

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
September 12, 2016**

1) Call to Order

The meeting was called to order 7:05 pm.

2) Roll Call

Mayor Upham, Commissioner Brushwood and Commissioner Burns 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.

None.

4) Approval of Minutes from August 15, 2016 Commissioner Meeting.

Commissioner Burns makes motion to approve August 15, 2016 minutes as submitted.

Commissioner Brushwood seconds. Motion is approved unanimously.

5) Discussion and possible action in regards to reviewing 2015 – 2016 budget and actual expenditures.

Council requests the City Secretary correct the Expense allocated to Misc –Recording Fee to Engineering Fee.

6) 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. Approval to pay The News Dispatch \$25.00 for posting the tax rate notice.

Invoice dated 8/25/2016.

B. Approval to reimbursement Bruce Upham \$20.85 for 1 bag of asphalt and road paint.

C. Approval payment to Hays Central Appraisal District \$89.37 for 4th Quarter 2016. Invoice dated 9/30/16.

Commissioner Brushwood makes motion to approve the consent agenda. Commissioner Burns seconds. Motion is approved with 1 abstention.

7) New Business

A. Discussion and possible action on proposed VOBC tax rate for the 2016 – 2017 fiscal year.

Council discusses the proposed tax rate of \$0.092 per \$100.00 valuation, representing no change from previous year. Commissioner Brushwood feels we should prepare for major road expenses, for that purpose he's in favor of increasing the proposed tax rate to \$0.0954 per \$100.00 valuation. Mayor Upham points out an increase of \$0.0034 is nominal in income and prefers to make no change to the tax rate. Mayor Upham makes motion to leave the tax rate unchanged at \$0.092 per \$100.00 valuation. Commissioner Brushwood seconds. Motion is approved unanimously.

B. Discussion and possible action to approve VOBC Tax Rate Ordinance #160912.001

Mayor Upham makes motion to approve the VOBC Tax Rate Ordinance #160912.001 reflecting tax rate at \$0.092 per \$100.00 valuation. Commissioner Brushwood seconds. Motion is approved unanimously. City Secretary will send VOBC Tax Rate Ordinance #160912.001 to the Hays County Tax Assessor.

C. Discussion and possible action to approve a dip-style driveway (in addition to the approved straight tie-in driveway) at 8601 Bear Creek Dr.. Tom Hallberg representing LSH Properties.

LSH Properties had previously requested a dip – style driveway at 8601 Bear Creek Drive, request was rejected by Glen Ragan, Driveway Authority due to pending VOBC ditch work. Now that VOBC has determined no ditch work is warranted at 8601 Bear Creek Drive, LSH Properties would like to proceed with a dip – style driveway. This would be the second driveway to service this property. Tom Hallberg w/ LSH Properties is not in attendance but confirmed the ditch – style driveway would be a 12' wide apron and the top of driveway to match the level of the ditch. Commissioner Brushwood makes motion to approve the proposed dip – style driveway for Sec 1, Lot 41, BCO; 8601 Bear Creek Drive. 12 month deadline to complete construction of 9/12/2017. Commissioner Burns seconds. Motion is approved unanimously.

D. Discussion and possible action to end all driveway/culvert permit expiration dates to the date of the final approved permit. Effecting the following permits: dip-style driveway at 8501 Bear Creek Dr, straight tie-in

driveway at 8601 Bear Creek Dr, and if approved in item 7.C, the dip-style driveway at 8601 Bear Creek Dr. Tom Hallberg representing LSH Properties.

The expiration date for all driveway/culvert approvals is 12 months. LSH Properties requests council amend the expiration dates for approved driveway/culverts so all expire on the same date. This would affect the following: dip-style driveway at 8501 Bear Creek Dr, straight tie-in driveway at 8601 Bear Creek Dr, and the dip-style driveway at 8601 Bear Creek Dr . Council discusses. Commissioner Brushwood makes motion to amend expiration dates for approved driveway/culverts at dip-style driveway at 8501 Bear Creek Dr, straight tie-in driveway at 8601 Bear Creek Dr, and the dip-style driveway at 8601 Bear Creek Dr to 9/12/2017. Mayor Upham seconds. Motion is approved unanimously.

