

**MINUTES OF THE MEETING OF THE  
VILLAGE OF BEAR CREEK COMMISSIONERS  
April 10, 2017**

**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.**

City Secretary, Kathryn Rosenbluth makes two comments. One: Today VOBC received updated preliminary FEMA maps for portion of Hays County including VOBC. Portion of VOBC remains in Zone AE. She passed out information to council containing contact information (phone & web site) as FEMA has 30 day window for input and comment before the updated maps are finalized. Second: TDS Annual Trash Collection post card will not contain information about any services other than what they provide. Mayor Upham stated that he will be out of town on annual trash cleanup day; 4/29.

**4) Approval of Minutes from February 20, 2017 Commissioner Meeting.**

Mayor Upham makes motion to approve February 20, 2017 minutes as submitted. Commissioner Brushwood seconds. Motion approved unanimously.

**5) Approval of Minutes from March 20, 2017 Commissioner Meeting.**

Commissioner Burns makes motion to approve March 20, 2017 minutes as submitted. Commissioner Brushwood seconds. Motion approved unanimously.

**6) Discussion and possible action in regards to reviewing 2016 – 2017 budget and actual expenditures.**

Reviewed no changes needed. Discussion of monies allocated for roads. Currently have \$172,583.98 remaining budgeted for roads. We've spent \$15,416.02 on roads. If additional funds are needed they can be pulled from Contingency Fund. City Secretary will confirm how much the 2016 - 2017 budget has in contingency fund and provide that information to council.

**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 News-Dispatch \$72.20 for posting Invitation to Bid on Road Work in Public Notices on 3/16/17 & 3/23/17.**

**B. Approve payment to Hays County Auditor \$500.00 for annual Animal Control Services. Invoice dated 3/27/17.**

Commissioner Burns makes motion to approve the consent agenda as submitted.

Commissioner Brushwood seconds. Motion is approved unanimously.

**8) New Business**

**A. Tim Von Kennel with Hays County ESD6 Board to make a presentation regarding upcoming sales election. Discussion and possible action to follow.**

Tim Von Kennel is one of five members on the Emergency Services District #6 (ESD#6) [Tim.vonkennel@naifa-texas.org](mailto:Tim.vonkennel@naifa-texas.org) cell 512.470.4713 ESD#6 has six fire stations within the district currently servicing +/- 35,000 people, and are first responders. They have a \$3,000,000.00 budget. They have 27 paid employees and 60 professional volunteers. Last month volunteers worked 1300 hours. Income is derived from an eight cents property tax. VOBC is within ESD#6. Hays County has a total of 9 ESD's. Von Kennel explained concerns ESD#6 has the ability to meet the growth needs in our area. They don't have a fire truck equipped to go up 4 stories nor the housing for it. \$1,500,000.00 is cost for a fire truck with ladder going up 4 stories and to build a building to house it. May 4, 2017 election they are asking all residents to vote and approve a .25 cents Hays County sales tax that will go toward ESD#6. If approved they hope to collect \$160,000.00 annually in an effort to purchase a fire truck with ladder going up 4 stories. Early voting starts April 24, 2017. Fire Fighters in attendance encouraged us to vote for the .25 cents Hays County sales tax.

**B. Volkert Inc to present Bid Evaluations for bid on road work. Discussion and possible action to follow.**

Travis Falls with Volkert Inc is in attendance. March 31, 2017 was the deadline for sealed bid for road work. Bidders were to bid on a chip seal coating all roads with an asphalt base, blading the sides, patch fix problems and add concrete curb to three identified locations. Expected cost +/- \$180,000.00. Public notification was in The News Dispatch. (Not in Austin American Statesman as it would have costs \$1,800.00 to post public notice)

