



Town Council

Monday, April 11, 2022 at 6:00 PM
102 W. Bailey Street, Ponder, TX 76259

NOTICE

THE TOWN COUNCIL FOR THE TOWN OF PONDER, TEXAS, WILL CONVENE IN REGULAR SESSION AT 6:00 P.M. OR DIRECTLY FOLLOWING THE P&Z MEETING ON APRIL 11, 2022, IN PONDER TOWN HALL, AT 102 W. BAILEY STREET, PONDER.

REGULAR SESSION AGENDA

CALL TO ORDER

ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

OPEN FORUM FOR CITIZEN INPUT (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name).

This is a time for the public to address the Town Council on any subject. However, the Texas Open Meetings Act prohibits the Town Council from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to Town Staff for research and possible future action.

CONSENT AGENDA

1. Consider and act on approval of the February 14, 2022 minutes and the March 14, 2022 minutes.

ORAL STAFF REPORTS

ITEMS OF BUSINESS

2. Reading of a Proclamation for Mental Health Awareness by Mayor Poole.
3. Consider and act on approval of a Preliminary Plat for the Meadow View Acres Addition, located in the Ponder ETJ.

ITEMS FOR NEXT AGENDA

ADJOURN

The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development)

CERTIFICATION

I hereby certify that the above notice was posted on the bulletin board at the Ponder Town Hall at 102 W. Bailey Street, Ponder, Texas on the 7th day of April, 2022, at 11:00 a.m.

Sheri Clearman, Town Secretary

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact our office at 940-479-7009. Reasonable accommodations will be made to assist your needs.



Town of Ponder

Monday, March 14, 2022 at 6:00 PM
102 W. Bailey Street, Ponder, TX 76259

MINUTES

**FROM THE TOWN COUNCIL MEETING HELD ON MARCH
14, 2022, IN PONDER TOWN HALL, AT 102 W. BAILEY
STREET, PONDER.**

CALL TO ORDER

Mayor Pro-Tem McGregor called the meeting to order at 6:00 pm.

ROLL CALL

Council Member Lynch, Council Member Deussen and Mayor Pro-Tem McGregor were present. Council Member Couch, Council Member Staton and Mayor Poole were absent.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro-Tem McGregor led the invocation and pledge of allegiance.

OPEN FORUM FOR CITIZEN INPUT

No one signed up to speak.

ITEMS OF BUSINESS

1. **Acceptance of the 2021 Annual Financial Audit as presented by Carl Deaton.**
Mayor Pro-Tem McGregor moved to accept the 2021 Annual Financial Audit as presented by Carl Deaton. Motion seconded by Council Member Lynch.

Ayes: Mayor Pro-Tem McGregor, Council Member Lynch and Council Member Deussen.
Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.
2. **Consider and act on approval of Ordinance 22-04, Canceling the General Election.**
Council Member Lynch moved to approve Ordinance 22-04, and cancel the General Election. Motion seconded by Mayor Pro-Tem McGregor.

Ayes: Mayor Pro-Tem McGregor, Council Member Lynch and Council Member Deussen.
Nays: None. Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

ITEMS FOR NEXT AGENDA

None at this time.

ADJOURN

Council Member Lynch moved to adjourn at 6:21 pm. Motion seconded by Mayor Pro-Tem McGregor.

Ayes: Mayor Pro-Tem McGregor, Council Member Lynch and Council Member Deussen. Nays: None.

Abstentions: None. Motion passed with 3 ayes, 0 nays and 0 abstentions.

APPROVED:

Matthew Poole, Mayor

ATTEST:

Sheri Clearman, Town Secretary

Date



Town Council

Monday, February 14, 2022 at 6:00 PM
102 W. Bailey Street, Ponder, TX 76259

MINUTES
FROM THE TOWN COUNCIL MEETING HELD ON
FEBRUARY 14, 2022, IN PONDER TOWN HALL, AT 102 W.
BAILEY STREET, PONDER.

CALL TO ORDER

Mayor Poole called the meeting to order at 6:00 pm.

ROLL CALL

Council Member Deussen, Council Member Couch, Council Member Staton, Mayor Pro-Tem McGregor and Mayor Poole were in attendance. Council Member Lynch was absent.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Poole led the invocation and pledge of allegiance.

