



STATE OF TEXAS
COUNTIES OF KAUFMAN AND HUNT
CITY OF POETRY, TEXAS

BE IT REMEMBERED THAT ON THIS DAY OF THE 17th of October 2024 at 6:30 pm, the Town Council of Poetry, Texas, held a Regular Town Council Meeting at Poetry Town Hall, 5671 CR 323 Poetry, Texas 75160. This meeting was duly announced in accordance with Title 5, Chapter 551, of the Texas Government Code, with the following present:

Mayor Tara Senkevech
Councilmember Terry Fowler
Mayor Pro Tem Jonathan Blake

Councilmember Tom Anderson
Councilmember Mike Jaffe
Councilmember Simeon White via Live video stream

- A. Mayor Senkevech** called the meeting to order at 6:30 p.m. At this time, the mayor reminded the public that disruption of the meeting may be considered a criminal offense under Texas Penal Code 3813 and may be escorted out by a peace officer and issued a citation.

Section 38.13 - Hindering Proceedings by Disorderly Conduct

(a) A person commits an offense if he intentionally hinders an official proceeding by noise or violent or tumultuous behavior or disturbance

(b) A person commits an offense if he/she recklessly hinders an official proceeding by noise or violent or tumultuous behavior or disturbance and continues after explicit official request to desist.

(c) An offense under this section is a Class A misdemeanor.

Tex. Pen. Code § 38.13

- B. Robin Boles, Town Volunteer**, took roll call. All council members were present. **Mayor Senkevech** announced the presence of a quorum.

- C.- D. Pledge of Allegiance and Invocation:** Minister Paul Jacobs led the Pledge of Allegiance and the invocation.

- E. Citizen Comments:** **Mayor Senkevech** announced the opportunity of citizens to speak on any posted agenda item, limited to three (3) minutes each, as long as they had signed up prior to the meeting either by emailing contact@poetrytexas.org or by signing up in person at the meeting location prior to the start of the meeting at 6:30 pm. She reminded all present of the Offenses Against Public Order and Decency as outlined in Texas Penal Code §§ 38.13, 42.05.

- F. Items of Community Interest:** Pursuant to Section 551.0415 of the Texas Government Code, the Town Council may report on the following items: 1) expression of thanks, congratulations, or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders upcoming Town Council events; 5) about community events, and 6) announcements involving an imminent threat to public health and safety.

Mayor Senkevech:

- Reminded all present that Fall Cleanup will be this Friday and Saturday

G. Reports:

1. Financial Reports October End 2024

- a) **Beginning balance** of \$144,419.98. Ending balance of \$155,198.13

- Deposits \$14,030.17
- Withdrawals and debits \$2,062.88
- Checks paid \$1,189.14

- b) **Sales and Use Tax Receipts Report:**

- Total expenditures of \$40,949.23
- Sales and Use Tax income: \$9,517.29
- Road Fund Balance: \$100,504.08
- General Fund: \$54,694.05

2. Town Hall contractor change to local Poetry business, Fletcher Lawn & Landscaping:

Fletcher's Lawn Service submitted a quote for Town Hall grounds maintenance that offers cost savings compared to the current provider.

3. Secretary's Report:

- Town Secretary and Deputy Secretary reports read by **Mayor Pro Tem Jonathan Blake**.

H. Consent Agenda:

1. Approve Minutes from September 19th, 2024: Motion made to move to regular meeting by **Councilman Jaffe**, second by **Councilman Fowler**. ***Motion passed 5:0***

2. Approve September legal bill of \$1055.75 (\$877.50 is for lawsuit by Poetry citizens, Patrick Smith, Chad West and Lon Akin vs. Town of Poetry and each council member and *the mayor*) Motion to approve by **Mayor Pro Tem Blake**, second by **Councilman Anderson**. ***Motion passed 5:0***

3. Leland Barnett to install fire lane at Town Hall quote for \$2190.00: Quote to install fire lane at Town Hall is \$2190 after discount of \$1684 for 406 square feet of concrete. Site will be 14x29 feet with broom finish. Motion to approve by **Mayor Pro Tem Blake**, second by **Councilman Anderson**. ***Motion passed 5:0***

4. Texas Municipal League Intergovernmental Risk Pool Insurance \$4858.84 annual premium: Bill includes Town insurance, building insurance, workman's comp insurance, and cyber insurance. Motion to approve by **Councilman Anderson** second by **Mayor Pro Tem Blake**. ***Motion passed 5:0***

I. Regular Agenda:

A. Approve Minutes from September 19th, 2024: Councilman Jaffe and Councilman Anderson each had minor corrections that needed to be made to the minutes.

