

DOUBLE OAK TOWN COUNCIL  
PUBLIC NOTICE  
320 WAKETON ROAD  
October 3, 2011  
7:00 P.M.

***OUT OF RESPECT FOR ALL THOSE IN ATTENDANCE, PLEASE REFRAIN FROM TALKING TO OTHER MEMBERS OF THE AUDIENCE DURING THE MEETING***

- I. OPENING: CALL TO ORDER  
ROLL CALL  
INVOCATION  
PLEDGE OF ALLEGIANCE – AMERICAN FLAG  
PLEDGE OF ALLEGIANCE – TEXAS FLAG

**"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."**

II. CONSENT AGENDA - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

1. CONSIDERATION AND ACTION ON THE MINUTES OF AUGUST 15, 2011
2. CONSIDERATION AND ACTION ON THE MINUTES OF SEPTEMBER 6, 2011

III. CITIZENS COMMENTS: NON-AGENDA SUBJECTS:

*To comply with provisions of The Open Meetings Act, the Town Council may not deliberate on items presented under this Agenda Item. The Council may refer an item to Staff and/or direct this item be placed on the next regular Agenda. There will be no interaction with the members of the Council. Each speaker will have a maximum of 5 minutes.*

3. MAYOR, COUNCIL MEMBERS AND STAFF REPORTS

- Status report on Public Works projects

IV. NEW BUSINESS AGENDA (CONSIDERATION AND ACTION):

4. DISCUSSION, CONSIDERATION AND ACTION ON CHAIRMAN REPORTS FOR BOARD AND COMMISSION APPOINTMENTS AND/OR REAPPOINTMENTS

PRESENTATION:

Town Secretary Charlotte Allen

5. DISCUSSION, CONSIDERATION AND ACTION ON AMENDED CONTRACT WITH ARGYLE VOLUNTEER FIRE DISTRICT FOR EMERGENCY MEDICAL SERVICES

PRESENTATION: Mayor Pro-Tem Gary Garrett

6. DISCUSSION, CONSIDERATION AND ACTION ON PAYMENT IN THE AMOUNT OF \$12,500 TO ARGYLE VOLUNTEER FIRE DISTRICT FOR 50% OF THE CONTRACT SUM FOR EMERGENCY MEDICAL SERVICES

PRESENTATION: Mayor Pro-Tem Gary Garrett

7. DISCUSSION, CONSIDERATION AND ACTION ON APPOINTMENT TO TOWN OF DOUBLE OAK STANDING AND AD HOC COMMITTEES

PRESENTATION: Mayor Tom Pidcock

8. CITIZENS COMMENTS

*To comply with provisions of The Open Meetings Act, the Town Council may not deliberate on items presented under this Agenda Item. The Council may refer an item to Staff and/or direct this item be placed on the next regular Agenda. There will be no interaction with the members of the Council. Each speaker will have a maximum of 5 minutes*

9. COUNCIL – STAFF ANNOUNCEMENTS AND COMMENTS

- National Night Out on Tuesday, October 4<sup>th</sup>
- DOVFD Firefighter Appreciation Dinner Tuesday, October 11<sup>th</sup>

10. ADJOURNMENT

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the Town Attorney, Section 551.074 of the Texas Government Code, Personnel, or any other item covered under the code, on any agenda item listed herein.

**POSTED THIS THE 30 TH DAY OF SEPTEMBER 2011, AT 4:00 P.M.**

  
Town Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972.539.9464 or fax 972.539.9613 for additional information.

# UNAPPROVED – NOT FOR PUBLICATION 1.

STATE OF TEXAS  
COUNTY OF DENTON  
TOWN OF DOUBLE OAK

The Double Oak Town Council met in regular session at 7:00 p.m. on August 15, 2011, at Double Oak Town Hall, located at 320 Waketon Road with the following members' present to-wit:

Tom Pidcock	Mayor
Gary Garrett	Mayor Pro-Tem
Steve Durbin	Council Member
Tracy Miller	Council Member

constituting a quorum. Council Member John Dondrea and Deputy Mayor Pro-Tem Ara Minassian were absent. Also in attendance were Town Attorney David Berman, Police Chief Derrick Watson, Public Works Director Charlie Wright, Assistant Town Secretary Eileen Kennedy and Town Secretary Charlotte Allen.

The Mayor called the meeting to order at 7:12 p.m.

Mayor Pro-Tem Gary Garrett gave the invocation and Council Member Steve Durbin lead the pledge of allegiance to the American and Texas flags.