OPEN FORUM FOR CITIZEN INPUT

Wayne Futch of 203 E Bailey Street who has been a resident of Ponder for 49 years, spoke regarding item 6. He stated that anytime he sees MUD, he gets up and speaks. He said that the MUD Developers are not from around here and do not care about Ponder. He asked that we give them nothing and discourage them from coming near Ponder and added that he does not want his water rates to increase.

CONSENT AGENDA

1. **Consider and act on approval of Ordinance 22-01, Calling a General Election on May 7, 2022.**
2. **Consider and act on approval of Ordinance 22-02, Calling for a Special Election on May 7, 2022.**
3. **Consider and act on approval of Resolution 22-03, participation in the ACSC**
4. **Consider and act on approval of November 8, 2021 and December 13, 2021 minutes.**

Council Member Staton moved to approve all items on the consent agenda. Motion seconded by Council Member Couch.

Ayes: Council Member Staton, Council Member Couch, Council Member Deussen and Mayor Pro-Tem McGregor. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays, and 0 abstentions.

ORAL STAFF REPORTS

Gary Morris reported that the new HS has begun and that Clairmont is steadily being completed. He said that next week is the WWTP 3 year inspection and that the re-hab on the old plant is complete, but is not in service at this time. Litigation will begin soon, relative to the original contractor of the re-hab. He also reported that the ballfields are complete except for the concession/restroom building and septic system.

Robert Genova reported that the Police Department had 80 calls for service last month. He also said that the PD purchased 6 body cameras with a \$5000 CoServ grant. The car radios that were purchased with grant funds are in cars and in use.

Sheri Clearman reported that the concession and restroom building for the ballfields as been ordered and will be in in May and that the Annual Financial audit is complete and will be on the March agenda.

Andrew Economedes reported that the PVFD call load is increasing and believes that the total calls will go up with the growth in Town. The PVFD has a new member and a new Jr. Firefighter.

ITEMS OF BUSINESS

5. Consider and act on approval of a Final Plat and variance for tract 1G, 5.26 ac on Moncrief Rd in the Ponder ETJ.

Mayor Pro-Tem McGregor moved to approve the Final Plat and variance for tract 1G, 5.26 acres on Moncrief Rd in the Ponder ETJ. Motion seconded by Council Member Couch.

Ayes: Council Member Staton, Council Member Couch, Council Member Deussen and Mayor Pro-Tem McGregor. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays, and 0 abstentions.

6. Consider and act on authorizing the Mayor and Town Attorney to begin negotiations with the proposed Rockwood MUD for the providing of water and/or sewer services with a final contract to be brought back to the Town Council for consideration.

Council Member Deussen moved to authorize the Mayor and Town Attorney to negotiate with the Rockwood MUD to provide water and sewer services to them and that an agreement or contract is to be brought before Town Council for final approval.

ITEMS FOR NEXT AGENDA

Annual Financial Audit

ADJOURN

Mayor Pro-Tem McGregor moved to adjourn at 6:19 pm. Motion seconded by Council Member Deussen.

Ayes: Council Member Staton, Council Member Couch, Council Member Deussen and Mayor Pro-Tem McGregor. Nays: None. Abstentions: None. Motion passed with 4 ayes, 0 nays, and 0 abstentions.

APPROVED:

Matthew Poole, Mayor

ATTEST:

Sheri Clearman, Town Secretary

Date

**PROCLAMATION
Mental Health Month in the Town of Ponder 2022**

WHEREAS addressing the complex mental health needs of children, youth, and families today is fundamental to the future of the Town of Ponder; and

WHEREAS the citizens of the Town of Ponder value their overall health and that of their families and fellow citizens and are proud to support observances such as Mental Health Month and Children’s Mental Health Awareness Day; and

WHEREAS one in five adults has a diagnosable mental health condition; and

WHEREAS only half of Denton County parents are not familiar with mental health services in their community; and

WHEREAS the need for comprehensive, coordinated mental health services for individuals and families places upon our community is a critical responsibility; and

WHEREAS there is a strong body of research that supports specific tools that all Americans can use, to better handle challenges, and protect their overall health and well-being; and

