

**REGULAR COUNCIL MEETING  
DECEMBER 4, 2006  
MINUTES**

**1. Call to Order**

The Town council of the Town of Shady Shores convened in a regular meeting on December 4, 2006 at 7:00 p.m., Shady Shores Community Center, 101 South Shady Shores Road, Shady Shores, Texas. Notice of the meeting was posted as required by Title 5 Chapter 551 of the government code. The following members were present: Mayor Olive Stephens, Mayor pro tem Nita Watkins, Councilmembers Polly Carter, Charles Grimes and Jerry Williams. Councilmember Betty Brown was absent. A quorum was present.

**2. Pledge Allegiance to the Flag**

The Pledge of Allegiance to the United States Flag and the Texas Flag was recited by all present.

**3. EXECUTIVE SESSION**

**The Town Council will convene into a closed session in compliance with Section 551.071 of the Texas Government Code as follows:**

**\* To seek confidential legal advice from the Town attorney**

**4. RETURN TO OPEN SESSION FOR ANY FURTHER DELIBERATION, DISCUSSION, OR ACTION ON ANY OF THE MATTERS DISCUSSED IN EXECUTIVE SESSION**

Polly Carter made a motion for the council to convene into executive session regarding item # 5. Seconded by Jerry Williams.

FOR: UNANIMOUS                      THE MOTION CARRIED 4-0

Council convened into executive session at 7:50 p.m. Town Attorney, Jim Shepherd was present.

Council reconvened into open session at 8:35 p.m.

Nita Watkins made a motion to table any comments until a future date for more information and documentation regarding item #5. Seconded by Charles Grimes.

FOR: UNANIMOUS                      THE MOTION CARRIED 4-0

**5. Consideration and possible action of manufactured housing units at property located at 417 South Shady Shores Road. (Presentation by Mr. Tisdale)**

Mr. Tisdale made his presentation to the council prior to the council going into executive session.

Mr. Tisdale wishes to remove the two mobile homes on the property and replace them with newer, larger units placed in a different spot on the property. The property is one lot ( approximately 2 acres) zoned single family residential. The property has one house and two mobile homes on the property with septic tank. He intends to use the property for rental purposes-- wishes to install underground utilities. Mr. Tisdale is taxed on one lot. Mr. Tisdale does not live on the property. May at sometime decided to build his personal residence on the property.

No action taken until further information is presented to the council.

**6. Discussion and possible action to amend the contract with the Corinth Police department regarding the Purchase of an all-terrain vehicle (ATV)**

Asking to speak on this item were: Barbara Pepper, Marie Edwards, and Ann Falkenberg.

Council is looking to see what type of agreement is also needed with the Army Corps of Engineers.

Polly Carter made a motion to accept Amendment #1 to the contract with the Corinth Police department regarding the purchase of an all- terrain vehicle (ATV) Seconded by Jerry Williams.

For: Carter, Grimes, Williams                      Opposed: Watkins

THE MOTION CARRIED 3-1

**7. Discussion and action regarding appointment of a member to the Planning and Zoning Commission.**

Polly Carter made a motion to accept the application of Brad Andrus, 300 Cove to serve on the Planning and Zoning Commission as alternate member. Seconded by Nita Watkins.

FOR: UNANIMOUS THE MOTION CARRIED 4-0

**8. Discussion and action to adopt an ordinance regarding the election of aldermen by the place system**

Signed up to speak on this item were: Barbara Pepper, Marie Edwards and Ann Falkenberg.

Asking questions of the town attorney were: Barbara Pepper, Marie Edwards and Ann Falkenberg.

**ORDINANCE NO. 187-12-2006**

**AN ORDINANCE OF THE TOWN OF SHADY SHORES, TEXAS REGARDING ELECTION OF ALDERMEN BY THE PLACE SYSTEM; PROVIDING AN EFFECTIVE DATE AND PROVIDING A SEVERABILITY CLAUSE.**

Jerry Williams made a motion to adopt Ordinance No. 187-12-2006 regarding election of aldermen by the place system for Shady Shores. Seconded by Charles Grimes.

FOR: UNANIMOUS THE MOTION CARRIED 4-0

**9. Discussion and action to adopt a resolution regarding review of the Town of Shady Shores Investment Policy.**

Asking to speak on this item were: Barbara Pepper, Marie Edwards and Ann Falkenberg. Town Attorney, Jim Shepherd responded to their questions and further explained.

**RESOLUTION NO. 675**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS, ADOPTING THE TOWN OF SHADY SHORES INVESTMENT POLICY ATTACHED HERETO AS EXHIBIT "A"; DECLARING THAT THE TOWN COUNCIL HAS COMPLETED ITS REVIEW OF THE INVESTMENT POLICY AND INVESTMENT STRATEGIES OF THE TOWN AND THAT EXHIBIT "A" RECORDS ANY CHANGES TO EITHER THE INVESTMENT POLICY OF INVESTMENT STRATEGIES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with the Public Funds Investment Act, Chapter 2256, TEX. GOV'T CODE, the Town Council of the Town of Shady Shores, Texas by resolution adopted an investment policy; and

**WHEREAS**, Section 2256.005 Tex Gov't Code requires the town Council to review the investment policies and investment strategies not less than annually and to adopt a resolution or order stating the review has been completed and recording any changes made to either the investment policies or investment strategies.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS;**

**SECTION 1.** That the Town of Shady Shores Investment Policy attached hereto as Exhibit "A" be and the same is hereby adopted and shall govern the investment policies and investment strategies for the town, and shall define the authority of the investment official of the Town from and after the effective date of this resolution.