II. CONSENT AGENDA - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

## 1. CONSIDERATION AND ACTION ON THE MINUTES OF JULY 18, 2011

Miller motion, Durbin second to approve the Consent Agenda

AYE: Durbin, Garrett, Miller  
NAY: None

MOTION CARRIED UNANIMOUSLY

Deputy Mayor Pro-Tem Minassian joined the meeting

## III. CITIZENS COMMENTS

No citizens came forward.

2. MAYOR, COUNCIL MEMBERS AND STAFF REPORTS

- Status report on Public Works projects
- Status report on Simmons Road Project
- Status report on Town map

Director of Public Works Charlie Wright reported:

- Kings Road was now stable
  - the Simmons Road Project was on track to finish early
  - the Road/Drainage committee had agreed to get quotes for pot hole repairs
  - a bid was received from DDM; the committee would meet to look at the bid
- 
- Board and commission appointment process

Town Secretary Charlotte Allen reported:

- Terms for the P&Z and BoA would expire in September and the chairmen would be bringing recommendations to the Council in September

IV. NEW BUSINESS AGENDA (CONSIDERATION AND ACTION):

3. EXECUTIVE SESSION – In accordance with Texas Government Code, Section 551.071 (CONSULTATION WITH TOWN ATTORNEY) relating to a status report on the McDaniel lawsuit

The Council convened the closed session at 7:19 p.m.

4. RECONVENE: Reconvene into Open Session and consider action, if any, on items discussed in Executive Session

The Council reconvened into open session at 8:13 p.m. No action was taken.

Council Member Miller left the meeting.

5. DISCUSSION, CONSIDERATION AND ACTION ON DOUBLE OAK POLICE DEPARTMENT END OF YEAR PURCHASES IN THE AMOUNT OF \$3950

Minassian motion, Garrett second to approve Double Oak Police Department end of year purchases in the amount of \$3950

AYE: Minassian, Garrett, Durbin  
NAY: None

MOTION CARRIED UNANIMOUSLY

6. DISCUSSION, CONSIDERATION AND ACTION ON RENEWAL OF LEADS ON LINE SELECT SEARCH SERVICE PACKAGE IN THE AMOUNT OF \$1188

Minassian motion, Durbin second to approve the renewal of Leads on Line Select Search Service package in the amount of \$1188

AYE: Garrett, Durbin, Minassian  
NAY: None

MOTION CARRIED UNANIMOUSLY

Council Member Miller re-joined the meeting at 8:25 p.m.

7. DISCUSSION, CONSIDERATION AND ACTION ON REFERRING THE TOWN HALL RESERVATION POLICY TO STAFF FOR RECOMMENDATIONS FOR AMENDMENT

Garrett motion, Durbin second to instruct staff to review the Town Hall reservation policy and bring back their amendment recommendations within 60 days

AYE: Miller, Durbin, Garrett, Minassian  
NAY: None

MOTION CARRIED UNANIMOUSLY

8. DISCUSSION, CONSIDERATION AND ACTION ON FUTURE COUNCIL AGENDA ITEMS

Mayor Pro-Tem Garrett asked that a meeting be arranged with Waste Management to discuss contract options for community recycling

9. CITIZENS COMMENTS

No citizens came forward.

10. COUNCIL – STAFF ANNOUNCEMENTS AND COMMENTS

- Economic development

Mayor Pro-Tem Garrett commented that various economic development opportunities were being explored with resources available at no cost to Double Oak

- September 11 memorial ceremony

Mayor Pidcock announced the September 11 ceremony would be held at 1:00 p.m. on Sunday, September 11 in pavilion located in the John B. Wright park

11. ADJOURNMENT

Durbin motion, Miller second to adjourn

With no further business to come before the Council the meeting was adjourned at 8:49 p.m.

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Town Secretary

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Mayor

J.

# UNAPPROVED – NOT FOR PUBLICATION

STATE OF TEXAS  
COUNTY OF DENTON  
TOWN OF DOUBLE OAK

The Double Oak Town Council met in regular session at 7:00 p.m. on September 6, 2011, at Double Oak Town Hall, located at 320 Waketon Road with the following members' present to-wit:

Tom Pidcock	Mayor
Gary Garrett	Mayor Pro-Tem
Ara Minassian	Deputy Mayor Pro-Tem
John Dondrea	Council Member
Steve Durbin	Council Member
Tracy Miller	Council Member

constituting a quorum. Also in attendance were Town Engineer Brian Haynes, Chief Derrick Watson, Public Works Director Charlie Wright, Assistant Town Secretary Eileen Kennedy and Town Secretary Charlotte Allen.

The Mayor called the meeting to order at 7:02 p.m.