WHEREAS each citizen, local business, school, government agency, healthcare provider, and faith-based organization shares the burden of mental health concerns and has a responsibility to promote mental wellness, recovery, and support prevention efforts; and

WHEREAS the Denton County Behavioral Health Leadership Team, Denton County MHMR Center, United Way of Denton County and the Wellness Alliance for Total Children’s Health of Denton County led by Cook Children’s, through their unique partnership and prevention-based approaches to serving children and adolescents, are effectively addressing the mental health needs of children, youth, and families in our community; and

WHEREAS it is appropriate that a month should be set apart each year for the direction of our thoughts toward mental health education and the support of treatment and recovery; and

WHEREAS it is appropriate that a day should be set apart each year for the direction of our thoughts toward our children’s mental health and well-being; and

THEREFORE, BE IT RESOLVED that I, Matthew Poole, Mayor of the Town of Ponder, do hereby proclaim:

May 2022 as *Mental Health Month* and May 7th, 2022 as *Children’s Mental Health Awareness Day* and I call upon our citizens and all agencies and organizations interested in meeting every person’s mental health needs to unite this month in the observance of such exercises as will commit the people of Ponder to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people mental health conditions.



APPLICATION FOR APPROVAL SUBDIVISION OF PLAT

- Minor
- Preliminary
- Short Form
- Major
- Final
- Re-plat

Name of Proposed Development: Meadow View Acres

Applicant (Owner or Agent, Specify): Linda French (Moncrief)

Mailing Address: 101 Crystal Ct. City, State, Zip: Richardson, TX 75081

Phone: 214-505-9545 Fax: _____ Cell: 214-505-9545

Owner's Name if different: Linda Moncrief Phone: same

Owner's Address: _____ City, State, Zip: _____

Phone: _____ Fax: _____ Cell: _____

Engineer or Surveyor: Burns Surveying LLC

Mailing Address: 1529 East Interstate 30 City, State, Zip: Garland, TX 75043

Contact Email: plattng@burnssurvey.com

General Location of Subdivision: Moncrief Road, Justin, TX

Legal Description of Subdivision: J. N. Sanderson Survey, No. 1680

Number of Proposed: Acres: 11.899 Lots: 4 Blocks: 1 Streets: _____

Proposed use(s) of land (Single Family, Commercial, Industrial): ETJ

Current Zoning Classification: ETJ Does proposed use conform with current zoning? ETJ

I certify that the information concerning the proposed subdivision is true and correct and that I am the owner of record or the authorized agent for the owner of the above described property. I hereby agree to comply with all provisions set forth by the Town of Ponder whether herein specified or not.

Linda French
Signature

2/18/22
Date

<input checked="" type="checkbox"/> Application complete? <input checked="" type="checkbox"/> Fee Paid \$ <u>220.⁰⁰</u> Date to appear before P&Z _____ Council _____ Remarks: _____ _____	Received by: <u>[Signature]</u> Date & Time: <u>2-25-22</u>
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Fees: Preliminary Plat - \$200 plus \$5/ea residential lot plus \$30/ea commercial lot
 Final Plat - \$200 plus \$5/ea residential lot plus \$30/ea commercial lot
 Also due on final plat is 5% of the estimated construction costs for Engineer/Inspection fees if applicable
 Re-plat - \$200 plus \$5/ea residential lot plus \$30/ea commercial lot

Belcheff & Associates, Inc.

Municipal Engineering & Management
TBPE Reg. No. F-368

3575 Lone Star Circle, Ste. 124
Fort Worth, Texas 76177

March 29, 2022

Via e-mail to cfarmer@pondertx.com

Matthew Poole, Mayor
Staci Johnson, Chair, Planning & Zoning Commission
Town of Ponder
102 W Bailey St
Ponder, TX 76259

Re: Preliminary Plat – Meadow View Acres Addition (Ponder ETJ) (Review 2)

Dear Mayor and Chair:

Concerning the proposed Preliminary Plat submitted by Burns Surveying Texas, LLC, Garland, Texas, dated 02/08/2022, representing owners Linda French (Moncrief), Richardson, Texas, as received by the Town on February 25, 2022, the following comments are provided:

