

LAKEWOOD VILLAGE TOWN COUNCIL

COUNCIL MEETING

DECEMBER 8, 2011

Council Members:

Mike Schnittker, Mayor
Dr. Mark Vargus, Mayor Pro-Tem
Ken Guthrie
Harold Wood - ABSENT
Carl Menckhoff, M.D.
Dave Getka

Town Staff:

Linda Asbell, Town Secretary

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, Mayor Schnittker called the Town Council to order at 7:03 p.m. on Thursday, December 8, 2011, in the Council Chambers of the Lakewood Village Town Hall, 100 Highridge Drive, Lakewood Village, Texas.

PLEDGE TO THE FLAG

(Agenda Item A)

Mayor Schnittker led the pledge of allegiance

VISITOR/CITIZENS FORUM:

(Agenda Item B)

Michelle French, Chief Deputy of the Denton County Tax Assessors office, introduced herself and announced that she is running for the office of Denton County Tax Assessor/Collector. Mrs. French stated that she feels strongly about the education of taxpayers, and wishes to hold information forums to educate the community. Mrs. French would like to amend some of the office hours to be more accessible to the public. Mayor Pro-Tem asked Mrs. French about the new tax reporting software, stating that it is not user friendly at all. Mrs. French provided an overview of the features and offered training on use of the program. Mayor Schnittker asked if Mrs. French intended to reinstitute the minimum fee to the taxing entities; Mrs. French stated the fee would not be charged again.

PUBLIC HEARING:

(Agenda Item C)

A public hearing was held in accordance with Texas Constitution § 1-n(d), Article VIII and Texas Tax Code § 11.253(j) on the proposed Goods-In-Transit Taxation Ordinance to provide an opportunity for citizen comment.

Mayor Schnittker opened the public hearing at 7:14 p.m.

No one requested to speak.

MOTION: Upon a motion made by Mayor Pro-Tem Vargus and seconded by Councilman Getka the Council voted four (4) “ayes” and no (0) “nays” to close the public hearing at 7:15 p.m. The motion carried.

REGULAR AGENDA:

(Agenda Item D)

**Consideration of Interlocal Agreement with
the Town of Little Elm for Fire/EMS Service**

(Agenda Item D.1)

Mayor Schnittker introduced Little Elm Fire Chief Florentino. Chief Florentino reported that the proposed interlocal agreement is similar to the interlocal agreement with Denton County. Chief Florentino reported that a readiness fee would be the base rate of \$15,000 plus \$550 per run. The run rate is be calculated from the previous year’s runs. Chief Florentino reported that outdoor warning sirens are, in his opinion, not useful. Chief Florentino stated that as part of the interlocal agreement the citizens of Lakewood Village are eligible for the Little Elm Alert service. There was some discussion about the new fire station.

MOTION: Upon a motion made by Councilman Getka and seconded by Mayor Pro-Tem Vargus the Council voted four (4) “ayes” and no (0) “nays” to approve the Fire/EMS interlocal agreement with the Town of Little Elm. The motion carried.

**Presentation of Fiscal Year 2010-2011 Audit
Findings**

(Agenda Item D.2)

Randy Howard of Pingleton, Howard & Company reported that the Town has received a clean, or unqualified, opinion on this audit. Mr. Howard reviewed the status of each of the individual funds on the balance sheet. Mr. Howard reported the Town is in a very strong financial position in both the general and utility funds. Mr. Howard congratulated the Town leaders as being very fiscally responsible, especially when considering Lakewood Village has one of the lowest tax rates in the county. There was some discussion about a capital asset replacement fund. There was some discussion about depreciation and the accumulation of funds associated with depreciation expense. Mr. Howard reported the Town increased net assets during the 2010-2011 fiscal year and that the Town is doing a good job of monitoring the budget and growing the assets of the town. Mr. Howard reported he found no deficiencies in the internal controls of the town. Mr. Howard stated that Mrs. Asbell, Dr. Vargus, and Mr. Barnes are all doing an excellent job. Mr. Howard reviewed the management letter and offered congratulations to the Town for a job well done.

