

**Notice of the Village of Volente Regular Council Meeting,  
Tuesday, February 16, 2010, 7:00 P.M.  
VVFD and Community Center, 15406 FM 2769, Volente, Texas.**

Notice is hereby given that the Village Council of the Village of Volente will hold a Regular Meeting at 7:00 P.M., Tuesday, the 16th day of February, 2010, at the VVFD & Community Center, 15406 FM 2769, Volente, Texas, at which time the following items will be discussed. To –wit:

A quorum of the Planning & Zoning Commission and the Board of Adjustments may be present.

- 1. Call to order and Announce a Quorum is Present.**
- 2. PLEDGE TO THE FLAG** and reading of Village Vision Statement:  
Mayor Yenawine
- 3. VISTOR/CITIZENS FORUM:** \_At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. Three (3) minute time limit.
- 4. Update from Pedernales representative Sonny Ponce.**
- 5. Discussion and possible action to appoint Ken Beck to the Planning and Zoning Commission.**
- 6. Discussion and recommendations from the Planning & Zoning Commission.**
- 7. Discussion and possible action regarding letter from Booth Circle Residents regarding animal control. (Chris Wilder)**
  - a. Report
  - b. Citizen participation
  - c. Council discussion
- 8. Discussion and possible action to appoint a committee for animal control.**
  - a. Report
  - b. Citizen participation
  - c. Council discussion
- 9. Discussion regarding Municipal Court. ( Chris Wilder)**
  - a. Report
  - b. Citizen participation
  - c. Council Discussion
- 10. Discussion and possible action regarding the road repair work for Debbie and West Dr. (Matthew Hammond)**
  - a. Report
  - b. Citizen participation
  - c. Council discussion
- 11. Review and possible action of the survey report regarding moving of the traffic signal at intersection of Wharf Cove and Lime Creek Road.**
  - a. Report
  - b. Citizen participation
  - c. Council discussion
- 12. Discussion and possible action to approve an ordinance adopting the 2009 Editions of the International Building Code, International Residential Code**

**for One- and Two-family Dwellings, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, International Fire Code.**

- a. Citizen Participation
- b. Council discussion

**13. Discussion and update regarding the Energy Efficiency and Conservation Block Grant (EECBG) (Chris Wilder)**

**14. Discussion and update regarding rerouting of utilities within the Village.**  
(Chris Wilder)

**15. Discussion and possible action on update from consultant regarding coalition and lobbying efforts on behalf of Lake Travis and Volente.**

- a. Report
- b. Citizen participation
- c. Council Discussion

**16. Financial Report (Mark Scott)**

**17. Approval of Minutes: January 19, 2010**

**18. Discussion and possible action to authorize the Mayor to sign the TML Interlocal.**

**19. Future Meetings and agenda items**

Kelly Conrad Bender  
Urban Wildlife Biologist, Central Texas  
Texas Parks and Wildlife Dept.

**20. Adjourn**

If you have questions or comments, please contact the Village Office at (512) 250- 2075.

*The Village of Volente reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any enforcement of the matters listed above, as authorized by Texas Government Code Sections 551.071 ( Consultation with Attorney), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).*

The Village of Volente is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the Village Office at (512) 250- 2075 at least 48 hours in advance.

I certify that a copy of the \_\_\_\_\_, agenda of items to be considered by the Council of the Village of Volente was posted on the Village Office Window on \_\_\_\_\_.

\_\_\_\_\_  
Jennifer Zufelt, City Secretary

I certify that the attached notice and agenda of items to be considered by the Village Council was removed by me from the Village Office window on \_\_\_\_ day of \_\_\_\_\_, 2010 Jennifer Zufelt, City Secretary \_\_\_\_\_

# **Volente Vision Statement**

*We the Citizens of the Village of Volente believe in:*

- Civic Pride
- Environmental Awareness
- Minimal Government
- Diversity and Friendship
- Privacy and Individuality

*We are dedicated to remaining united and working together as friends, neighbors, and citizens for the protection and preservation of the natural beauty and uniqueness of our country Village and family way of life.*

*We will endeavor to protect the quality of life for future generations and ourselves. We envision a cohesive lakeside Village that promotes harmony and diversity of community, inclusive of all socio-economic strata and age groups. We will protect our environment and ensure responsible and appropriate land use. We will keep our right to remain private in our daily lives, but at the same time promote civic pride and sense of community.*

*We believe in minimal government regulation and taxation. As empowered citizens we will constructively participate in, question, and oversee our elected government. We understand the community will be provided to protect this vision and our core values.*

**Village of Volente  
Application for Consideration**

Name: Ken Beck \_\_\_\_\_

Address: 15911 Booth Circle, Volente, Texas 78641

Home Phone: 512-331-0298 Alternate Phone: 512-917-5188

E-Mail kbeck@thecrossingsaustin.com

Do you live inside the City Limits? Yes  X  No \_\_\_\_\_

Are you registered to vote in Travis County? Yes  X  No \_\_\_\_\_

Are you a US Citizen? Yes  X  No \_\_\_\_\_

Are you 18 years of age or older? Yes  X  No \_\_\_\_\_

Has a final judgment been entered finding you totally mentally incapacitated; or partially mentally incapacitated without the right to vote? Yes \_\_\_\_\_ No  X

Have you been convicted of a felony? Yes \_\_\_\_\_ No  X

Have you lived inside the City Limits for over 6 months and the State for over 12 months?

