

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
June 11, 2018**

1) Call to Order

The meeting was called to order 7:00 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.

Mr Bachman asked what's the latest is on TX DOT work on FM1826. Mayor Upham said this is an agenda item and will be discussed later in the meeting.

Mayor Upham shared a letter received from George P Bush alerting all communities to the Upcoming 2018 Hurricane Season. Weather forecasters predicting an active hurricane season of 14 hurricanes of which 3 hurricanes could be major. Mayor Upham recommends anyone concerned about flooding obtain flood insurance. If have an emergency VOBC expects citizens be prepared to take care of yourself for the first 24-48 hours. Help your neighbor and notify council of if you know of anyone who needs assistance.

4) Approval of Minutes from May 21, 2018 Commissioners Meeting.

Mayor Upham noticed an error on numbering. 7.3 is noted twice. The second 7.3 corrected to 7.4. Commissioner Burns makes motion to approve May 21, 2018 minutes as amended. Commissioner Brushwood seconds. Motion is approved unanimously.

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

Reviewed, no changes required.

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 Hays Central Appraisal District \$79.29 for 3rd Quarter 2018. Invoice dated 6/2/18.**

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

7) New Business

A. Discussion and possible action regarding Driveway Construction Application for Valerie Bachman at 9000 Bear Creek Drive, requesting an exception for culvert size.

Glen Ragan, Driveway Permit Authority is in attendance and explained permit denied as is. Minimum standards require a 30-inch diameter culvert or equivalent area-cross section and the applicant requested a 12- inch culvert. In reviewing the topography of lot Ragan feels water will flow away from proposed driveway and 12" culvert is acceptable. Bachman explained they are requesting this 2nd driveway/culvert primarily for deliveries. Driveway will not have curves, easier for delivery trucks to navigate. It's located on adjacent lot also known as 9002 Bear Creek. They utilize both lots (Section 1, Lot 18 & Lot 19) for their homestead; no plans to subdivide. By Ragan's calculations a little less than 2 acres will drain to the proposed culvert area. Running the numbers, the max culvert would be 20", not 30". Proposed driveway will be 12' gravel, 12" metal culvert, and 25 feet wide at street. Culvert ends to be installed 2 inches below edge of pavement. Commissioner Brushwood approves the variance as requested. Commissioner Burns seconds. Motion is approved unanimously.

B. Discussion and possible action for VOBC procedures for temporary driveway requests. (Burns)

Commissioner Burns opens discussion regarding council establishing procedures for a temporary driveway. Mayor said the difficulty is when temporary is abandoned, often rock installed for the 'temporary' driveway isn't removed. The challenge is restoring the driveway and ditch to original condition. If it's a dip style driveway is pretty straight forward. Additional complexities arise when you need to add rock to shallow ditches. Council came up with things to think when creating temporary driveway procedure: 1) Impact of water flow 2) \$500.00 deposit to VOBC with promise to remove driveway or convert to permanent driveway 3) set number of days to restore to way it was or convert to permanent driveway 4) rock or any temporary material must be 6" below edge of road 5) if rock used, must be relatively large rock Council agrees for Commissioner Burns to study this and work on including temporary driveway within the new Driveway Culvert Ordinance.

C. Discussion and possible action regarding amending Subdivision Ordinance #1501619.001 to include enforcing plugging of a well in future subdivision requests. (Upham)

Council tables item as they are waiting on legal counsel.

D. Discussion and possible action regarding changing the Prosperity Bank VOBC Money Market account to a greater interest-bearing account with Prosperity Bank.

City Secretary spoke to Prosperity Bank and it's easy to switch the current VOBC money market account into another account insured by FDIC yielding more interest. There are two accounts to choose from: 1) Prosperity Business Money market; Minimum balance \$2,500.00 or \$10.00 monthly fee. interest .45%- flat rate 2) Business Premier Money Market; Minimum balance \$10,000.00 or \$20.00 monthly fee. Interest .45%-tiered rate. Council discusses. Mayor Upham makes motion to change the current VOBC Money Market to option 1) Prosperity Business Money Market account at the City Secretaries earliest convenience. Commissioner Brushwood seconds. Motion is approved unanimously.

