

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

**BE IT REMEMBERED THAT ON THIS DAY OF THE** 16th of August 2022 at 6:30 pm, the City Council of Poetry, Texas, held a regular town hall meeting and workshop at 11214 FM 1565 Poetry, Texas, 75160 with the following present:

Mayor Tara Senkevech  
Councilmember Tom Anderson  
Councilmember Mike Jaffe

Councilmember Simeon White  
Councilmember Terry Fowler  
Councilmember Brian Vinson

**Mayor Senkevech** called the meeting to order at 6:30 Mayor Introduced Theresa Scholander, Town of Poetry Secretary.

**Theresa Scholander, Town of Poetry Secretary**, confirmed quorum.  
All council members were present.

**Pledge of Allegiance**

**Invocation Pastor Michael Moonoo** led the pledge and invocation including a prayer for Pastor Jimmy Gallagher.

**1. Reports**

**Financial Report – July 2022**

**Mayor Senkevech.-** gave a recap of donations, deposits, and credits.

**Mayor Senkevech-** special thanks, reminder of fire ban.

**P&Z Committee Report – Katherine Hardwicke** Opened the report with a prayer. Katherine explained she suspended committee pending legal counsel August 13, 2022. Her speech focused on James 1:19 and spoke on unity and less contention. Two committee seats are available.

**Secretary, Theresa Scholander** – read statutory requirements of Local Government Code Chapter 62.

**Councilmember Simeon White –Thoroughfare Update.**

Previously up to a 6-lane connector now revised and has been voted on by Kaufman counties commissioners' court. Kaufman County plan not Hunt County. Approved for 3 years. Presently only 2 to 3 lane connectors proposed. Connecting roads to hwy. 34. Loop to Terrell presently proposed to go more south than originally planned.

## **b) Consent Agenda**

1. Minutes for May 17<sup>th</sup>, Workshop & Regular Town Council Meeting.
2. Minutes for June 21<sup>st</sup>, Workshop & Regular Town Council Meeting.
3. Minutes for the July 12<sup>th</sup> Special Town Council Meeting.
4. Minutes for July 19<sup>th</sup> Regular Town Council Meeting.
5. Minutes for July 26<sup>th</sup> Special Town Council Meeting.
6. Amended Warranty deed noting a change in acreage to 1.14 acres.

**Mayor Senkevech** made a motion to individually accept, Consent Agenda 1 – **Passed 5:0**

**Councilmember Fowler** made a motion to move #2 (a) to Regular Agenda.

**Mayor Senkevech** made a motion to individually accept, Consent Agenda 3 – **Passed 5:0**

**Mayor Senkevech** made a motion to individually accept, Consent Agenda 4 – **Passed 5:0**

**Councilmember Jaffe** made a motion to move #6 (b) to Regular Agenda.

**Mayor Senkevech** made a motion to individually accept, Consent Agenda 5 – **Passed 5:0**

### **#2 Consent Agenda a) June 21<sup>st</sup>, 2022 Minutes.**

**Councilmember Fowler** request clarification #2 vote 4-0. **Mayor Senkevech** stated **Councilmember Vinson** by phone, without video, therefore he must abstain from voting.

**#6 Consent Agenda b) Warranty Deed. Councilmember Jaffe** noted change in acreage 1.03 to 1.14 acres/survey difference from center of road 311 added acreage 1.03 to 1.14 then agreed upon. Also noted change easement change from 8 to 10. **Mayor Senkevech** stated Kevin Senkevech specifically requested 8-10ft, 8ft. was typing error required due to correction. **Councilmember Fowler** 1<sup>st</sup> warranty deed passed 8ft and pointed out. Biggest issue ingress egress easement needs to be removed. Warranty deed says 10 ft. survey says ingress egress should state utility easement.

**Councilmember Anderson** stated he would call By-Line to request change.

**Councilmember Anderson** motion to accept warranty deed as revised reflecting new acreage with stipulation that survey be edited to show utility only 10 ft. easement. Language to mirror warranty deed. 2<sup>nd</sup> by **Councilmember Vinson**. Motion passed 5-0.

## **Regular Agenda**

**1. Move to Executive Session 7:07pm Mayor Senkevech** recused herself for the first part dealing with incorporation. .

**Executive Session:** In accordance with Texas Government Code, Section 551.001, et seq., the Town Council will recess into Executive Session (closed meeting) to discuss the following:

- a. A Texas Government Code Section 551.071. Consultation with Attorney. A governmental body may not conduct a private consultation with its attorney except: (1) when the governmental body seeks the advice of its attorney about: (A) pending or contemplated litigation; or (B) a settlement

offer; or (2) on a matter in which the duty of the attorney to the governmental body under the Texas Rules of Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: legal invoice(s); definition of “resident” for voting purposes, P&Z functions.