- Motion to approve September 19th minutes with the requested corrections made by **Councilman Jaffe**, second by **Mayor Pro Tem Blake**. ***Motion approved 5:0***

1. Update on prospective Bishop Airfield LLC. MUD: Mrs. Stephanie Rankin provided an update regarding the ongoing opposition to the proposed Bishop's Airfield MUD development. A website has now been established (bishopfieldmudfight.org) and a Facebook page, to disseminate information and coordinate community response. Currently, 175 TCEQ comments have been gathered, though at least 200 comments are required by TCEQ to trigger a community meeting. The Hunt County Judge and Commissioners have written letters opposing the subdivision. Upon reviewing the document, significant issues have been found in the developer's 152-page application, including inadequate notification of affected residents and concerns about infrastructure impact. **Councilman Anderson**, as a retired chemical engineer, raised concerns about potential leaded aviation fuel contamination from an underground storage tank at the former airfield site, noting that RCRA regulations require removal of the tanks and comprehensive soil testing for residential development on such properties by a firm licensed for this work. The proposed development plans include 2,500 homes and a micro wastewater treatment plant. Concerns were raised about the treatment plant's setback requirements, flooding risks, and the accuracy of the developer's environmental assessment. Additional issues discussed included water supply concerns related to the Nacatosh aquifer, inadequate road infrastructure on CR 2434 and FM 1565, and potential flooding problems. Mrs. Rankin and her group are planning a larger community meeting after the November 5th general election to provide information and assist residents in filing TCEQ comments. A small portion of the development may affect Rockwall County, though clarification was needed regarding the exact boundary lines. The Hunt County Commissioners have

not yet been consulted regarding the developer's traffic light installation plans, despite such plans appearing in Kimley Horn engineering documents, representing the developer.

2. **Hunt County Project Sheet H-17 pothole/side repair for 6 roads:** Commissioner Monroe's office provided an estimate of \$4,500 for Hunt County Project H-17, which covers repairs to CR 2458, CR 2434, CR 2432, CR 2426, CR 2326, and CR 2400. It was noted that per Hunt County's Interlocal Agreement (ILA), the cost only covers fuel and materials, not labor and equipment. The documentation needed correction to accurately reflect this distinction, changing the language from "material, equipment, and labor" to specify "material and fuel" with a separate notation that "labor and equipment for completion" would be provided at no charge. The form, which was originally from Kaufman County, will be modified accordingly before submission with payment.
 - Motion to approve, with edits, by **Mayor Pro Tem Blake**, second by **Councilman Jaffe**.
Motion passed 5:0
3. **Consider new paint colors for the Town Hall Shutters:** Council discussed and approved changing the Town Hall shutters and trim from the current light gray to black. The change was proposed to create better contrast with the white building and to coordinate with the existing black rail fence. It was noted that Brett Patterson of Ace Paint Decor had offered to complete the painting. The council agreed unanimously in favor of painting both the shutters and trim in black.
 - **No formal action is needed on the matter.**
4. **Town of Poetry flag ideas. Consider a citizen contest for designing a town flag:** Council discussed the possibility of creating a town flag for Poetry. Several design concepts were presented, including one with five stripes representing the council members and another design featuring green and white stripes with purple elements similar to the Texas flag. Council members expressed interest in soliciting citizen input and artistic contributions through social media, noting that previous survey attempts through the Poetry Post had limited response. While acknowledging that a town flag is not a high priority, the council agreed to seek citizen input and creative submissions via social media. It was also mentioned that flag sales could potentially serve as a fundraiser for a new flagpole.
 - **No formal action is needed on the matter.**
5. **Update on fence that was damaged by Town Contractor during the July tree felling:** Update regarding repairs to the damaged fence at the Oliver residence on CR 249, which was damaged by a Town contractor during tree cleanup in July. The repair was delayed due to difficulties in sourcing matching fence panels, as it was discovered the original fence was a custom-made heavy metal installation rather than standard aluminum. The contractor completed repairs Monday night with assistance from a welder, requiring custom cutting and welding to match the existing fence panels. The property owner, currently in California, has been contacted to review and approve the completed work.
 - **No formal action is needed on the matter.**
6. **Change co-signatory and accountability on Municipal Bank account from CM White to Mayor Pro Tem Blake:** Due to **Councilman White's** increased traveling for work, it was proposed to transfer his signatory responsibilities to **Mayor Pro Tem Blake**. While **Councilman Anderson** has been consistently available for signing checks. The change is necessary due to **Councilman White's** increased work commitments. The matter requires an official council vote, followed by completion of necessary paperwork at the bank, requiring council members' presence for signature processing.
 - Motion to approve by **Councilman Anderson** second by **Mayor Pro Tem Blake**. **Motion passed 5:0**
7. **Set date for Volunteer Appreciation Meal:** Plans for a volunteer appreciation event to be held outdoors on November 23rd were discussed. A proposed barbecue would provide meals for approximately 35 volunteers and their families who have served the community over the past three years, with quotes from two vendors at \$14 per person including varying amenities. The council approved increasing the budget from \$650 to \$700 to accommodate increased food costs. A contingency plan for inclement weather was proposed to potentially relocate to Faith Temple. The

council emphasized the importance of fair and inclusive invitation distribution, requesting volunteers to email their contact information for event coordination.