**SECTION 2.** That the Town Council of the town of Shady Shores has completed its review of the investment policies and investment strategies and any changes made to either the investment policies or investment strategies are recorded in Exhibit "A" hereto.

**SECTION 3.** That all provisions of the resolutions of the Town of Shady Shores, Texas, in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

**SECTION 4.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said resolution which shall remain in full force and effect.

**SECTION 5.** That this resolution shall become effective immediately from and after its passage.

**DULY RESOLVED AND ADOPTED** by the Town Council of the Town of Shady Shores, Texas, on this the 4<sup>th</sup> day of December, 2006.

Jerry Williams made a motion to adopt Resolution 675. Seconded by Nita Watkins.

FOR: UNANIMOUS THE MOTION CARRIED 4-0

**10. Complaint by Ms. Marie Edwards regarding fire hydrant installation at 105 E. 6<sup>th</sup> Street (Presentation by Ms. Marie Edwards)**

Marie Edwards was present to address the council

Appreciate fire protection

Did no appreciate the process

Empty lot on 7<sup>th</sup> Street

My Empty lot was used to 'dump dirt' without my permission

The property stakes were destroyed in the process and were not replaced.

At 105 E. 6<sup>th</sup> Street

I realize the fire hydrant needs to be protected; however, I take issue with the process.

Concrete pillars placed on property without permission

Concerns for the tree

7<sup>th</sup> Street

Road left in poor condition after work was completed.

Who is responsible? The Town of Shady Shores or LCMUA

Expected results.

1. Ensure property owners are notified prior to The Town of Shady Shores accessing private Property.
2. Ensure 7<sup>th</sup> Street road will be returned to its' condition prior to the installation of the fire Hydrant.
3. Set the expectation that the property owner will be reimbursed for the loss of the tree should it die within the next 24 months.

Speaking on this item were: Barbara Pepper and Ann Falkenberg.

The water line and fire hydrant were installed by a contractor selected by LCMUA. The water line and fire hydrant are the property of LCMUA. The process of water line installation and fire hydrant installation is the responsibility of LCMUA.

Marie Edwards said she would have the concrete pillars protecting the fire hydrant pulled out at her request.

Ms. Marie Edwards was given a complaint/claim form should she wish to fill a claim.

No action taken.

## **11. Reports from Council and Committee Chairpersons**

### **Mayor Olive Stephens-Budget, finance**

Budget taken care of.

Appointment with the auditor to begin the audit.

### **Mayor Pro tern Nita Watkins-Financials, Roads Funding,**

Made another payment for Lake Shore Road.

### **Councilmember Betty Brown-Library, Police**

Betty Brown was absent.

### **Councilmember Polly Carter- Roads, Corps Committee, Building Committee**

#### **Update on Lakeshore Road and Berry Lane**

Had a walk through on Lake Shore Road

Berry Lane—working to get the three properties surveyed needed for drainage.

### **Councilmember Charles Grimes**

#### **Lakeshore culvert inspection report**

Corps property—project #1 at boat ramp discussed—Jean Bowers also involved in discussion.

### **Councilmember Jerry Williams**

#### **Shoreline report**

Shoreline to publish on the on or about the 14<sup>th</sup> of December before Christmas.

### **Fire Department Board Member- Kathe Strantz**

Ms. Kathe Strantz was present at the beginning of the meeting but had to leave.

Christmas holidays—no report—appreciation dinner for the fire fighters.

### **Building Committee---Kim Meier**

Working on contract with architect—Mark M. Martin.

**12. CITIZENS COMMENTS**

No one was signed up to speak on the citizens comments.

Mayor Olive Stephens allowed Ann Falkenberg to address the council:

Planning and zoning minutes are available for review by citizens.

Budget is available for review by citizens.

January 1, 2007 is a holiday. Jerry Williams made a motion to changed the regular meeting date to January 8, 2007. Seconded by Nita Watkins.

FOR: UNANIMOUS THE MOTION CARRIED 4-0

**13. Approval of Minutes:**

**a) November 6, 2006 regular meeting**

**b) November 13, 2006 special meeting**

Jerry Williams made a motion to approve the minutes of the November 6, 2006 regular meeting and the November 13, 2006 special meeting. Seconded by Nita Watkins.

FOR: UNINAMOUS THE MOTION CARRIED 4-0

**13. Adjourn**

Jerry Williams made a motion to adjourn the meeting. Seconded by Nita Watkins.

FOR: UNANIMOUS THE MOTION CARRIED 4-0

\_\_\_\_\_Olive Stephens, Mayor

Attest:

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Town Secretary