Yes  X  No \_\_\_\_\_

**Please describe applicable experience (including work and volunteer experience), and why you want to serve on the Village Council.**

I have served and continue to serve as President of the Volente Neighborhood Association. I did serve for five years on the board of a municipal utility district. I am very interested in serving on the Planning and Zoning committee.

Signature \_\_\_\_\_ Date:  Jan. 19<sup>th</sup>, 2010

**Step 1:** Fill Out This Application

**Step 2:** Attach a cover letter or resume

**Step 3:** Drop by office, mail or fax the application and letter of interest or resume to 512-250-2075

If you have any questions please call Jennifer Zufelt at (512) 250-2075.

# Village of Volente Boards & Commissions Application

Please check appropriate boxes. If applying for more than one board, please use numbers to rank your board preference using # 1 as your first choice, # 2 as second choice, etc.

- Board of Adjustments Committee
- Planning and Zoning Commission

## PERSONAL INFORMATION

Name: KEN BECK  
Home Address: 15911 BOOTH CIR.  
City: VOLENTE  
Home Phone: 331-0298  
Cell Phone: 917-5188  
Email Address: kbeck@thecrossings  
austin.com  
Do you live inside the Village of Volente Limits  
 Yes 14 years  No

## OCCUPATIONAL INFORMATION

Business Name: THE CROSSINGS  
Occupation: CO-FOUNDER  
Address: 13500 FM 2769  
City: AUSTIN  
Phone: 512-225-1075  
Business Owner  Yes  No

Additional Information Very involved in formation of VOA  
Very involved in identifying and getting  
BCRUA!

List experience, training, skills or interests you believe qualify you for membership on this Board or Commission. Please use back of Application if additional space needed.

President of VNA for 6 years  
Member of MUD board for 5 years

Current Board Member  Yes  No

Serving On: Governing board of Academy of Oriental Medicine Austin

Signature Kenneth A Beck Date 1/19/10

Submit applications with a resume and letter of interest to:

Jennifer Zufelt, City Secretary  
15403 Hill Street  
Volente, Texas 78641  
512-250-2075  
email: Volente@sbcglobal.net

# **Village of Volente**

## **PLANNING AND ZONING COMMISSION ESTABLISHMENT ORDINANCE NO. 040720**

**AN ORDINANCE OF THE VILLAGE OF VOLENTE, TEXAS, ESTABLISHING THE PLANNING AND ZONING COMMISSION AND RULES GOVERNING THEIR PROCEDURES AND MEETINGS AND PROVIDING FOR THE FOLLOWING: PURPOSE; MEMBERSHIP AND APPOINTMENT; APPOINTMENT OF CHAIR AND VICE-CHAIR; TERMS OF OFFICE; FILLING OF VACANCIES; REMOVAL OF COMMISSIONERS; MOTIONS AT MEETINGS; DISQUALIFICATION FROM VOTING; RULES OF PROCEDURE; DUTIES AND POWERS; CONFLICTING PROVISIONS; SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS,** the Village of Volente (“Volente”) is a newly-created governmental entity that was incorporated pursuant to the laws of the State of Texas as a Type B General-Law Municipality following an election held on February 1, 2003; and

**WHEREAS,** the City Council of Volente (“Council”) has actively been studying and evaluating the impact of development; documenting development at the time of incorporation; and considering regulations that seek to provide for the orderly and safe development of land and use of property within its Village limits (i.e. incorporated municipal boundary) and to avoid development that may constitute a public nuisance, impose an unreasonable burden on public infrastructure, or unreasonably disturb and devalue adjoining properties; and

**WHEREAS,** the Council seeks to preserve the health, safety and general welfare of the community by enacting comprehensive development, subdivision and zoning regulations that provide for orderly growth, insure that the impact of development has an acceptable impact on the distinctive character of the community and preserve the cultural and aesthetic character of the Village; and

**WHEREAS,** the Council seeks to promote a positive Village image reflecting order, harmony and pride, thereby strengthening the economic stability of the Village’s commercial, cultural, environmental, historical, residential and scenic areas; and

