

**MINUTES OF THE
TOWN COUNCIL
September 8, 2011**

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 Ashman, and Mayor McCarty. Council Member Rouse arrived at 6:20 p.m.

ITEM 3 INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

Council Member Ashman led both.

ITEM 4 OPEN FORUM FOR CITIZEN INPUT

Henry Wofford, a citizen of Ponder reported to the Council that he would like to see there be an ordinance specifying the number of pets that you can have at a residence. He stated that the smell of the waste next door to his house was very bad. Thank you to the Chief of Police who contacted the owners and it was cleaned up right away.

Chris Mills, a citizen of Ponder and Remington Park subdivision reported that she has looked over the proposed ordinance and would like to see Realtors be aware of proposed sites and stated that the section on setbacks is about 7 sentences of loopholes. She would like to see signs at the entrances of subdivisions that are visible to everyone. Ms. Mills also asked how section 1A would stop what happened to Remington Park and that she liked section F.

Gilbert Horton of Devon Energy reported to the Council that what Ms. Mills said makes sense and that Devon has no problem placing signs on major thoroughfares. He also noted that Page 7 could use some clarifying language. Mr. Horton suggested that the drilling companies be notified if someone is going to build close to a well site.

Wes Howard, a citizen of Ponder and Remington Park subdivision reported that he thought the sign change would be a good idea and even if citizens could be notified by mail it would be good. He does not believe that 600' is sufficient for a setback. Mr. Howard would like to see changes in the ordinance to prohibit drilling in certain zoning issues. He also noted that the sound wall blew down and there was no report even to the fire chief. He believes that there should be some kind of reporting process.

ITEM 5 CONSENT AGENDA

Council Member Crider moved to approve the August 11, 2011 minutes, the August 2011 bill report and the August 2011 Financial statement. Motion seconded by Council Member Ashman. Ayes: Council Member Crider, Council Member Ashman, and Mayor Pro-Tem Gorman. Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEM 6 UPDATE FROM BELCHEFF AND ASSOCIATES REGARDING GEORGE OWENS ROAD IMPROVEMENTS.

George Belcheff reported that he and Gary Morris have met with Denton County about what they would be doing to upgrade George Owens Road. He had other discussions with

Commissioner Eads about what was expected then drafted the deal points. This would be a two phase project and in the 1st phase would be engineering, ROW utilities and Town Construction. The 2nd phase would be Denton County building a heavy duty asphalt road. There is some confusion on what direction we should be going in. Should the Mayor address Commissioner Eads.

Gary Morris clarified that this was not the 2004 TRIP, it was a more recent bond. The George Owens project was on our wish list and it was approved as a bond project. Gary asked if the Council wanted the Mayor and George Belcheff to meet with Commissioner Eads.

It has been decided that George Belcheff, Mayor McCarty and Gary Morris will meet with Commissioner Eads.

ITEM 7 CONSIDER AND ACT ON APPROVAL OF ORDINANCE 11-17, APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP.

Mayor Pro-Tem Gorman moved to approve Ordinance 11-17. Motion seconded by Council Member Ashman. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 8 PUBLIC HEARING AND DISCUSSION ON FINALIZATION OF THE FY2011-12 GENERAL FUND BUDGET.

Council Member Ashman moved to open the public hearing. Motion seconded by Council Member Crider. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

Mayor McCarty asked if there was anyone there to speak for or against the budget.

Chris Mills, a citizen of Ponder asked if the budget was a public record.

Veronica Kronval asked when the Police Department would be hiring officers.

Mayor McCarty stated that he has more respect for employees of Ponder than he did before he became Mayor. He also asked around the room if anyone of the Council Members had anything to discuss about the proposed budget with no replies.

Council Member Crider moved to close the public hearing. Motion seconded by Council Member Rouse. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 9 CONSIDER AND ACT ON ADOPTING ORDINANCE 11-14, APPROPRIATIONS FOR THE SUPPORT OF THE TOWN OF PONDER FOR THE 2011-12 FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012.

Council Member Crider moved to adopt Ordinance 11-14. Motion seconded by Council Member Rouse. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 10 CONSIDER AND ACT ON ADOPTING ORDINANCE 11-15, FIXING WATER RATES.

Mayor Pro-Tem Gorman moved to adopt Ordinance 11-15. Motion seconded by Council Member Ashman. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 11 CONSIDER AND ACT ON ADOPTING ORDINANCE 11-16, APPROPRIATIONS FOR THE SUPPORT OF THE TOWN OF PONDER WATER SEWER FUND FOR THE 2011-12 FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012.

Council Member Crider moved to adopt Ordinance 11-16. Motion seconded by Council Member Rouse. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 12 PUBLIC HEARING REGARDING LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE TOWN OF PONDER FOR THE 2011-12 FISCAL YEAR.

Council Member Crider moved to open the public hearing. Motion seconded by Council Member Ashman. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

Mayor McCarty asked if there was anyone to speak for or against the public hearing.

Wayne Futch asked what the current tax rate was.

Council Member Ashman moved to close the public hearing. Motion seconded by Council Member Crider. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 13 DISCUSSION, CONSIDER AND ACT ON ADOPTING ORDINANCE 11-13, LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE TOWN OF PONDER FOR THE 2011-12 FISCAL YEAR.

Council Member Ashman moved to adopt Ordinance 11-13. Motion seconded by Council Member Crider. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 14 CONSIDER AND ACT ON APPROVAL OF ORDINANCE 11-12, AMENDING ORDINANCE 03-09, DRILLING WITHIN THE TOWN OF PONDER.

Mayor Pro-Tem Gorman moved to approve ordinance 11-12. Motion seconded by Council Member Crider. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

ITEM 15 ITEMS TO BE PLACED ON THE NEXT AGENDA.

Drilling Ordinance Amendments

ITEM 16 ADJOURN.

Council Member Crider moved to adjourn at 7:28 p.m. Motion seconded by Council Member Rouse. Ayes: Mayor Pro-Tem Gorman, Council Member Ashman, Council Member Crider and Council Member Rouse. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays and 0 abstentions.

APPROVED:

Scott McCarty, Mayor

Date

ATTEST:

Sheri N. Clearman, City Secretary