**Presentation of Water Master Plan by Town
Engineer, Freese & Nichols**

(Agenda Item D.3)

Mayor Schnittker introduced Scott Cole and Daniel Tremper of Freese and Nichols. Mr. Cole, P.E. reviewed his qualifications and distributed a hard copy of the presentation. Mr. Cole reviewed the process used to evaluate and create a water master plan. Mr. Cole reviewed the historical and projected water demands. There was some discussion on the plan to increase the pressure tank capacity. There was some discussion on the volume limitations of the booster pumps. Mr. Cole reviewed the cost estimates of both elevated storage and hydropneumatic tank/ground storage. There was some discussion on the required height of the elevated storage tank relative to the pressure required in the system. Mr. Cole stated that Freese and Nichols recommend elevated storage as the best option for Lakewood Village. There was discussion about the timeframe of an elevated storage construction being approximately 18 months.

**Consideration of North Texas Groundwater
Conservation District Fees**

(Agenda Item D.4)

Mayor Schnittker reported the North Texas Groundwater Conservation District is assessing a pumping fee of \$0.10/1,000 gallons. Mayor Pro-Tem Vargus reported that in 2010, the Town pumped 39,000,000 gallons of water out of the wells; however, the Town billed customers for 26,000,000. Approximately 1,000,000 gallons of water a month is not being billed. The unbilled water is being used at the sewer plant and being lost through inaccurate water meters that are under-recording consumer usage. There was some discussion on the gap between gallons pumped and gallons billed. There was some discussion on the potential benefits of a meter replacement program. There was some discussion on the creation of the conservation district and the establishment of the fee. There was some discussion on the methodology to be used for establishing the rate the Town will pass on to the residents.

MOTION: Upon a motion made by Councilman Menckhoff and seconded by Councilman Guthrie the Council voted four (4) “ayes” and no (0) “nays” to pass on the \$0.10 per 1,000 gallon tax in a direct pass-through to the residents. The motion carried.

**Consideration of Water/Wastewater Rate
Ordinance**

(Agenda Item D.5)

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Wood the Council voted four (4) “ayes” and no (0) “nays” to insert a line charging for “The North Texas Groundwater District Fee” in Exhibit A of the Water/Wastewater Ordinance. The motion carried.

Consideration of November 10, 2011 Council Meeting Minutes

(Agenda Item D.6)

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Guthrie the Council voted three (3) “ayes” and no (0) “nays”, with Councilman Menckhoff abstaining, to approve the November 10, 2011 minutes. The motion carried.

Consideration of Goods-In-Transit Taxation Ordinance

(Agenda Item D.7)

MOTION: Upon a motion made by Councilman Menckhoff and seconded by Councilman Getka the Council voted four (4) “ayes” and no (0) “nays” to approve the Goods-In-Transit Taxation Ordinance. The motion carried.

EXECUTIVE SESSION:

(Agenda Item E)

Mayor Schnittker reported Council had no need for an executive session.

RECONVENE:

(Agenda Item F)

No Executive Session

COUNCIL AND STAFF COMMENTS:

(Agenda Item G)

Mayor Schnittker reported on the status of the acquisition of the Rocky Point Water System.

Town Secretary, Linda Asbell, reported on the Rocky Point clean-up effort. Councilman Menckhoff explained the history of the clean-up effort to the members of the audience.

ADJOURNMENT

(Agenda Item G)

MOTION: Upon a motion made by Councilman Getka and seconded by Councilman Menckhoff the Council voted four (4) “ayes” and no (0) “nays” to adjourn the Regular Session of the Lakewood Village Town Council at 10:09 on Thursday, October 6, 2011. The motion carried.

These minutes approved by the Lakewood Village Town Council on the 19th day of January, 2012.

APPROVED

**LAKWOOD VILLAGE TOWN COUNCIL
REGULAR SESSION
DECEMBER 8, 2011**

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Mike Schnittker
MAYOR

ATTEST:

Linda Asbell
TOWN SECRETARY