

**Village of Volente Regular Council Meeting,  
Tuesday, July 21, 2009, 7:00 P.M.  
VVFD and Community Center, 15406 FM 2769, Volente, Texas.**

**A. Call to order and Announce a Quorum is Present.** Meeting called to order at 7:00 P.M. Present were Jan Yenawine, Chris Wilder, Mark Scott, Matthew Hammond, Fred Graber and Justine Blackmore-Hlista. Attorney Tom Buckle and Engineer David Simons were also present.

**B. PLEDGE TO THE FLAG** and reading of Village Vision Statement:  
Mayor Yenawine led the Pledge and read the Vision Statement.

**C. VISTOR/CITIZENS FORUM:** Brian Nasky, of Lime Creek RD, asked that the mowing be done along Lime Creek Rd ROW due to the fire danger. He also asked that Council consider putting a moratorium on any new wells and to start mandatory water restrictions.

Travis Hollman, developer for Isle Estates asked that Council look at the Village's sign ordinance, that it makes it difficult to sell property if he can't put a sign out.

**D. REGULAR AGENDA:**

1. Receive and review audit report for FY 2007 and FY 2008 from Auditor Keith Neffendorf of Neffendorf, Knopp, Doss and Company. Mr. Neffendorf reviewed the audit report with Council and stated the Village needs to adopt an investment policy. Also stated he would assist with setting up new chart of accounts for the next fiscal year.
2. Discussion and possible action on the financial report and balance sheet. No action taken. Question on code / consultant line item.
3. Recommendations from the Planning and Zoning meeting of July 8, 2009.
  - a. Variance Request for Susan Foster Eng, 8212 West DR. Allison Thrash reported that there was much discussion between the Applicant's Engineer and Village Representatives, with the end result being that the Applicant Engineer would revisit possible options with Pedernales Electric Cooperative personnel. The goals as expressed by the Commission to the Applicant Engineer were (1) find a way to get the transformer on the ground, or more importantly (2) find a way to accomplish the needs of the Applicant without requiring additional new utility poles. Application was denied as submitted.

b. Final Plat for Isle Estates. P&Z recommended approval with conditions *recommended that the Village of Volente Council be strict in their acceptance of the public improvements indicated in the Final Plat. Further, it is recommended that the Village of Volente Council not even think about accepting the Final Plat until all requirements concerning Council's acceptance of the public improvements are met to the fullest extent possible and to the fullest satisfaction of the Village.*

c. Amending Site Development and Water Quality Ordinance. Allison Thrash gave recommendations from P&Z to amend to amend site development ordinance Sec 33.339(d) (2) *Spoils that remain on the site at the expiration of the site development permit are subject to removal by the Village at the owner's expense. The maximum height of temporary spoils piles shall not exceed 10 feet.*

Water Quality Ordinance Section 32.117:

Temporary and Final Stabilization of Disturbed Areas: *All disturbed areas of the project site, including stockpiles, on which construction activities have temporarily ceased shall be stabilized with vegetation or by other methods approved by the Village unless construction activities at that location with resume within 21 days of cessation. Disturbed areas of the project site where construction activities have permanently ceased shall be stabilized within 14 days according to the approved final stabilization plan for the site.*

Water Quality Ordinance Section 32.136(d):

*The terms of the fiscal security shall be at least one year longer than the term of the development permit.*

d. Progress report on Comprehensive Plan. Allison Thrash reported that P&Z were focusing on updating the village's base maps and simpler format of the comprehensive plan.

