sees no need to stop drilling while looking at this ordinance.

Council Member Ashman stated that he would like to revise the current ordinance by the setbacks, hours of operation and the noise.

Mayor Pro-Tem Gorman stated that he doesn't believe it will take 90 days. He would like to increase the setbacks and agrees that the old ordinance needs improvements. He does not agree

that the current ordinance is no good. Mr. Gorman does not want to start with an 80 page document.

Council Member Rouse agreed with the others on the setbacks but believes that 1000 feet is too much. He suggested 500 feet. Mr. Rouse stated that the ordinance definitely needed changes and would like to request help from Devon Energy. Mr. Rouse feels no need for a moratorium.

Council Member Finley thinks that 90 days gives the Council time. She asked what if we get a permit application, in that case do we have to permit it?

Mayor McCarty stated that he being new to the Council has been exposed to a lot of gas well ordinances. He said that he believes Devon is a good company. He also has spoken to many city managers. Mayor McCarty does believe that our ordinance needs tweeking. He also knows that Devon wants to drill but the Town Council needs time to breathe. He is encouraging the Council to act on this as soon as they can. A moratorium can be taken off at any time when the ordinance has been updated. He asked that we take this moment and give the citizens a change to breathe. Mayor McCarty does not believe that updating the ordinance will take 90 days as we don't need to re-invent the wheel. He said that 1000 feet does not restrict the Town and that the moratorium was a sense of comfort for the council and citizens and staff. He stated that he will concede to the wisdom of the Council. He feels very comfortable with 82 pages and would like to take a look at pipelines and setbacks. He would also like to see a drilling inspector.

Council Member Ashman stated that he is not against a moratorium, but would like to see it for 30 days.

Council Member Rouse stated that he is against a moratorium. He believes that we can work through this without one.

Ayes: Mayor Pro-Tem Gorman, Council Member Crider, Council Member Ashman and Council Member Rouse. Nays: Council Member Finley. Abstentions: None. Motion passed with 4 ayes, 1 nay and 0 abstentions.

ITEM 6 ADJOURN.

Council Member Rouse moved to adjourn at 6:20 p.m. Motion seconded by Council Member Crider. Ayes: Council Member Rouse, Council Member Crider, Council Member Ashman, Council Member Finley and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 5 ayes, 0 nays and 0 abstentions.

APPROVED:

Scott McCarty, Mayor

Date

ATTEST:

Sheri N. Clearman, City Secretary