E. Discussion and possible action regarding city policy for construction of security parcel delivery boxes in Right of Way due to the increasing theft of deliveries. (Upham)

Mayor Upham had a resident inquire about VOBC's policy for installing security mail box and/or parcel delivery box in Right of Way. Less than a handful residents have installed security mail box and/or delivery box's in the Right of Way. Many homeowners have delivery receptacles on their property (not in Right of Way); so, packages aren't left in plain sight. However, with mail and package theft on the rise, more likely residents will want to install security mail box in Right of Way. Council has general discussion and agree security mail box should be installed against property line and not more than 4' before the road. Commissioner Brushwood will discuss with legal counsel and return with recommendations.

8) Old Business

Mayor Upham moved to take Old Business 8.C out of order and open for discussion.

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

Glen Ragan, Driveway Permit Authority, is in attendance and presented council with these changes:

- Inspection not required. ATS inspectors removed from driveway permit authority. We have problems with people not applying for permits, but people who apply have always build what they were supposed to. The inspection is a hassle for residents and hasn't helped compliance, think this in an area where we can simplify.
- Since application fee is used to fund the inspection, and not there is no inspection, reduce the application fee from \$60.00 to \$20.00. I'd be fine with no fee at all, which would further simplify the application process.
- Electronic sending/receiving of driveway permits and applications is allowed.
- Culvert sizes are basically up to my judgement now (or anyone else that would be on the Driveway Permit Authority) I will refer to the drainage plan and topographical map to decide on culvert sizes, but since sometimes the drainage plan size relies on non-existent ditch, and the drainage plan attempts to route all storm water in the Right of Way, in many places it has unnecessarily large culvers specified.
- Provide correct URL to the ordinance. Motion to approve may need to include permission for Kathryn to fill in the URL.

Ragan pointed out known deficiencies:

- Legal Counsel review of ordinance language replacing existing ordinance and ordinance number.

Mayor Upham expressed concern if we don't inspect post permitting and what's installed is different than what was approved; it could be difficult for homeowner to correct. Discussed possibility of requiring a deposit and once the driveway/culvert is installed and approved, then the deposit is refunded. Ragan said inspection isn't needed on gravel driveway; but would be required on concrete or asphalt driveway. Recommends deposit \$1,000.00 asphalt driveway and \$2,000.00 concrete driveway. Council has general discussion. Commissioner Burns to request legal counsel review and get back with Council.

A. Discussion and possible action Village of Bear Creek roads and Right of Way. Including but not limited to TX DOT work on FM1826.

Mayor Upham stated in regard to corrections to FM1826 project TX DOT should be starting the project at entrances soon. TX DOT will divert traffic to one lane. Yes, implication is work will be to correct drainage pipes at entrances and install right turn lane onto N Madrone Trl..

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

Commissioner Brushwood informed council the automated digital speed sign is operational. Tom Ardis is in Italy for a month, when he returns Brushwood will get his assistance to transfer the data.

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

Discussed earlier in the meeting.

9) Announcements

A. Next VOBC Commissioners Meeting is scheduled for Monday, July 16 2018 7:00 PM

10) Adjournment

The meeting adjourned at 8:52 PM

At 8:55 PM Mayor Upham re-opens the meeting and Old Business #8.A

A. Discussion and possible action Village of Bear Creek roads and Right of Way. Including but not limited to TX DOT work on FM1826.

Mayor Upham would like council to consider mowing the Right of Way and weed whacking around mailboxes. Wild flowers have gone to seed and it's a good idea to mow before the July 4th holiday and fireworks. Mayor Upham makes motion to approve Right of Way mowing and weed whacking not to exceed \$1000.00. Commissioner Burns seconds. Discussion: Commissioner Brushwood requests we include in work order minor Right of Way clearing on N Madrone Trl. Brushwood said it's minor, shouldn't take much time. He can show contractor where the clearing is needed. Commissioner Brushwood amends motion to approve Right of Way mowing and weed whacking not to exceed \$1,000.00 and ROW clearing not to exceed \$150.00. Mayor Upham seconds. Motion is

approved unanimously.

Adjournment

The meeting adjourned at 9:00 PM

Submitted on July 14, 2018 by Kathryn Rosenbluth.

Approved on July 16, 2018

Kathryn Rosenbluth

By _____
Kathryn Rosenbluth, City Secretary