Mayor Pro-Tem Gary Garrett gave the invocation and Deputy Mayor Pro-Tem Ara Minassian lead the pledge of allegiance to the American and Texas flags.

II. CONSENT AGENDA - All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public review.

## 1. CONSIDERATION AND ACTION ON THE MINUTES OF AUGUST 1, 2011

Durbin motion, Minassian second to approve the Consent Agenda as presented

AYE: Dondrea, Garrett, Miller, Durbin, Minassian  
NAY: None

MOTION CARRIED UNANIMOUSLY

## III. CITIZENS COMMENTS

No citizens came forward.

2. MAYOR, COUNCIL MEMBERS AND STAFF REPORTS

- Status report on Public Works projects

Director of Public Works Charlie Wright reported:

- the Simmons Road phase 2 traffic plan was in place
- driveways were to be poured between Double Oaks Drive and LaVista

Mr. Brian Haynes, Halff & Associates, Inc. reported:

- the Simmons Road project was in 3 phases
- the plan would be done by Thanksgiving
- Update on economic development

Mayor Pro-Tem Gary Garrett reported:

- he had communicated with towns around Double Oak
- Double Oak had less non-residential area left than neighboring towns
- he was still doing fact-finding and building a data base
- he had spoken with Retail Coach representatives; he had learned other communities had done this research and would share their information
- he had also heard that a grocery and Walgreen were planned in 2012 at the current location of the Lantana water tower

IV. NEW BUSINESS AGENDA (CONSIDERATION AND ACTION):

3. DISCUSSION, CONSIDERATION AND ACTION ON A LETTER RECEIVED BY THE TOWN FROM THE DOUBLE OAK VOLUNTEER FIRE DEPARTMENT IN PROTEST TO THE FUNDING CUTS IN THE 2011-2012 PROPOSED BUDGET AS IT RELATES TO THE DOVFD

Mr. Bill Wilkinson, 140 North Forest Lane, stated:

- he supported the DOVFD and did not want their budget cut
- Copper Canyon was paying 30¢ per \$100 evaluation due to the approved bond election
- DOVFD was all volunteer
- he wanted to treat the fire department right

Mr. Paul Gaines, 30 Cross Timbers Drive, stated:

- he thanked the Council and Town for all they had done for the DOVFD over the years
- they were shocked that the budget went down \$8,000
- the DOVFD felt they were not being supported by the Town
- the \$8,000 had been incorporated into their proposed budget
- as they lost people, they had to train and outfit replacements

Jeff Pope, 521 Waketon Road, stated:

- he felt that things could be worked out between the DOVFD and the Town

Bob Bowen, 100 Royal Oaks, stated:

- DOVFD members paid for their own uniforms; they spent their own money
- they spent time away from their families

Ms. Freda Brittain, 45 Kings Road, stated:

- her mother in-law and father-in-law had founded Double Oak
- she picked up cans to get money to donate to the DOVFD
- she had asked if she could collect cans from the 4<sup>th</sup> of July picnic and was told the cans were to be given to another organization as a fund-raiser

NO ACTION WAS TAKEN ON THIS ITEM

4. DISCUSSION, CONSIDERATION AND ACTION ON QUOTES RECEIVED FOR ROOFING AND RELATED REPAIRS FOR TOWN HALL, THE PAVILION AND THE DOUBLE OAK VOLUNEER FIRE DEPARTMENT FIRE STATION

Director of Public Works Charlie Wright reported:

- he based his recommendation by reviewing the companies submitting the quotes
- he met the contractors individually
- he checked to see if building inspections had been done in Double Oak
- he verified that they had their professional papers in order
- his recommendation was for HBI as they met the criteria and the money was in line with the appraisal done by TML

Miller motion, Durbin second to accept the quote from HBI to include all repairs in an amount not to exceed \$50,000

Mr. Bill Wilkinson, 140 North Forest Lane, stated:

- he would like to see the Town check the cost of class 4 shingles
- most insurance would give a 15 – 20% discount

Deputy Mayor Pro-Tem Minassian stated:

- the shingles for Town Hall, the pavilion and Fire House should match
- Red River would do radiant barrier paper

AYE: Miller, Durbin, Garrett, Dondrea

NAY: Minassian

MOTION CARRIED 5 TO 1

5. DISCUSSION, CONSIDERATION AND ACTION ON A PROPOSAL FROM DDM FOR 2011 ROADWAY MAINTENANCE PROGRAM

Mr. Brian Haynes, Halff & Associates, Inc. reported:

