

**MINUTES OF THE MEETING OF THE  
VILLAGE OF BEAR CREEK COMMISSIONERS  
September 21, 2015**

**1) Call to Order**

The meeting was called to order 7:00 pm.

**2) Roll Call**

Mayor Upham, Commissioner Bohm and Commissioner Brushwood are present.

**3) Citizens Comments will be taken from the audience on Non-Agenda related topics. No action may be taken by the City during Citizens Comments.**

No citizens comments.

**4) Approval of Minutes from July 13, 2015 Commissioners Meeting.**

Commissioner Brushwood makes a motion to approve the July 13, 2015 minutes. Mayor Upham seconds. Motion approved is approved. 2 yea. Commissioner Bohm abstains.

**5) Approval of Minutes from August 17, 2015 Commissioner Meeting.**

Commissioner Bohm makes motion to approve the August 17, 2015 minutes with one spelling correction. Correct item #6. "Discussed that thee \$81.00..." correct to "Discussed that the \$81.00..." Mayor Upham seconds. Motion approved is approved. 2 yea.

Commissioner Brushwood abstains.

**6) Discussion and possible action in regards to reviewing 2014 – 2015 budget and actual expenditures.**

Texas Municipal League membership dues were paid in October 2014 and to be paid September 2015. Therefore, twice in this fiscal year. Mayor Upham makes motion that \$550.00 be moved from the contingency fund to Texas Municipal League membership dues. Increasing Texas Municipal League membership dues from \$555.00 to \$1105.00. Commissioner Bohm seconds. Motion approved is approved unanimously.

**7) Consent Agenda – the following may be acted upon in one motion. A**

**Commissioner, Mayor or a Citizen may request items be pulled for separate discussion and/or action.**

A. Approve payment to The News Dispatch \$40.00 for posting the public notice setting the tax rate. Invoice dated 8/28/15.

- B. Approve payment to Hays Central Appraisal District \$77.86 for 2015 4<sup>th</sup> quarter. Invoice dated 8/31/15.
  - C. Approve payment to Texas Municipal League \$536.00 for annual membership dues. Invoice dated 8/11/15.
  - D. Approve to reimburse Kathryn Rosenbluth \$129.49 for the annual renewal of web services and domain.
  - E. Approve payment to Knight & Partners \$75.00 for legal fees August 2015.
  - F. Approve to reimburse Mark Bohm \$39.99 for laptop battery purchased for donated Dell Computer.
- Commissioner Brushwood makes motion to approve the consent agenda.  
Commissioner Bohm seconds. Motion approved is approved unanimously.

**8) New Business**

**A. Discussion and possible action to approve Texas Disposal Service request to change VOBC trash/recycling pick update from Wednesday's to Thursday's.**

TDS representative, Jay Howard is in attendance. Jay explained that due to growth in our region, their business is expanding. In an effort to keep their routes balanced, TDS would like to move our weekly trash/recycling pick up from Wednesday to Thursday. If council approves, TDS would give residents sufficient notice of the change. Each resident will receive notification in the mail. Council suggested in addition to a mailer TDS should make entrance signs. Jay agreed to TDS making entrance signs. Mayor Upham makes motion to allow TDS some flexibility, and at their discretion change trash/recycling day from Wednesday to Thursday. Commissioner Bohm seconds. Motion approved is approved unanimously.

**B. Discussion and possible action on bids received for VOBC Right of Way clearing. (Brushwood)**

Commissioner Brushwood presents council with two bids for Right of Way work. Garcia's Tree Trimming \$3,106.78 and Aspen Tree Service & Landscaping \$7,000.00. Both companies have our Right of Way standards and know the scope of work. Both companies have driven through the Village. Brushwood accompanied Aspen Tree Service & Landscaping, and recommends them over Garcia's Tree Trimming. He feels Aspen Tree Service bid is more comprehensive and liked how they

recommended removing a partially dead Hackberry tree on Niles cove that is within 1 foot of the street. Commissioner Brushwood makes a motion to approve Aspen Tree Service & Landscaping bid for \$ 7,000.00 for complete Right of Way clearing in the Village, all clearing will be in accordance with VOBC ROW standards. Work to be done as soon as it is practical. Mayor Upham seconds. Motion approved is approved unanimously. City Secretary will prepare letter to residents notifying them of ROW clearing and include the VOBC ROW standards.

**C. Discussion and possible action to approve VOBC Ordinance #150921.001 setting the tax rate for VOBC 2015 – 2016 fiscal year at \$0.092 per \$100.00 valuation.**

The VOBC budget is based off a tax rate of \$0.092 per \$100.00 valuation, no change from last year. Council reviews 2015 effective tax rate (\$0.868 per \$100.00 valuation and roll back tax rate (\$0.0937 per \$100.00 valuation), provided by the Hays County Tax Assessor office. Due to increase in appraised values and new construction, maintaining tax rate of \$0.092 per \$100.00 valuation will increase revenue +/- 6%. Mayor Upham is of the opinion tax rate could be reduced to \$0.90 per \$100.00 valuation. Commissioner Bohm and Commissioner Brushwood are of the opinion tax rate should not be reduced. Commissioner Bohm makes motion to approve the VOBC Ordinance #150921.001 setting the tax rate at \$0.092 per \$100.00 valuation for 2015 -2016 fiscal year. Commissioner Brushwood seconds. Motion passes  
2. Yea 1 Nea.

**D. Mayor Upham announces the resignation of Commissioner Mark Bohm effective 9/22/2015.**

Mayor Upham officially accepted Commissioner Bohm's resignation. Mayor thanked him for his years of service and commitment to the Village. He will be missed.

**E. Mayor Upham announces the appointment of Douglas Burns to fill the vacant City Commissioner seat effective 10/19/2015.**

Mayor Upham has appointed Douglas Burns to fill the vacant City Commissioner seat. He will be oathed into office at the next city council meeting; October 19, 2015.

**9) Old Business**

**A. Discussion and possible action on improvements to the low water Crossing. (Upham)**

The Mayor states he emailed follow up questions to Daniel Harris and Wes Birdwell, with no response. Council discusses concern with making the roadway higher in elevation, likelihood debris in low water crossing will plug the culverts and cause problems for those upstream.

**B. Discussion and possible action regarding an automated digital speed limit detection and warning sign. (Bohm)**

Commissioner Bohm as not downloaded new readings. Suggested data be downloaded every 2 months. He contacted Hays County speed enforcement officer, Officer Cunningham and provided data from our previous reports. Data was sent as a CSV file along with a cover letter. Officer Cunningham said they would come out and do some monitoring at the peak times per the reports. Commissioner Bohm turned over the Dell Computer with the speed limit software. Commissioner Brushwood agreed to take over the duties associated with the speed limit detection hardware and software. .

**C. Discussion and possible action regarding Village of Bear Creek Right-of-Way; including but not limited to ditch work. (Upham)**

Mayor Upham contacted Ramming Paving asked them to look over the condition of our roads and the section they put a culvert in on Bear Creek Dr .

**10) Announcements**

**A. Next VOBC Commissioners Meeting is scheduled for Monday,  
October 19, 2015 7:00 PM**

**11) Adjournment**

The meeting adjourned at 8:20 PM

Submitted on October 11, 2015 by Kathryn Rosenbluth.

Approved on 10/19/15

By Kathryn Rosenbluth, City Secretary Kathryn Rosenbluth