Location – within Ponder Extraterritorial Jurisdiction (ETJ), Denton County, Texas, offset to south side private Moncrief Road

Comprehensive Plan

1. Future Land Use Plan – not addressed
2. Thoroughfare Plan –
 - a) Ponder – not addressed
 - b) Denton Co. – not addressed
3. Sewer Master Plan – not addressed; no Ponder service exists
4. Water Master Plan – not addressed; no Ponder service exists

Zoning – not applicable (ETJ)

Proposed Use

Not provided

Preliminary Plat Analysis

This proposed Preliminary Plat is located within the Town's ETJ, confirmed with Denton County's online GIS mapping and is therefore subject to the Town's Subdivision Ordinance (as amended) and an Inter-Cooperative Agreement with Denton County that essentially states that the Town has exclusive jurisdiction to regulate all subdivision plats within the Town's ETJ. However, plats within the Town's ETJ within Denton County remain subject to both entity's rules and regulations, while the more stringent of the two shall apply.

Mayor Mathew Poole
 Chair Staci Johnson
 March 29, 2022
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The plat is presented as one tract of 11.899 acres tract south of Moncrief Road, which is indicated as a private road by Denton County GIS Landmark mapping system. The applicant proposes to subdivide the tract into four lots, varying from 2.946 acres to 3.083 acres.

The applicant has not indicated a proposed use for the resulting lots. Therefore, potential impacts and resulting exactions to offset worst-case impacts have be assumed.

The plat does not indicate how water service is to be provided for each lot. The Town does not provide water or sewer service in this area and the property does not appear to be within a Water or Sewer CCN service area. Extending either service would be cost prohibitive. Since proposed lot sizes exceed County requirements (minimum 2 acres), onsite water well service with onsite sewer service, such as an aerobic system, should be possible pending permitting by Denton County. Proposed private methods of service should be noted on the Plat.

Access to the proposed lots is shown to be via a 30' access easement (to be named Linda Lane) connecting to existing Moncrief Road, which appears to be a private local roadway, not specified for ROW dedication on the County's Master Thoroughfare Plan as shown on its Feb. 4, 2021 GIS map. The surveyor should verify rights to access on the Plat from the private road.

Fire protection will be subject to County permitting without a sufficient water system for fire flows. Emergency vehicle access configuration is also subject to Denton County Fire Code requirements. Linda Lane, as proposed and appearing to be unimproved may not meet County requirements and should be verified as acceptable prior to approval of a Final Plat.

The submittal does not include a preliminary drainage study. Storm water runoff from the proposed lots generally flows to the southwest and appears to be discharged across downstream properties. Without benefit of a submitted drainage study, care should be taken to assure acceptable discharges to downstream properties prior to development of each lot. A requirement for review by the County Planning and/or Engineering Department should be noted on the plat.

Preliminary Plat deficiencies are therefore found as follows:

1. ~~An "Improvements Statement" should be provided~~—resolved
2. ~~"Denton County Certificate of Approval" should be removed~~—completed
 - a. **Provide Town approval certificates (reference Appendix A)**
3. Plat and/or application should clarify use – **not provided**
4. ~~Vicinity map should indicate Town corporate and ETJ limits~~—resolved
5. Verify acceptance of "Linda Lane" and Moncrief Road as in compliance with County Fire Code access requirements – **not provided**

Mayor Mathew Poole
 Chair Staci Johnson
 March 29, 2022
 Page 3 of 3

6. Plat should note that for each lot, prior to development or construction of any facility, County approval shall be obtained for an acceptable drainage plan – ***not provided***

Rough Proportionality Certification

The Town Engineer certifies that the exaction requirements of the Town of Ponder Subdivision Ordinance, as applied to the proposed subdivision or development, do not impose costs on the applicant for public infrastructure improvements that exceed those roughly proportionate to the impact of the proposed subdivision or development with the following conditions:

1. none

Town Engineer's Recommendation –

It is recommended that the proposed Preliminary Plat be accepted by the Town as sufficiently complete administratively for further consideration as of the date of this letter.