- Motion to approve, budget increase to \$700, by **Mayor Pro Tem Blake**, second by **Councilman Anderson**. *Motion passed 5:0*

Five Minute Meeting Recess at 7:42 pm – Meeting resumed at 7:47 pm

- 8. Volunteer Road team \$4500 for any pothole repairs for roads as needed this quarter:**
Approximately \$7,500 was spent on repairs from February 2024 through September 2024. It was proposed to allocate \$4,500 for the new fiscal year for road repairs, with the suggestion to expand the scope beyond just Kaufman County roads to include Hunt County roads as needed. This flexibility would allow for prompt attention to urgent repairs, particularly on roads like CR 2434 which experience rapid pothole formation during rainy periods and heavy truck traffic. Though this amount is being proposed for immediate allocation, it could be amended later based on weather conditions and volunteer crew availability. It was noted that a full load of repair materials typically costs between \$650-\$700.
 - Motion to approve by **Councilman Anderson** was made to accept the \$4500 and open it up to Hunt County as needed. This was seconded by **Councilman Jaffe**. *Motion passed 5:0*
- 9. Approve 4th Annual Christmas Lights Event for Saturday, December 21st at 5 pm:** Request to approve the Fourth Annual Christmas Lights Event, scheduled for Saturday, December 21st at 5:00 PM. The event will be renamed the Evie Anderson Christmas Lights Event in memory of Evie Anderson, who played a crucial role in its organization and promotion. Her enthusiasm and creativity were appreciated as well as her contributions to the community.
 - Motion to approve by **Mayor Pro Tem Blake**, second by **Councilman Anderson**. *Motion passed 5:0*
- 10. Revising the Rules of Procedure to allow citizens to speak for 3 minutes in front of the meeting for General Public Comments/Citizen Comments:** Discussion regarding proposed revisions to the rules of procedure, allowing citizens to speak for three minutes during general public comments at the beginning of meetings, rather than after each agenda item and at the end. After much discussion, the council also decided to strike items F and K from page four of the Rules and Procedures document. Highlighting the need for more efficient meetings and improved citizen engagement, it was agreed that citizen input will follow the invocation, and further edits will clarify these changes.
 - Motion to approve by **Councilman Anderson** and seconded by **Mayor Pro Tem Blake**. *Motion passed 3:2 (Fowler/Jaffe dissenting)*
 - **Citizen Shelley Smith:** Spoke of her displeasure at this change.
- 11. BHC Task order 104 and engineering possibilities:** BHC Engineering has submitted, a General Service Agreement related to “Task 104 – Updated Articles of Incorporation Map”, with an updated maximum cost estimate of \$25,000 for the preparation of an updated Articles of Incorporation map and description. This is significantly higher than initially anticipated. Mayor Senkevech checked with town attorney Berman who agreed that it would be reasonable at this point to shop for a lower cost to complete this project. Mayor Senkevech reported investigating alternative engineering firms, including reaching out to KSA Engineering and surveyor Chris Barry, though no response had been received from Mr. Barry yet. For comparison, it was noted that Union Valley, a municipality approximately one-fourth the size of Poetry, paid approximately \$10,000 for their boundary map. The increased cost from BHC Engineering was explained as necessary due to several factors: primarily, the additional scrutiny required due to ongoing legal proceedings in the lawsuit by Poetry citizens, Patrick Smith, Chad West and Lon Akin against the town of Poetry and each council member and mayor. The firm may be deposed and required to testify, and has now required them to utilize their licensed surveyor Chase Crawford, a partner in the firm, for the entire project rather than delegating to junior staff as originally planned. The scope of work includes creating a new official map incorporating changes approved in the previous month's ordinance, with licensed professional engineer and surveyor stamps. Discussion also centered on historical documentation, particularly regarding the timing of previous boundary decisions.

- Motion to approve by **Councilman Anderson** and seconded by **Mayor Pro Tem Blake**.
Motion passed 3:2 (Fowler/Jaffe dissenting)

12. **Discussion of permits and inspections of new and remodel construction:** Discussion regarding the current process for handling construction permits and inspections within the town. **Councilman Fowler** raised concerns about providing clear guidance to citizens regarding construction requirements. **Mayor Senkevech** explained that currently, inquiries are handled on a case-by-case basis, conducting site visits when necessary and providing written documentation for county requirements, particularly for septic systems. Records are maintained of all correspondence and approvals in town files. The council noted that while the town's zoning ordinance is relatively straightforward (requiring 75-foot setbacks from road center, 5-foot setbacks from back and sides, 40-foot height maximum, and 2.5 acres per dwelling), there is no formal permitting process in place. The town attorney has advised that implementing a formal permit system may be premature given the current lack of municipal court and code enforcement infrastructure. Further discussion included handling non-compliant structures, property divisions involving county jurisdiction, and the potential future need for more formal processes, acknowledging that while permits are not currently required by law, the town provides interpretation services to help citizens understand and comply with the zoning ordinance.

- **No formal action is needed on the matter**

K. **General Public Comments:** Comments are limited to three (3) minutes. If a translator is needed, the speaker may be given up to four (4) minutes. *(Sign-up is required **BEFORE** the Meeting is called to order. Be aware that the Town Council can only respond with **factual information only**. The Town Council may consider putting citizen concerns on a future agenda.)*

- **There were no public comment requests**

Meeting Adjournment at 8:45 pm.

Minutes prepared by Town Secretary Anne Hamilton.