

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
March 19, 2018**

1) Call to Order

The meeting was called to order 7:01 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 February 19, 2018 Commissioners Meeting.

February Minutes not available. Table this item.

5) Discussion and possible action in regards to reviewing 2017 – 2018 budget and actual expenditures.

Mayor noted a Miscellaneous expense \$393.00. City Secretary to investigate. No Changes.

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. Approve payment to Knight Law Firm \$540.00 legal Services December 2017 & January 2018.

B. Approve payment to Hays County Appraisal District \$93.83 for 2nd quarter 2018. Invoice dated 3/31/18.

C. Approve payment to Montemayor Britton Bender PC \$2,550.00 final bill for VOBC Fiscal Review 10/1/2016 – 9/30/2017. Invoice dated 2/15/18.

D. Approve payment to Jeff Raffaele \$105.00 to replace stop sign pole and dispose damaged pole at Niles Cove. Invoice dated 3/13/18.

Mayor requests item C be pulled until later in the meeting after item 7.C is discussed.

Commissioner Brushwood makes a motion to approve the consent agenda items A, B & D as submitted. Commissioner Burns seconds. Motion is approved unanimously.

7) New Business

A. Jim Riggs, 8105 Bear Creek Dr (Sec 1, Lot 35B 5.0 acres & Sec 1, Lot 36 10.08 acres) to discuss with council possibility of subdividing his land. (Upham)

Jim Riggs in attendance. Council has open discussion regarding lots owned by Riggs. Riggs is primarily looking at the possibility of subdividing lot Lot 35B. Lot 35B is land locked. It is behind lot owned by LSH Holdings and has no access to Bear Creek Dr. Discussion included how lot 35B would access road and utilities. Road & PU easement would be required and noted on plat to subdivide. Because of that the plat to subdivide 35B would include Lot 36. Getting a water line to Lot 35B could be difficult and expensive. Council agreed on the following:

- Lot36 would dedicate ROW to VOBC.
- Minimum lot size 2 acres; water must be community or rain water collection. No well.
- Minimum lot size for well is 3 acres.
- Need easement on Lot36 for road, community water & utilities.

B. Ryan McWhirter, 8300 & 8304 Bear Creek Drive (Lot 6B1 & 6B2, Daisley Subdivision) to discuss VOBC plat compliance for Hays County for septic permit.

Ryan McWhirter and Lillian Resnick are in attendance. Owners of Lot 6B1 & 6B2, Daisley Subdivision: 8300 Bear Creek Dr. Explained to council they purchased 2 years ago with a failing septic system. (system is 35 yrs old) Hays County won't permit new septic system unless they are in compliance with VOBC. At present they have two lots; council agrees they need to release the lot line for 6B2 and replat as 1 lot with one address: 8300 Bear Creek Drive. They plan to install new septic system on what is now lot 6B2. Combining both lots would give them 2.50 acres. If they proceed Mayor Upham said he's sure council would be willing to grandfather, the existing well and them owning the ROW. City Secretary offered them assistance with communicating to surveyor and navigating VOBC replat procedure.

C. Discussion and possible action to approve Montemayor Britton Bender PC's accountant review report and financial statements for VOBC fiscal year 10/1/16 – 9/30/17.

Overall the fiscal review looks good. Mayor Upham has one gripe; which won't interfere with making paying Montemayor Britton Bender. Page 16 of the report doesn't total all franchise fee budgeted nor received and the interest income figure isn't correct. City Secretary will bring this to the attention of Montemayor Britton Bender and request

correction and/or explanation. Commissioner Burns makes motion to approve Motemayor Britton Bender's VOBC Fiscal review for 10/1/16 – 9/30/17. Commissioner Brushwood seconds. Motion is approved unanimously.

Council returns to:

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.

C. Approve payment to Montemayor Britton Bender PC \$2,550.00 final bill for VOBC Fiscal Review 10/1/2016 – 9/30/2017. Invoice dated 2/15/18.

Commissioner Burns makes a motion to approve the consent agenda items C submitted. Commissioner Brushwood seconds. Motion is approved unanimously.

Council returns to:

7) New Business

D. Discussion and possible action to contribute to CAMPO. Invoice dated 2/20/18 for a suggested \$350.00 contribution.

Discussion dies for lack of action.

8) Old Business

A. Discussion and possible action regarding the Oak Wilt outbreak on and around the 13000 block of South Madrone Trl.

Mayor Upham reports VOBC has executed a contract Jon Long Enterprises DBA We Love Trees for Oak Wilt Trench road cuts. Trench crosses South Madrone Trail in two places. The cuts will be made perpendicular to the center line of the road to minimize the repairs needed. Cost for each cut is \$3,500.00. No information if or when BCOPOA has executed their portion of the Oak Wilt Suppression contract with We Love Trees. No news when the project will take place, hopefully soon.

B. Discussion and possible action Village of Bear Creek roads and Right of Way. Including but not limited to bids for sweeping roads.

Mayor Upham said the VOBC road sweeping project is delayed. If all goes well it should happen Friday March 23. He added that in regard to corrections to FM1826 project TX DOT will go out for bid March or April and we should expect 2 to 3 month timeframe from

that point for work to begin. City Secretary informed council she has notified Hays County Volunteer Fire Dept the "Burn Ban" signs were not reinstalled after FM 1826 road project.

C. Discussion and possible action regarding VOBC participation in the National Flood Insurance Program.

City Secretary said she's requested FEMA review and hopefully approve of the recently passed VOBC Flood Prevention Ordinance.

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

No action. Table to next month.

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

No action. Table to next month.

10) Announcements

A. Annual VOBC/TDS Trash Clean Up date is Saturday, April 7, 2018 9:00 AM – 1:00 PM at Niles Cove and Madrone Circle.

B. Next VOBC Commissioners Meeting is scheduled for Monday, March 19, 2018 7:00 PM

11) Adjournment

The meeting adjourned at 8:23 PM

Submitted on April 8, 2018 by Kathryn Rosenbluth.

Approved on 4/16/18 _____

Kathryn Rosenbluth
By _____
Kathryn Rosenbluth, City Secretary