

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
October 15, 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.

Residents are in attendance to discuss Old Business #8.B.

4) Approval of Minutes from September 17, 2018 Commissioners Meeting.

Item tabled. September 17, 2018 Minutes are not available.

5) Discussion and possible action in regards to reviewing 2018 – 2019 budget and actual expenditures.

Item tabled. City Secretary states the 2018-2019 budget vs actual expenditures is not available. And confirms all items on the consent agenda are included in the VOBC 10/1/2018 – 9/30/2019 budget.

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 Texas Municipal League \$563.00 for annual membership dues. Invoice dated 9/7/2018.**
- B. Approve payment to Knight Law Firm \$90.00 for August 2018. Invoice dated 9/28/18.**
- C. Approve payment to Jeff Raffaele \$1,000.00 for mowing ROW. Invoice dated 10/1/18.**
- D. Approve reimbursement to Kathryn Rosenbluth \$129.49 for annual renewal of VOBC domain (domain name \$114.49 and domain registration \$15.00)**
- E. Approve annual contribution to Driftwood Volunteer Fire Department \$250.00**

for use of their community meeting room.

F. Approve payment to Postal Annex \$252.00 for annual mailbox renewal.

Invoice dated 10/10/18.

Commissioner Brushwood requests an explanation of #6.B. Mayor Upham explains \$90.00 attorney invoice is related to discussion he had with Legal Counsel regarding November 6, 2018 election procedures. Commissioner Brushwood makes motion to pay bills as presented in the consent agenda. Commissioner Burns seconds. Motion is approved unanimously.

7) New Business

A. Discussion and possible action regarding Texas Disposal Systems contract annual rate adjustment effective December 1,2018.

Mayor Upham shares with council we received TDS notice; in accordance VOBC/TDS Contract as of December 1, 2018 the monthly charge (invoiced quarterly) increases to \$20.63 per month. Upham reminds council monthly service fee increases to a fixed amount annually, rather than annual increase being tied to the consumer price index.

Year 1	12/1/2017	\$20.26
Year 2	12/1/2018	\$20.63
Year 3	12/1/2019	\$21.00
Year 4	12/1/2020	\$21.38
Year 5	12/1/20212	\$21.76

8) Old Business

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

Mayor Upham asked Brian Huntsinger with Volkert Engineering to drive through the Village and look at the roads. Brian reports that from what he could see and the pictures the Mayor provided, what we're seeing is nothing concerning. The chip seal is intended to protect the roadway for 5 – 6 years and the work done October 2017 will accomplish this. He recommends council get a discussion going for planning for another project in about 5 years from now (2023). At that time, if affordable, go with a thin hot mix overlay treatment.

Mayor spoke to Johnny with Texas Road Repair, as soon as he's available he'll work on removing the lip at both N Madrone Trl and Bear Creek entrances to FM 1826.

Commissioner Brushwood comments that the recent TX DOT work on west side FM1826 Right of Way approaching N Madrone Trl left a large hump of dirt and rock in the Right of

Way. The hump impedes your vision when turning left from N Madrone Trl on to FM1826. Suggests we notify TX DOT and request they remove the large hump in addition to the white traffic markers at both entrances.

B. Discussion and possible action to improve Right of Way ditch flow on permitted concrete driveway at 8501 Bear Creek Dr. (Upham)

Mayor Upham provides a recap: owners were permitted a dip style driveway; which they installed. Partly due to them and partly due to pre-existing condition water didn't have far to go, couldn't get to the culvert. We had an abundance of rain which caused the top soil to erode. Property owner, builder and VOBC working together to fix the issue. For VOBC's part we have contracted to hand dig the ditch, starting at culvert and work it toward vacant lot. Owner will work on preventing soil erosion on lot and continue maintenance of culvert and driveway.

C. Discussion and possible action to make Texas Disposal Service the sole provider of roll-off construction trash removal and port-o-cans.

Mayor Upham said TDS would consider an exclusive agreement for Roll-Off's and Port-O-Cans. If VOBC executes an exclusive agreement with TDS it would be VOBC's responsibility to notify other vendors. A possibility we could request BCOPOA to notify property owners of the exclusive agreement when issued building permit.

D. Discussion and possible action regarding VOBC policy for construction of security parcel delivery boxes in Right of Way. (Brushwood)

Commissioner Brushwood provided Legal Counsel with the VOBC Right of Way Ordinance and suggested adding verbiage to specify mailbox placement and package delivery receptacle placement. Commissioner Brushwood recommended: "Mailboxes allowed within the ROW without a permit and must be installed in a manner to minimize any traffic hazard and drainage issues. Property owners should consult their local post office for postal standards for installation regarding height and distance from road. Package Delivery Receptacles are allowed within the ROW without a permit and shall not intrude further than four feet into the ROW from the property/fence line, nor shall they create drainage issues." Brushwood added he'd want the Ordinance to have verbiage stating any damage to individual mailbox or package delivery receptacles resides solely with property owner and not the VOBC.

Council discusses the issue of allowing packages delivery receptacles in ROW, and how that could create a safety hazard. Dola Price brought up the possibility of not placing package delivery receptacles in ROW, maybe they could be on the owner's property line. This would allow easy access for owner and deliveries but release city liability as structure would not be in ROW. This idea is feasible except for the Deed Restrictions prohibit structural improvements within 75 feet of property line and road. Maybe BCOPOA would work with us on this? Dola said she would ask BCOPOA board members for their opinion.

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

Commissioner Brushwood relocated the digital speed limit warning sign to S Madrone Trail. It's capturing data from incoming traffic. He needs different type of hardware to attach the Speed limit sign to the pole in order to capture outgoing traffic.

F. Discussion and possible action to change the Minimum Driveway Standards. Including but not limited to procedures for temporary driveway requests. (Burns)

Commissioner Burns provided Legal Counsel information on existing minimum driveway standards, permit process and proposed changes. He's waiting for feedback.

9) Announcements

A. Next VOBC Commissioners Meeting is scheduled for Monday, November 12, 2018 7:00 PM.

10) Adjournment

The meeting adjourned at 8:06 PM

Submitted on November 11, 2018 by Kathryn Rosenbluth.

Approved on November 12, 2018

Kathryn Rosenbluth

By _____
Kathryn Rosenbluth, City Secretary