**2.Reconvene into Open Session and take action**, if any, on matters discussed in **Executive Session**.

#### **General Public Comments**

**Shelly Smith** Requests summary of Executive Session. **Mayor Senkevech** provides summary.

#### **Council took action on the following in open session:**

##### **1.Researching the incorporation**

**Motion to approve legal up to five hours to research incorporation**

**Motion Councilmember Fowler.2<sup>nd</sup>Councilmember White, passes 5-0**

##### **2.a) Based on compliance**

**Motion to allow Councilmember Jaffe to approach two solid waste companies re: late in franchise fees, Motion Councilmember Anderson, 2<sup>nd</sup>Councilmember Vinson, passes 5-0**

##### **2.b) Changing Minutes to reflect proper word July Minutes 2021.**

**Councilmember Vinson** wishes to view tape. **Motion to table by Councilmember Vinson, 2<sup>nd</sup>Councilmember Jaffe. Passes 5:0**

##### **2. c) Discussion of P&Z**

**Councilmember Jaffe explains P&Z ‘s function.** P&Z is a committee. Committee is not doing any substantive work. Just gathering information, definitions, etc. Newly formed town and council. Formed to be a group of citizens with couple board members. Could have formed commission. Past minutes listed commission in error. Once commission is formed commission will be subject to open meetings act.

**Councilmember Vinson explains his error in statement** re: committee are not required to open meeting in the Open Meetings Act.

**Robbyn Followill** When will packet be decided on? When can the packet be viewed? **Mayor and Councilmember’s** Packet is incomplete. Needs workshop month or two months comprehensive plan. **Councilmember Jaffe offers his packet for viewing.** Seats available on committee.

**Shelly Smith** which controls, is it the agenda, the minutes, or the video? All the same, all say commission, commission, commission. **Councilmember White acknowledges July 20, 2021 minutes and agenda were in error.** When agenda says specific word in error, will counsel now allow citizens grace in wording? **Councilmember Jaffe July minutes says commission.**

**Mayor Senkevech explains It is confusing and will need to be edited in one place to say**

**committee.** Our attorney was educating us on the differences between Commission and Committee.

**Patrick Smith** When was agenda amended? How did that take place? Contemplated in the July 2021 meeting. Town Council could be P&Z Committee formed 5 citizens + 2 Councilmembers? Any possibility Town Council can become P&Z Commission if so, when?

**Mayor Senkevech Agenda changed when it discovered could be a pre committee.**

Then three times it is called "Citizens Committee for Planning and Zoning"

Commission can be 7-9 members, but we are not ready. 5 citizens signed up plus 2

Councilmembers. 2 slots left available in case someone not in attendance wanted to sign up.

Council can become commission, yes. Timing still very early, researching.

**Councilmember Vinson. Agenda is not amended but action item was amended.**

### **3. Definition of resident for voting purposes.**

**Councilmember Vinson motion** to table; **2<sup>nd</sup> Councilmember Jaffe. Passes 5:0.** Item Tabled.

**Councilmember Jaffe and Mayor Senkevech** explain voters vote in sales and use tax that counsel would vote on property tax.

Town of Poetry Boundaries and voting: Legal Counsel explains citizens with property within town of Poetry boundaries should declare the county of their domicile and register to vote within that county. Town of Poetry provides the county with list of addresses of land where a portion of property is located within town boundaries, not names of individuals.

**Tracie Hibbs:** after viewing Hunt County voting records: she lists names missing, names voted that shouldn't have voted. Ex: daughter name listed but not she and husband. Also, mayors name not listed. City map is not certified. issues with map and GISS. Litigation examples. **Mayor Senkevech explains survey company, certified map, etc.,** boundaries eligibility to vote. Council requests addresses stated, Mayor Senkevech explains errors in voting is the responsibility of each election division. Tracie Hibbs questions franchise fees, Oncor and FEC. **Mayor Senkevech** working with both Oncor and FEC to ensure accuracy for franchise fees.

**Patrick Smith** Proposed definition; **Mayor Senkevech** explains that it is up to the resident to decide primary domicile.

**Councilmember Fowler reads Texas Election Code Sec 11.001b.**

### **4. Pay Hunt County Elections Invoice**

**Councilmember Anderson motion, Councilmember Vinson 2<sup>nd</sup>, Passes 5:0**

**Robbyn Followill** stated that early voting (for Hunt Co.) is not convenient. Town of Poetry doesn't have a cost as of date. Early voting opportunities are probably a state requirement.

**Shelly Smith** Special Elections bills, is that May. **Councilmember Vinson** explains off year is special election. This bill is Nov. 2021. November 2020 was completed by county.