- The Road and Drainage Committee had met twice to discuss the issue of pot hole repairs
- 6 roads were included on the quote request
- DDM had been contacted to provide a quote as they were working on a similar project in Copper Canyon and could readily provide a dollar figure

Council Member Dondrea stated he felt the Council should have other quotes for comparison purposes

NO ACTION WAS TAKEN

6. DISCUSSION, CONSIDERATION AND ACTION ON AUTHORIZING STAFF TO PREPARE A RESOLUTION ELECTING NOT TO REQUIRE THE REMITTANCE OF A PEG FEE BY HOLDERS OF A STATE ISSUED CERTIFICATE OF FRANCHISE AUTHORITY

Town Secretary Charlotte Allen reported:

- Time-Warner had sent information that new regulations required a commitment to either require or not require the remittance of a Public Education and Government facilities fee
- Double Oak did not require the fee
- Double Oak did not have a public information facility (cable TV channel)
- Staff was asking for direction from Council to prepare a resolution not requiring the PEG fee

Miller motion, Minassian second to direct staff to prepare a resolution to Time-Warner not requiring the PEG fee

AYE: Minassian, Garrett, Dondrea, Miller, Durbin  
NAY: None

MOTION CARRIED UNANIMOUSLY

7. DISCUSSION, CONSIDERATION AND ACTION ON AUTHORIZING STAFF TO PREPARE A RESOLUTION ESTABLISHING FUND BALANCE POLICIES AS REQUIRED BY GASB 54

Council Members requested that Town Auditor Carl Deaton attend the next meeting to provide more detailed information and to answer any questions.

THIS ITEM WAS TABLED UNTIL THE SEPTEMBER 19, 2011 COUNCIL MEETING

8. DISCUSSION, CONSIDERATION AND ACTION ON AN INVOICE FROM SHELLY MOSSO FOR CLEANING SERVICES AT TOWN HALL IN THE AMOUNT OF \$1200

Miller motion, Dondrea second to approve the invoice from Shelly Mosso for cleaning services at Town Hall in the amount of \$1200

AYE: Miller Durbin, Minassian, Garrett, Dondrea  
NAY: None

MOTION CARRIED UNANIMOUSLY

9. CITIZENS COMMENTS

No citizens came forward.

10. COUNCIL – STAFF ANNOUNCEMENTS AND COMMENTS

Council Member Durbin commented that the DOVFD issue came down to communication

Council Member Miller commented that he would review the DOVFD budget once he received it

Council Member Dondrea commended Mayor Pidcock for his management of the meeting

Deputy Mayor Pro-Tem Minassian had no comment

Mayor Pro-Tem Garrett thanked Charlie Wright for taking the initiative on the Fire Department issue

- September 11 memorial ceremony

Mayor Pidcock reminded all present of the memorial ceremony to be held beginning at 1:00 p.m. on Sunday, September 11 in the pavilion located in the John B. Wright park

#### 11. ADJOURNMENT

With no further business to come before the Council the meeting was adjourned at 9:23 p.m.

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Town Secretary

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Mayor

THE STATE OF TEXAS  
COUNTY OF DENTON

5,

**CONTRACT  
BY AND BETWEEN  
ARGYLE VOLUNTEER FIRE DISTRICT  
AND  
DOUBLE OAK, TEXAS**

**WHEREAS**, the Argyle Volunteer Fire District, (hereinafter the "Fire District"), wishes to provide Emergency medical services to the Town of Double Oak, Denton County, Texas; and

**WHEREAS**, the Town of Double Oak, (hereinafter the "Town"), deems it necessary and desirable to contract with the Fire District for emergency medical services; and

**WHEREAS**, the Town is authorized to make and enter into a contract and, specifically this contract, with the Fire District by the due exercise of their legal authority; and

**WHEREAS**, the parties hereto recognize that the Fire District will use any and all payments received either for transports or special event coverage under this contract toward the payment of operation and maintenance expense of the Fire District and, if necessary toward the payment of any principal and interest, of any debt necessary to provide for the service contemplated.

**NOW, THEREFORE**, The Fire District and the Town hereby contract and agree as follows:

**Article I**  
**Definitions**

**Section 1.01 Definitions of Terms.** In addition to the definitions stated in the preamble hereof, the terms and expressions as hereinafter used in this contract, unless the context clearly shows otherwise, shall have the following meanings:

*Operation and Maintenance Expense* – means all costs of operation and maintenance of the Fire District including, but not limited to, repairs and replacement utilities, supervision, engineering,

insurance premiums, supplies, services, administrative costs, equipment necessary for proper operation and maintenance of the Fire District's service, payments made for the use or operation of any property, payment of fines, and payments made by the Fire District in satisfaction of judgments or other liabilities resulting from claims not covered by the Fire District's insurance arising in connection with the operation and maintenance of the Fire District Service.