**WHEREAS,** the Council has finds it to be in the best interest of the public safety, health and general welfare of the Village to regulate the use and development of land so to preserve the quality of life for Village residents, prohibit overcrowding, reduce strain on infrastructure, and prevent the loss of historical and ecological resources; and

**WHEREAS,** the Village Council is expressly authorized by the Texas Standard Zoning Enabling Act, Texas Local Government Code, Chapter 212, to adopt zoning regulations and appoint a Planning and Zoning Commission.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE VILLAGE OF VOLENTE, TEXAS: THAT THE FOLLOWING RULES SHALL ESTABLISH, REGULATE AND GOVERN THE PLANNING AND ZONING COMMISSION FOR THE VILLAGE OF VOLENTE, TEXAS.**

**SECTION 1. Purpose.**

A Planning and Zoning Commission is created to accomplish the following purposes:

(A) To identify community needs and advise the Council of their short-range and long-range implications for the total development of the Village;

(B) To recommend achievable community goals as a basis for long-range planning and development programs;

(C) To recommend plans, programs, and policies that will aid the entire community in achieving its defined goals;

(D) To recommend to the Village Council the adoption, amendment and repeal of various provisions in the Village Master or Comprehensive Plan;

(E) To interpret the adopted plans and programs to concerned citizens so that private activities and desires may be accomplished in harmony with public needs and policies;

(F) To recommend to the Village Council the adoption, modification and repeal of provisions in the Village's zoning ordinances;

(G) To recommend to the Village Council the initial and changes to the zoning of the various parcels of land in the Village;

(H) To recommend to the Village Council the adoption, modification and repeal of provisions in the Village's subdivision ordinances;

(I) To recommend to the Village Council the approval, approval with modification or rejection of various applications for subdivision and re-subdivision of land within the Village.

(J) To recommend to the Village Council the provisions for such other ordinances as from time to time may be requested by the Village Council.

**SECTION 2. Membership and Appointment.**

The Planning and Zoning Commission shall be composed of five (5) qualified voters who reside in the Village. The Village Council will consider for appointment to the Commission those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, interest in planning and zoning, and availability to attend meetings. The Village Council shall strive to appoint members who, by reason of their occupations and the areas of the Village in which they reside, will be broadly representative of the community.

**SECTION 3. Appointment of Chair and Vice-Chair.**

The Mayor with the approval of the Village Council shall appoint the Chair and Vice-Chair.

**SECTION 4. Terms of Office; Filling of Vacancies.**

The terms of two of the members shall expire on January 1st of each odd-numbered year and the terms of three of the members shall expire on January 1st of even-numbered years. Place numbers one through five shall identify the members of the Commission. Commission members may be appointed to successive terms. A member of the Commission shall serve until his or her successor is appointed and installed. The Village Council shall fill vacancies for the uncompleted term of any vacant position. Newly appointed members shall be installed at the first regular commission meeting after their appointment.

**SECTION 5. Removal of Commissioners.**

The Village Council may by majority vote remove a Commissioner for lack of confidence, incompetence, corruption, misconduct, or malfeasance. Any Commissioner who misses three (3) consecutive meetings within a twelve (12) month time period or one-third (1/3) of all regular meetings shall be deemed to have automatically vacated his/her position on the Commission. This section shall not apply to a Commissioner who applied for and received an excused absence from the Commission chairperson prior to the meeting(s) at issue. Any Commissioner who no longer resides within the corporate boundaries is deemed to have automatically vacated his/her position on the Commission.

**SECTION 6. Motions at Meetings.**

(A) A motion may be made by any member other than the presiding officer. The presiding officer may second a motion and may vote on all matters considered by the Commission.

(B) A motion to approve any matter before the Commission or to recommend approval of any request requiring Village Council action shall require a majority vote of the members present and voting.

**SECTION 7. Disqualification from Voting.**

A member shall disqualify himself/herself from voting whenever the member has a personal or monetary interest in a matter before the Commission that is substantially different from the interest of the other citizens of the Village, or if the value of the member's property will be affected in a substantially different manner than other properties within the Village.

**SECTION 8. Rules of Procedure.**

(A) Organization and officers.

(1) Officers.

(a) In the absence of both the Chair and Vice-Chair, the Commission shall elect an Acting Chair.

(b) The Village Secretary shall be custodian of the minutes and other official records, shall attend to the correspondence of the Commission and shall cause to be given such notices as are required and in the manner prescribed by law.

(2) Rules of Order. Roberts Rules of Order, as amended, shall be the Commission's final authority on all questions of procedure and parliamentary law not covered by these Rules of Procedure.

(B) Meetings

(1) Quorum. A quorum shall consist of three members.

(2) Agenda. The Village Secretary shall prepare an agenda for each meeting of the Commission, and shall attach to each agenda a report of matters pending further action by the Commission. The Village Secretary shall post a copy of the agenda in the Village Hall as required by law for a period of three full calendar days, not counting the day of posting, but which may count the day of the meeting.