It is also recommended that this Preliminary Plat be conditionally approved subject to:

1. satisfactory resolution of the above listed deficiencies prior to filing subject to approval by the Town Engineer

Sincerely,

o/s

George Belcheff, P.E.
 Town Engineer for Ponder

cc: Planning & Zoning Commission/Town Council Members *via meeting packets*
 Sheri Clearman, Town Secretary *via e-mail*
 Gary Morris, Director of Public Works *via e-mail*
 Carolyn Farmer, Planning & Zoning Director *via e-mail*
 Applicant
 Surveyor

April 1, 2022

Via email to cfarmer@pondertx.com

Matthew Poole, Mayor
Staci Johnson
Chair, Planning & Zoning Commission
Town of Ponder
102 W. Bailey St.
Ponder, TX 76259

Dear Mayor and Chair,

I wanted to share a bit of backstory regarding my request for Meadow View Acres.

My late father-in-law's family, the Moncrief's, along with the Gay's, the Holloway's and the Neely's, were some of the early residents of Drop, Texas. Mayor Poole, I had the opportunity of hearing you speak recently at Don Gay's memorial. As we honor these wonderful people that have passed, this is how I honor my late father-in-law, Leland Moncrief.

Leland farmed his land for many years. However, as he got a little older, people would stop and ask if he had any land for sale. Over the course of many years, he sold a number of tracts and developed Moncrief Rd. We would sit at his dining room table, looking out at numerous tracts and homes, he would tell my late husband & me how he was kind of proud to have "built" this little neighborhood. He would tell us that when he passed this on to us, he wanted us to continue to finish "his little neighborhood".

This 11.88 acre tract is the last tract to be divided. If Leland were still here, he would be able to enjoy a few more families settling in to what he believed was the greatest place to live.

I greatly appreciate your time and consideration of my request.

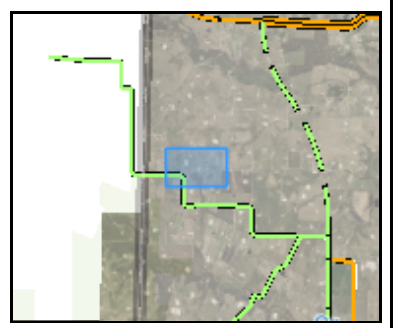
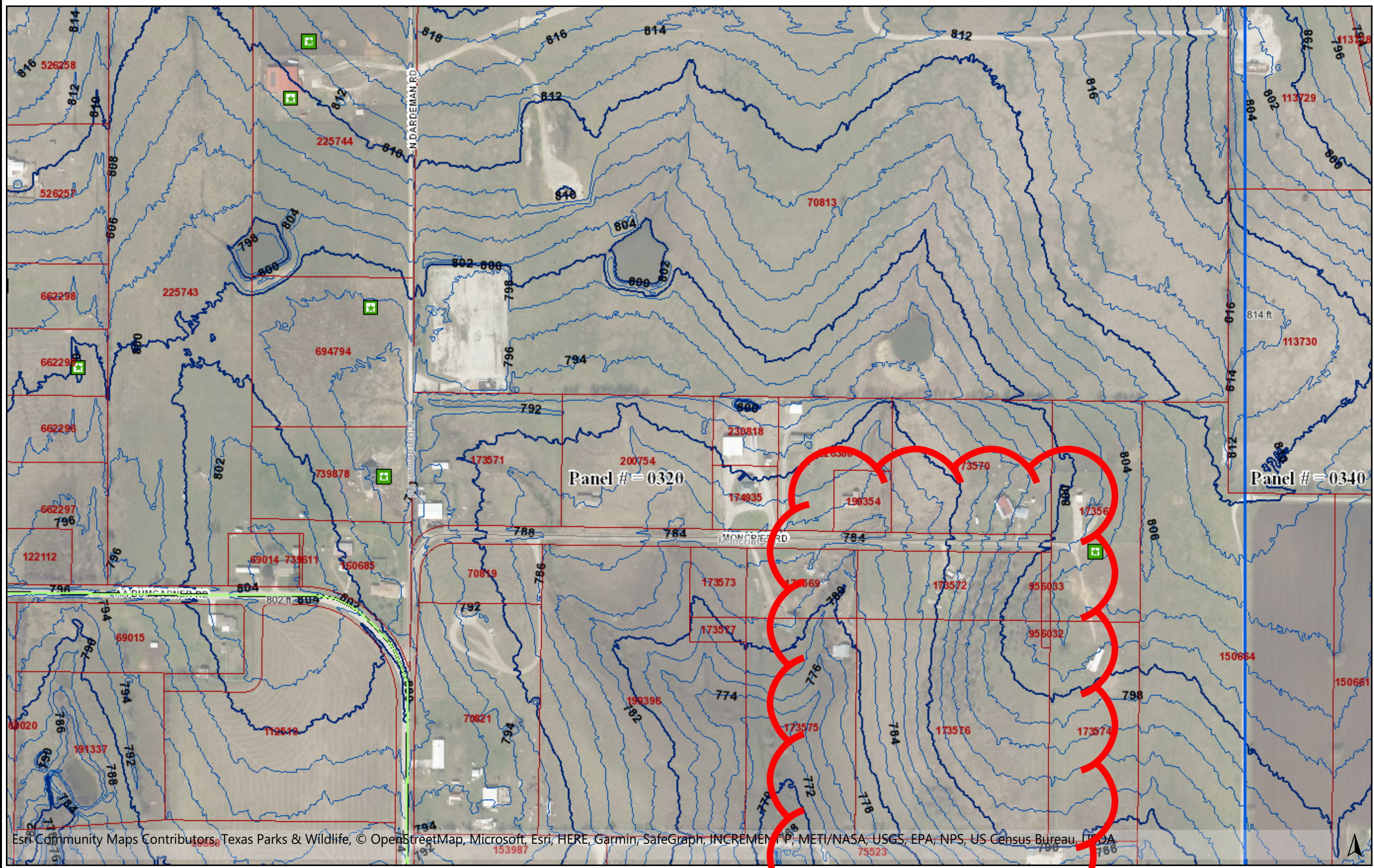
Respectfully,