*HIPAA* means Health Insurance Portability & Accountability Act of 1996.

*MICU* means mobile intensive care unit as described by the Texas Department of Health Services.

## Article II

### Providing of Service by Fire Department

**Section 2.01 Service Standards.** The Fire District agrees that the services provided by the Fire District will meet or exceed all standard of equipment and service as authorized by the Texas Department of Health for operation of mobile intensive care units.

**Section 2.02 Service Standards.** The Fire District will provide, manage, operate and maintain twenty-four (24) hour, 7 days per week, emergency medical services (EMS). To provide adequate, efficient, and economical EMS protection service to the Town, the Fire District will use its best efforts to acquire and maintain adequate equipment and personnel to provide a high level of service and response to the needs of the Town.

## Article III

### Payments

#### **Section 3.01 Payments & special considerations**

- A. The Town will pay the Fire District the sum of \$25,000.00 for the term of this contract, 50% of the payment will be made on October 1<sup>st</sup>, 2011, the effective date of this contract with the remainder due March 1<sup>st</sup> 2012.
- B. The Fire District will bill citizens of Double Oak through its bill services (Intermedix); citizens will be billed insurance only, and citizens of Double Oak will

not receive a bill for the unpaid portion. Non-resident patients treated and transported from within the Town will receive a bill for services not covered by the patient's insurance. The Fire District will assume all liability and responsibility, and will indemnify, defend and hold harmless, the Town for its billing practices, and will ensure that Intermedix will bill Medicare/Medicaid claims according to state and federal regulations for advanced and basic life support transports, respectively.

#### **Article IV**

#### **General Provisions**

**Section 4.01 Insurance.** The Fire District will carry insurance for such purpose and in such amounts as are determined by the Fire Department to be necessary or advisable.

**Section 4.02 Regulatory Bodies.** This contract shall be subject to all valid rules, regulations and laws applicable hereto passed or promulgated by the United States of America, the State of Texas, or any authorized representatives or agency of any of them.

**Section 4.03 Termination.** Either party may terminate this agreement by giving sixty (60) days written notice of termination to the other party.

**Section 4.04 Reports.** The Fire District will maintain all reports and medical records; the Fire District will follow all HIPAA policies in releasing medical information.

#### **Article V**

#### **Indemnification**

**Section 5.01 Indemnification.** The Fire District agrees to indemnify and hold harmless the Town, its officers, agents, and employees, from and against any and all claims, losses, damages, causes of action, suits and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person, or for damage to any property, arising out of or in connection with the activities performed by the Fire District within the Town.

**Article VI**  
**Effective Date and Term**

**Section 6.01 Effective Date.** This contract shall become effective on October 1<sup>st</sup> 2011.

**Section 6.02 Term of Contract.** This contract shall continue in force through September 30, 2012, and shall be automatically renewed annually by mutual agreement unless either party elects to terminate the agreement as provided in section 4.03

**IN WITNESS WHEREOF**, the parties hereto acting under authority of their respective governing bodies have caused this contract to be duly executed in two counterparts, each of which shall constitute an original, all as of the 3<sup>RD</sup> day of October 2011, which is the date of this contract.

**ARGYLE VOLUNTEER FIRE DISTRICT**

**TOWN OF DOUBLE OAK**

By: \_\_\_\_\_  
Mac Hohenberger, Fire Chief

By: \_\_\_\_\_  
Tom Pidcock, Mayor

ATTEST:

By \_\_\_\_\_  
Charlotte Allen Town Secretary

6.

TOWN OF DOUBLE OAK  
PAYMENT VOUCHER

Date: October 3, 2011	Check #	Approval Type Budget
Pay to the Order of: <b>ARGYLE VOLUNTEER FIRE DISTRICT</b>		
Account Number	Account title	Amount Debit                      Credit
521006		\$12,500
	Cash in Bank	\$12,500
	Total	\$12,500
Code 5= EXPENDITURE 2=Administration 3=Public Works 4=Streets & Drainage 5=Public Safety		
Description/Comments <b>50% PAYMENT OF 2011-2012 EMERGENCY MEDICAL SERVICES CONTRACT BETWEEN ARGYLE VOLUNTEER DISTRICT AND TOWN OF DOUBLE OAK</b>		
TREASURER'S OFFICE USE ONLY		
INVOICE NUMBER  _____	VERIFICATION CUSTOMER NUMBER  _____	