4. Discussion and possible action on a variance request from Aaron Pesek representing Susan foster Eng, 8212 West Drive, from the site Development Ordinance, Sec. 33.349 electric Cable, Telephone and Telecommunications Utilities. Requesting addition of a new utility pole. Justine Blackmore-Hlista made a motion to table this item as the applicant has not been able to meet with PEC yet. Chris Wilder seconded. All agreed. Item Tabled.
5. Discussion and possible action to accept the public improvements for the Isle Estates Subdivision. Much discussion ensued regarding the stock pile of rocks and dirt that was spread on several of the lots. Matthew Hammond made a motion to accept the public improvements contingent that \$10,000 security bond be submitted to guarantee that the improvements are completed within 30 days from today's date. (July 21, 2009). Mark Scott seconded. All agreed. Justine Blackmore-Hlista made a motion that after platting, any lots not in compliance a notice will be filed with the public records. Matthew Hammonds seconded and all agreed.
6. Discussion and possible action on the Final Plat of Isle Estates. Engineer Aaron Pesek for developer Travis Hollman. Chris Wilder made a motion to accept the final plat contingent upon the receipt of the \$10, 000 as discussed in item # 5. Matthew Hammond seconded and all agreed
7. Discussion and possible action to amend the Site Development Ordinance Sec. 33.339 (d) (2). Justine Blackmore-Hlista made a motion to accept the recommendation from P&Z with the exception to change the maximum height of stock piles from ten foot (10') to eight foot (8'). Matthew Hammond seconded and all agreed.

8. Discussion and possible action to amend the Water Quality ordinance Sec. 32.117 (g) and Sec. 32.116 (d). Justine made a motion to accept the recommendation from P& Z to amend with Matthew Hammond seconding. All agreed. Brian Nasky asked if this applies to existing or only new development. It applies to existing and new.
9. Discussion and possible action to implement a contract with Volente Fire Department for consulting, regulations and enforcement. Mark Scott made a motion to accept the contract with the amendment to add a termination date of one year and a thirty day cancel notice without cause. Chris Wilder seconded. All agreed.
10. Discussion and possible action to amend the fee ordinance to include the fees for contracting with the Volente Fire Dept. Justine Blackmore-Hlista made a motion to amend the fee ordinance to include the fees in the contract for the Fire Department consulting. Matthew Hammond seconded. All agreed. Will have amendment next meeting.
11. Discussion and possible action on the proposed engineering contract for Debbie and Davy Streets. Matthew Hammond made a motion to accept the contract with Geo Solution and to request that they do an additional bid to include the drainage plans that Jay Engineering provided for the Village. Justine Blackmore-Hlista seconded. All agreed. The contract is for Debbie and West streets.
12. Discussion on recent BCRUA activity. Discussion ensued regarding letters that property owners received from a Lockwood, Andrews and Newman, Inc, representing the BCRUA. Attorney Tom Buckle suggested that property owners should respond, LAN has the right to enter property but property owners do not have to grant permission. LAN then will have to start condemnation proceedings.
13. Discussions regarding the enforcement of the no parking tow away signs that were installed on Wharf Cove and Lime Creek Rd. Mayor Yenawine reported that the No Parking, Tow away signs seem to be working.
14. Discussion and possible action to select a mayor pro tem. Fred Graber made a motion to continue with Justine Blackmore-Hlista as Mayor Pro Tem. Matthew Hammond seconded. All agreed.

#### **H. CONSENT AGENDA**

15. Minutes of the June 16, 2009 and July 7, 2009 Council Meetings. Justine Blackmore\_Hlista made a motion to approve the minutes of June 16 with the correction of item # 12 eliminating the second Council member listed for the committees. Chris Wilder seconded. All agreed.

Justine Blackmore-Hlista made motion to approve the minutes of July 7, 2009 with Matthew Hammond seconding. All agreed. Minutes approved.

16. Future meetings and agenda items. Next regular meeting will be August 18, 2009. Special called meeting scheduled for July 24, 2009 at 7:00 AM.

17. **ADJOURN.** Justine Blackmore-Hlista made a motion to adjourn with Chris Wilder seconding. All agreed. Meeting adjourned at 10:30 P.M.

PASSED AND APPROVED THIS \_\_\_DAY OF AUGUST, 2009

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Jan Yenawine, Mayor

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Jennifer Zufelt, City Secretary