### **5. Ordinance ordering Special Election/ Sales and Use Tax**

**Councilmember Anderson motion, Councilmember Vinson 2<sup>nd</sup>, Passes 5-0** as written.

**Chad MacFarland** What if any financial info received by State Comptroller to est. Income. **Mayor Senkevech** compared similar sized towns, but no estimate received from SOS (Secretary of State)

#### **6. Pay Invoice for dirt work Hall Right of Way Service**

**Councilmember Anderson motion pay up to \$1800 additional dirt work, Councilmember White 2<sup>nd</sup>, No vote Councilmember Jaffe, No vote Councilmember Fowler. Passes 3:2**

**Councilmember Anderson** viewed work; **Councilmember Vinson** work incomplete as quoted. **Mayor Senkevech**. wasn't sure, but that contractor may have run out of time. **Councilmember Vinson** need to hold contractors to quote. Consider in future Town gets exactly what council approved or stop work to get approval. **Councilmember Jaffe** is town within cost with savings and increased cost?

**Robbyn Followill** reviews back fill needs. Will this be extra expense and Is this part of original quote? Get everything documented and match invoices to quote for open record requests. Hold contractor accountable.

**Kevin Senkevech** explains pond was 8ft deep vs 6". Longhorn donated dirt. Hall used his dump truck for trips.

**Tracie Hibbs** must get bids. Improvements. Quotes bribery and corruption influence. **Mayor Senkevech** explains property improvements revert to the town if the town dissolved. Property is owned free and clear by the town until no longer being used for Town Hall. Tracie asks all funds return to city equal the amount of work to date.

**Mayor Senkevech** this has been vetted by our attorneys.

#### **7. Town Hall Hours Wednesday 12-4pm beginning August 31<sup>st</sup>, 2022.**

**Motion Councilmember Jaffe** post office hours Wednesday, 12-4 at temporary location beginning August 31<sup>st</sup>, Councilmember White 2<sup>nd</sup>

**Robbyn Followill Mayor Senkevech** is correct Town office must have open hours to view documents weekly.

**Chad West** Conflict of interest at business owned by mayor. **Mayor Senkevech** explains the office is an exclusive use office. Exclusive use office is acceptable. Office locks from outside plus private documents are locked in filing cabinet.

#### **8. Septic Tank Needs**

**Mayor Senkevech** reads letter from Camp Ground Cemetery, Mr. Killian/Mr. Bennett, dated 8/16/2022 that allows removal of septic tank and requests fill in and level dirt. **Councilmember Vinson** requests warranty if breaks while moved. **Councilmember Vinson** will call a few contacts.

**Robbyn Followill** – recommends Tri County Sceptic

### **9. Utility Installation Cost**

**Mayor Senkevech explains** Oncor is waiting for 911 address and amended survey.

Poetry water supply donated use of water meter free of charge to town.

**Councilmember Vinson** request check to make sure no conflict of interest. Requests secretary forward spreadsheet utility costs. **Councilmember Fowler** are we able to accept gift with no conflict of interest to accept gift of water meter?

**Mayor Senkevech** Later decision internet. Installation, etc. Will need further quotes.

### **10. Right of Way agreement**

**Councilmembers and Mayor**, book to study. No action at this time.

**Councilmember Vinson** provided 39 pages, needs edits, view original language. Public and council to discuss and view.

### **11. Elect Mayor Pro Tem to expire June 2023**

**Councilmember Jaffe Motion to keep Councilmember Anderson in position of Mayor Pro Tem, Councilmember White 2<sup>nd</sup>, Passes 5-0.**

**Robbyn Followill** question who nominates Mayor Pro Tem or does council vote.

### **12. Budget 2022-2023**

**Mayor Senkevech** explains draft budget, first discussion. rainy day fund, etc.

**Councilmember Vinson** asks clarification. Do any present funds need to be rolled into this budget??

**Councilmember White** supplies don't add up. Needs adjustment.

**Robbyn Followill** funds needed for office supplies and furniture. Do not cut office supplies.

**Mayor Senkevech** provides update on Town Hall furnishings and equipment donated.

Amend budget and resubmit to council for vote.

**Chad West** – was payment issued to Messer? Mr. West questions QuickBooks financials vs spreadsheet., questions repair of roads vs funds available., and cost of upcoming repairs.

Questions long term plan for roads. States town has 26 miles of road TxDot maintains 10 of those. Questions type of road repair and remaining funds.

**Mayor Senkevech** explains road repair options and time frame to do so. We do not know total revenue.

**Chad McFarland** Questioning draft budget road repair. How many miles of county roads?

**Mayor Senkevech** must research mile of roads.

**Councilmember Vinson** increase election expense to 10k. **Mayor Senkevech** supplies, and audit also need adjusted.

### **13. Council Code of Ethics**

**Councilmember Jaffe motion 2<sup>nd</sup> Councilmember White** to allow **Councilmember Fowler** and **Councilmember Vinson** will work on Code of Ethics. **Passes 5-0**

**Mike Griffin** – Is that committee or commission ? laughter

**j) General Public Comments**

**Sherry Smith** several questions regarding a WIFI tower in town: CR2326.

**k) Adjourned Regular Meeting @ 11:19pm**

**Minutes completed by City Secretary, Theresa Scholander.**