Besides the public notice Volkert Inc notified companies they've done business with and firms VOBC recommended. Falls presented council with the apparent low bidder: Lone Star Paving Company at \$153,346.60. Falls explained the bid includes using a white chip aggregate. Knowing VOBC residents may prefer a black top, they requested Lone Star Paving provide bid replacing the white chip aggregate with VulcanTrap Rock (black). Using Vulcan Trap Rock the total contract price increases to \$174,286.60. Falls is pleased that Lone Star Paving is the apparent lowest bidder, they have a good reputation and do good work. He further explained the next step is for council to approve the bid, then have our legal counsel write up a contract (include warranty of work) and have Lone Star Paving execute contract with VOBC. Volkert Inc is interested in providing inspection services once the contract is executed, which is next on the agenda to discuss. Council has open discussion on the bid. Overall all council members agree citizens would prefer the looks of a black road over a white road. Falls said using Vulcan Trap Rock could extend the life +/- 6 months. Explained that chip seal acts as a live bandage on alligator cracks in base; but it is a matter of time before the cracking reappears. Cost prohibitive to repair the base, we will always be putting a bandage fix above the base. Commissioner Brushwood makes motion to approve bid with Lone Star Paving including Vulcan Trap Rock option at cost of \$174,286.60. Commissioner Burns seconds. Motion is approved unanimously.

**C. Discussion and possible action to expand Volkert Inc engineering work regarding the road project. (Upham)**

Travis Falls with Volkert Inc presents council with inspection services they provide to insure the road work is completed per specs in the bid package. Volkert Inc can provide 1) Pre construction meeting with contractor and client establishing time line & expectations. 2) Monitor and Inspector certified in asphalt & concrete present during work to help dictate: A. Rate asphalt is being put down. B. Monitor quantities C. Collecting tickets from trucks with rock coming in. This insures the rate and quality of stone being put down. Falls expects the cost of this not to exceed \$10,000.00 and could conceivably be less. Council discusses and sees value in this service as it insures we'll get what we paid for. Council discusses 2016 -2017 budget; fully realizes we will have to use funds from the Contingency Fund to pay for inspection services to Volkert Inc and \$2,000.00 to Lone Star Paving. Additional funds will be needed from Contingency Fund to cover Right of Way Mowing and anything additional that falls under roads for remainder of the fiscal year. Commissioner Burns makes a motion to authorize Mayor Upham to execute a contract with Volkert Inc for

Inspection Services to monitor the roadway project at a cost not to exceed \$10,000.00 and have this included in the contract with Lone Star Paving as supplement #1. Mayor Upham seconds. Motion is approved unanimously.

**D. Discussion and possible action regarding a request that VOBC contribute \$350.00 to CAMPO on order to fund numerous CAMPO projects.**

Commissioner Brushwood recommends continuing our habit of not contributing to CAMPO. Council agrees. No action taken.

**9) Old Business**

**A. Discussion and possible action on road system. (Upham)**

Mayor Upham has driven the Village and found numerous properties that have mail box's not flush with the road or the driveway is not flush to the road. The mail carrier and drivers then create extra wear and tear to edge of road. He would like to draft a letter and hand deliver to property owners requesting they remedy the situation prior to road work. Council discusses. Commissioner Brushwood and Commissioner Burns support and encourage Mayor Upham effort and authorize him to hand deliver and field any questions on the matter.

**B. Discussion and possible action regarding Hays County Hazard Mitigation Plan.**

Commissioner Brushwood reports not action since last month.

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

Commissioner Brushwood informs council the digital speed limit sign has been relocated to South Madrone Trl inbound. He intends to download data today and solicit the help of Randall Ryan to formulate reports.

**D. Discussion and possible action regarding Village of Bear Creek Right-of-Way. (Upham)**

Mayor Upham contacted the company TX Dot has contracted with they have agreed to fill and smooth out the Right of Way at the North Madrone entrance before they complete the job.

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

Mayor Upham reports that Volkert Inc is not interested in assisting us with drainage study. He's yet to locate a firm interested in taking on this work. Looking for a firm with expertise in ditch drainage guidelines and willing to update our Drainage Study at expense not to

exceed \$1,000.00.

**9) Announcements**

**A. Next VOBC Commissioners Meeting is scheduled for Monday,  
May 15, 2017 7:00 PM**

**B. VOBC/TDS Annual Trash Pick Up Day is Saturday, April 29, 2017 9:00  
AM to 1:00 PM at Niles Cove and Madrone Circle.**

**10) Adjournment**

The meeting adjourned at 9:05 PM

Submitted on May 1, 2017 by Kathryn Rosenbluth.

Approved on 5/15/2017

By *Kathryn Rosenbluth*  
Kathryn Rosenbluth, City Secretary