

SPECIAL CALLED MEETING
TOWN OF SHADY SHORES
7:00 P.M., MONDAY, MARCH 14th, 2011
SHADY SHORES COMMUNITY CENTER
101 SOUTH SHADY SHORES ROAD

MINUTES

1. CALL TO ORDER-The meeting was called to order at 7:00 p.m.

MEMBERS PRESENT

**Mayor Olive Stephens
Mayor Pro-Tem Betty Brown
Cindy Spencer
Charles Grimes
Cindy Aughinbaugh
Polly Carter**

MEMBERS ABSENT

2. EASEMENT ABANDONMENT- Consideration and take action relative to a request made by Hidden Valley Airpark for the closing the easement between Lots 140S and 141S.

The Mayor reminded everyone that the council had been given all the necessary information at the last meeting with the exception of the letter from LCMUA. However the Town had received a letter which stated that LCMUA had no objections to the abandonment of the easement.

Polly Carter asked there what would happen to the property taxes on that property if the easement were to be abandoned, and what the various uses that the property might have for the property.

Town Attorney Jim Shepherd stated that he didn't think there would be much change to the property taxes, and perhaps they would increase with the removal of the easement due to the fact that there would no longer be unusable space on the lot. Jim Shepherd asked for clarification that we were just speaking of abandoning the easement between the two lots. In addition he cautioned that just because the easement had been abandoned the homeowner still had to meet the building requirements for the lot unless it was re-platted, further cautioning that an approval tonight on behalf of the Town Council did not mean that they would grant a replat in the future. After much discussion the Attorney presented the Council with three scenarios for approval of the easement abandonment.

Plan A. Town Attorney will prepare a written resolution approval, releasing the easement as requested.

Plan B- Town same as Plan A, but contingent on the sale of the property

Plan C- do nothing until there is a replat request made by the property owners

Cindy Aughinbaugh stated that the property had not been purchased yet but the sale was contingent upon the easement abandonment. After the purchase the homeowners would decide whether or not to replat the lots or leave them as three separate lots. Councilmember Aughinbaugh felt that the Hidden

Valley Homeowners Association wanted to release the easement even if the lots weren't sold.

Betty Brown asked for clarification that the easement was all on one lot. She further stated that she didn't have a problem approving the request based on the fact that Hidden Valley Homeowner's Association already owned the lots.

Charles Grimes asked questions as to why the prospective buyers wouldn't want to go ahead and replat from the beginning. Mr. Grimes stated that he was concerned that the easement abandonment might be forgotten unless it was done by an actual replat.

Councilmember Cindy Spencer asked what would happen if the lot was not actually sold.

Cindy Aughinbaugh made a motion to approve Plan A, Charles Grimes seconded. (The Mayor asked if there was a conflict of interest since Cindy Aughinbaugh lived in Hidden Valley, to which the Attorney stated he didn't feel like she had an interest in this request that would prevent her from taking part. Motion carried 5-0.

3. WASTE REMOVAL SERVICES

EXECUTIVE SESSION- Pursuant to the provisions of Chapter 551, Texas Government code, Vernon's Texas Codes Annotated the Town council may hold a closed meeting: 551.071 Consultation with attorney on the following matter

a. **Contract with Waste Management for Waste Removal Services**

4. RECONVENE FROM EXECUTIVE SESSION-

Consideration and take action relative to the following items:

Approving the updated contract from Waste Management for Waste Removal and Recycling Services

The Town Attorney Jim Shepherd went through the new Waste Management Contract with the Town Council. Greta Calvery with Waste Management was present to answer questions and discuss changes to the current contract.

Highlights of the proposed contract are as follows:

Pricing \$14.97/home

Senior Citizen Rate \$13.47

Includes:

- Residential Trash Collection Once per week with bags or resident's container
- Residential Recycling Collection Once per week with WM 32 gallon carts which will be delivered to each home
- HHW Home Collection Program On Call by appointment
- Free Landfill Voucher Program 1 per year per resident – pickup load or approximately 3 cubic yards
- Cleanups 2 – 30 yd Opentops twice annually
- City Hall Service 4 – 30 yd Opentops per year as needed or Dumpster service
- Mail Out Education Flyer to all residents

Items for discussion included agreement for a new term of service, CPI Adjustment and Fuel Rate Adjustments. The Town Attorney will revise the proposed contract with the changes suggested and present for final approval at the April 4, 2011 Town Council meeting. Greta Calvery will provide a cost

for the commercial dumpster service.

5. ADJOURN-

Cindy Aughinbaugh made a motion to adjourn. Betty Brown seconded the motion. Motion carried 5-0.

PASSED AND APPROVED THIS 4th DAY OF April, 2011.

APPROVED:

_____/s/_____
Olive Stephens, Mayor

ATTEST:

_____/s/_____
Wendy Withers, Town Secretary