Linda (Moncrief) French

**SUMMARY FOR
MEADOW VIEW ACRES
JUSTIN, TEXAS**

1. Objective: To divide this nearly 12 acre tract in to 4 tracts/lots. Each tract to be sold to individuals for building their custom home – one custom home per tract, with minimal covenants. No mobile homes allowed.
2. This area does not have city water or sewer, so upon buyer's timeline, each tract will have its own water well and septic system. Denton county requires a minimum of two acres for well and septic.
3. This neighborhood/area has been divided and sold to individual buyers over time, primarily by my late father-in-law. This nearly 12 acre tract is the final tract to be divided and sold.
4. Moncrief Road/Rd. is a private road, developed by my late father-in-law, that provides access to all the 11 tracts, with the exception of 5599 Moncrief Rd., and this nearly 12 acre tract. I developed a private drive (easement) directly off Moncrief Rd., to be known as Linda Lane/Ln., currently owned by myself, Linda (Moncrief) French, that allows access to 5599 Moncrief Rd., as well as allowing access to the referenced nearly 12 acre tract. Upon approval and sale of the 4 tracts, I will extend Linda Lane/Ln. to the farthest tract. I will also transfer ownership of Linda Ln. to the 4 tracts, as well as 5599 Moncrief Rd. The private drive/easement in front of each of the four tracts, will be owned by the respective land owner and all 5 land owners will be responsible for maintaining Linda Ln.
5. As the home building process will be up to each new tract owner, each new owner will work with their home builder to ensure they build in the optimum location.
6. The private drive, to be named, Linda Ln., is a 30' wide private drive/easement. As per the Denton County Fire Marshall's office, the drive should be 20' wide. Currently working on some type of turn around for emergency use.

Denton County Landmark Map



Legend

- 911 Addresses
- Development Permits
- ▭ Parcels
- Floodplain**
- Cross Section Location
- Base Flood Elevation
- ▭ FEMA Floodway
- ▭ Flood Grid
- ▭ FEMA 100yr Flood Zone A
- ▭ FEMA 100yr Flood Zone AE
- ▭ FEMA 500yr Flood Zone
- Levee Protected

Notes

This product is for informational purposes and may not have been prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Denton County does not guarantee the correctness or accuracy of any features on this product and assumes no responsibility in connection therewith. This product may be revised at any time without notification to any user.