E. Discussion and possible action regarding VOBC fee schedule for Open Records requests.

Commissioner Burns researched the issue and found the Office of the Attorney General sets the fee's for cities are permitted to charge for open record requests. The maximum fee for open records request is \$0.10 per page, \$0.10 per page is what VOBC charges for open record requests.

F. Discussion and possible action detailed map of VOBC.

Item tabled.

G. Discussion and possible action regarding approval of Ordinance #160912.002. Ordinance #160912.002 cancels the November 8, 2016 election for the VOBC Mayor and City Commissioners, declaring VOBC candidates elected to office due to unopposed candidates

Commissioner Burns makes motion to approve the VOBC Ordinance #160912.002, thereby cancelling the November 8th VOBC Election for officers due to unopposed candidates. Mayor Upham seconds. Motion is approved unanimously.

8) Old Business

A. Discussion and possible action on road system including the low water crossing and road signage. (Upham)

During the Right of Way Workshop council identified the need and location of additional speed limit signs. Also identified the need to replace the stop sign at

Madrone Trl and Bear Creek Dr.. Mayor Upham spoke obtained an installation price quote from Jeff Raffaele of \$30.00 to install sign on existing pole and \$145.00 for installation of concreted pole & signage. Mayor Upham makes motion to approve an expenditure not to exceed \$500.00 for 5 Speed Limit Signs 30 MPH, 1 Stop Sign, 3 Poles with base and all hardware. Commissioner Brushwood seconds. Motion is approved unanimously. Mayor Upham makes motion to approve an expenditure not to exceed \$500.00 to install 3 sign posts, replace the stop sign and add speed limit signs. Commissioner Burns seconds. Motion is approved unanimously

Roads: noted that Texas Road & Repair have a high speed sprayer that can spread chip and seal.

Tree in ROW on Bear Creek Dr. Believe owner of tree and property is Tom Ardis. Commissioner Brushwood will contact Mr Ardis and discuss his plan for removing from ROW.

Council discusses the decaying of side of road at N Madrone Trl entrance (8001 N Madrone Trl). One cause is AISD school bus using property for turn around. City Secretary has left numerous messages for AISD. City Secretary to research owner of 8001 N Madrone Trl, reach out to them to discuss the issue. If homeowner doesn't come up with solution the Mayor suggests council intervene in effort to save integrity of roadway. Upham makes motion to approve expenditure not to exceed \$250.00, if determined necessary. Commissioner Burns seconds. Motion is approved unanimously. Mayor Upham recently met a civil engineer who used to work at TX DOT. Civil engineer is interested in driving through the village and inform council what he thinks of VOBC roadways, as well as, offer quote for further study. VOBC Workshop scheduled to assess the road condition and road options on Tuesday 9/20/16 at 8:30 AM. Meeting at FM 1826 and Bear Creek Drive entrance.

C. Discussion and possible action regarding an automated digital speed limit detection and warning sign. (Brushwood)

Commissioner Brushwood reports no new action.

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

Commissioner Brushwood reports that he recently met with Johnny, Texas Road Repair and Patches, they drove the village and discussed "limited ditch work". Johnny said they are available to start the work 9/26/16 (weather permitting). Mayor Upham

makes motion to approve up to 4 days of work at an expenditure not to exceed \$6,000.00. Commissioner Burns seconds. Motion is approved unanimously. City Secretary will get ROW letter out to all property owners ASAP. Commissioner Brushwood to coordinate with Johnny and property owners wanting fill dirt.

**E. Discussion and possible action to change the Minimum Driveway Standards.
(Burns)**

Item tabled.

9) Announcements

**A. Next VOBC Commissioners Meeting is scheduled for Monday,
October 17, 2016 7:00 PM**

10) Adjournment

The meeting adjourned at 9:12 PM

Submitted on October 10, 2016 by Kathryn Rosenbluth.

Approved on 10/17/16
By Kathryn Rosenbluth, City Secretary Kathryn Rosenbluth