

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

BE IT REMEMBERED THAT ON THIS DAY OF THE 13th day of December 2022 at 6:30 pm, the Town Council of Poetry, Texas, held a regular town council 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 called the meeting to order at 6:30 pm.

Robin Boles, clerk, confirmed quorum. All council members were present.
Councilmember Fowler led Pledge of Allegiance and Invocation.

g. Reports

Financial Report -- November End 2022

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

h) Regular Agenda

- 1. Listen and discuss presentation of First Town Audit by Caperton, CPA.**
Debbie Taylor presented the findings of the Audit for 2022. Council questions Town Hall Property title of Capital Asset. Councilmember Fowler clarifies that the outstanding debts were included in audit. Audit gave unmodified opinion that financials were fairly presented, and that no misstatements were made. Mrs. Taylor makes recommendation to find a long-term book keeper. Citizen Chad McFarlane points out discrepancies between audit and budget. Citizen Shelley Smith questions information given to auditor.
- 2. Discuss and take action to pay invoice for the Town Audit of \$4250.00**
Councilmember Vinson makes motion to pay invoice, seconded by Councilmember Anderson. Passes 5:0
- 3. Discuss and take action to pay the July legal invoice to MFM for \$4253.59.**
Motion made by Councilmember Fowler, seconded by Councilmember White and Councilmember Vinson. Passes 5:0
- 4. Discuss and take action on hiring new Town Attorney, the law firm of Nichols Jackson, and approving an engagement letter.**

David Berman introduces himself and discusses multiple topics. **Councilmember Jaffe** discusses past relationships with law firms, and current information about new law firm. Council discusses pros and cons. Council prefers a probationary period before hire. **Citizen Shelley Smith** makes point about finding out who the voters in town are. **Councilmember Anderson** makes motion to accept law firm for probationary period of 90 days with an agenda item to discuss billing, and representation, both ways; seconded by **Councilmember White**. **Passes 5:0**

5. Discuss and take action on amended Lease Agreement with Longhorn Organics, LLC. for parking and driveway.

Councilmember Fowler discusses with **Atty David Berman** about indemnity clause. **Citizen Dale Bryant** discusses landlord use of land versus Town use of land. **Citizen Katherine Hardwicke** asks if council knew that an agreement would be needed when the Town Hall moved initially. **Citizen Shelley Smith** asks Mayor to recuse herself from future discussions on this topic, also asking if Mayor used her position to use driveway for Tack and Ag. **Citizen Patrick Smith** points out that the Town needs an agreement where Poetry Tack and Ag does not. **Councilmember Anderson** makes motion to accept agreement, seconded by **Councilmember Vinson**. **Passes 3:2**

6. Discuss and take action on amended Insurance rates to meet the lease agreement standards and to provide protection for town's volunteers. Mayor Tara Senkevech gives reasons for increase and presents both companies. Councilmember Vinson moves that he and Councilmember White will cover TML Workman's compensation as a one-time donation, seconded by Councilmember White. Passes 3:2

Council discusses the total amount that the land agreement is costing. **Councilmember Vinson** moves to accept Craig and Leicht agreement, seconded by **Councilmember Anderson**. **Passes 3:2**

7. Discuss and take action on interlocal agreement renewal with Kaufman County and the Town of Poetry. Council discusses with **Atty David Berman**. Motion made by **Councilmember Anderson** to renew a one-year agreement with Kaufman county. Seconded by **Councilmember Jaffe**. **Passes 5:0**

8. Discuss and take action on comparing septic engineering, installation, locations and costs involved. Council discusses different options. **Citizen Chad McFarlane** approves of Vicars Septic. **Citizen Chad West** asks for definition of "nearby area". **Citizen Shelley Smith** asks if this is the only placement the septic engineer approved. She asks why the 'storage unit' is moving so quickly and asks that the council make decisions with a lot of thought. **Mayor Senkevech** states that getting septic installed after 4 months is not fast. **Councilmember Anderson** makes motion to accept option on page 3, seconded by **Councilmember Vinson**. **Passes 3:2**

9. Discuss and take action on handicapped ramp and/or handicapped parking spots at the Town Hall Site. **Councilmember Fowler** asks about hand rails, and if it is included in quote. **Citizen Chad McFarlane** encourages council to figure all costs associated with

ADA ramp. **Citizen Dale Bryant** says drawing for the door use with the ADA ramp needs to be addressed. **Citizen Tracie Hibbs** requests clarification on TML procurement laws. Council decides to get a specific ADA Inspector in to give advice.

10. Discuss and take action to open a 2-month window for citizens to Voluntarily Annex into the town. (Prior to hiring a mapping service). Council discusses having guidelines. **Citizen Chad McFarlane** asks if this is the best use of money. **Citizen Shelley Smith** asks if the Mayor is planning to self-annex the remainder of her properties. **Citizen Patrick Smith** asks about the window of time allotted to self-annexation. **Councilmember Jaffe** makes motion to place solicitation for volunteer annexation on website until March 31, 2023, seconded by **Councilmember Anderson**. **Passes 5:0**

11. Discuss and take action on Ordinance to repeal the telecommunications sales tax exemption. **Councilmember Jaffe** makes motion to accept as written, seconded by **Councilmember Anderson**. **Passes 4:1**

12. Discuss and take action on proposed Ordinance for Term Limits. **Councilmember Vinson** explains proposal. **Atty David Berman** explains that term limits can be set by a charter town. As a Type A General Law town, the Town of Poetry is not able to make limits according to our attorney. No action taken.

13. Discuss and take action on renewal of M365 licenses subscriptions. **Mayor Tara Senkevech** gives background on issue. **Councilmember Vinson** moves to pay bill, seconded by **Councilmember Fowler**. **Passes 5:0.**

14. Accept the resignation of City Secretary, Theresa Scholander owing to critical health concerns and consider raising the pay to \$20/hr., up to 10-15 hours per week for the secretary to focus on bookkeeping, communications and notary responsibilities at this time. Take action to advertise the position. [We have a volunteer at this time who can type and make copies.]
Councilmember White breaks down usefulness of a town secretary, turnover rate, and other mistakes. **Citizen Chad McFarlane** agrees we need the secretary but wants to know where the money will come from. Motion made for \$20 per hour/ 15 hours a week by **Councilmember Anderson**, seconded by **Councilmember White**. **Passes 5:0**

Public Forum:

15. Discuss and take action on the Ordinance for the Comprehensive Plan with Future Land Use Map as discussed previously and updated on website. **Councilmember White** explains the map. **Citizen Chad McFarlane** approves of wanting to finish the map before passing. **Citizen Tracie Hibbs** requests road numbers on map. Future **Citizen Lisa Ray Hirigoyen** reads Mission Statement. **Citizen Patrick Smith** wants to know why this is on the agenda. **Citizen Dale Bryant** volunteers to work with **Dorothy Dillon** to update the map.

j) General Comments:

Citizen Tracie Hibbs asks **Councilmember White** if he has signature authority.

Citizen Glen Strauss thanks Council for all their hard work.

Mayor Tara Senkevech adjourns meeting at 10:45 pm.