(3) Regular Meetings. The Commission shall conduct regular meetings once a month at a time and place determined by resolution adopted by the Commission. The initial meeting of the Commission shall be called by the Village Council.

(4) Special Meetings. Special meetings for any purpose may be held: on the call of the Chair, or on request of two or more members and by giving written notice to all members deposited in the mail at least 72 hours before the meeting, or as may be scheduled by a majority of the Commission at any previous meeting. The convening authority shall determine the time and place of the special meeting.

(5) Public meetings. Any party in interest may appear in his/her own behalf or be represented by council or agent.

(C) Official Records.

(1) Official Records. The official records shall be the minutes of the Commission, together with all findings, decisions and other official records of the Commission.

(2) Recording of Vote. The minutes of the Commission's proceedings shall show the vote of each member, or indicate a member's absence or failure to vote.

(3) Files-Retention. All matters coming before the Commission shall be filed in the Village's records. Original papers of all requests and proposals shall be retained as a part of the permanent record.

(4) Public Record. The official records and citizen requests filed for Commission action in regular or special meetings shall be on file in the Village Hall and shall be open to public inspection during customary working hours.

(D) Application Procedures.

(1) Written Request Required. Every proposal submitted for Commission action shall be made in writing. Where appropriate, the Village shall provide application forms. The

proposal shall be accompanied by all prescribed fees and shall be complete in all respects before the Village shall accept it for filing.

(2) Schedules and Instructions. Every proposal or request for Commission action or recommendation shall be filed, processed and considered in accordance with this section.

(3) Submission and Supporting Information. Information supporting a request or recommendation to approve or disapprove any proposal before the Commission shall be submitted through the Village Secretary in writing or to the Commission in public meeting.

(4) Withdrawal of Proposal. When any applicant desires to withdraw his or her proposal, he or she may do so by filing a written request with the Village Secretary. Such request shall be effective upon the date of its official receipt, provided, however, that no such request shall be valid after notices have been mailed, except on action of the Commission. Withdrawal of a proposal at any stage of its processing shall terminate all consideration of it by the Village, and the case file shall be closed.

#### **SECTION 9. Duties and Powers.**

The Planning and Zoning Commission is charged with the duty and invested with the authority to:

(A) Inspect property and premises at reasonable hours when required to discharge its responsibilities under the laws of the State and of the Village.

(B) Formulate and recommend to the Village Council for its adoption a comprehensive plan for the orderly growth and development of the Village and its environs, and from time to time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the Village.

(C) Formulate a zoning plan as may be deemed best to carry out the goals of the comprehensive plan; hold public hearings and make recommendations to the Village Council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in the Texas Local Government Code, as amended.

(D) Exercise all the powers of a commission as to the approval or disapproval of plans, plats, or replats and vacations of plans, plats or replats as provided in the Texas Local Government Code.

(E) Study and make recommendations on the location, extension, planning, vacating, and closing of public rights-of-way, parks and other public places.

(F) Formulate and recommend to the Village Council policies and regulations consistent with the adopted comprehensive plan governing the location and/or operation of utilities, public facilities, and services owned or under the control of the Village.

(G) Review and make recommendations concerning annexation of land into the Village.

**SECTION 10. Conflicting Provisions.**

In the case of any conflict between the other provisions of this Ordinance and any existing ordinance of the Village, the provisions of this Ordinance will control.

**SECTION 11. Severability.**

If any part of this ordinance, or the application of the same to any person, or set of circumstances is for any reason held to be unconstitutional, invalid, or unenforceable, the validity of the remaining portions of this ordinance shall not be affected thereby, this being the intent of the City Council in adopting this ordinance and all provisions of this ordinance are declared severable for that purpose.

**SECTION 12. Effective Date.**

This Ordinance shall become effective upon approval of the City Council.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE VILLAGE OF  
VOLENTE, TEXAS on this 20<sup>th</sup> day of July 2004.**

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Jan Yenawine, Mayor  
Village of Volente

Attest:

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Jennifer Zufelt, City Secretary

Approved to Form:

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Tom Buckle, City Attorney

## MEMORANDUM

**DATE** February 11, 2010  
**TO** VOV City Council  
**FROM** Planning & Zoning Commission  
**RE** Village of Volente P&Z Commission Status Report

Since there were no applications or materials ready to be placed on its Agenda, the Commission was unable to convene its Regular Called Meeting in February. Below is a Status Report of Commission-related activities.

**RE** the past Agenda Items **(a)** the request for a zoning change for Lots 3, 4 and 5 of Nicholson's Lake Travis Subdivision No. 1. Applicant is Black Rock Management requesting a change from R-1, Single Family Residential Zoning to C-2, Medium Commercial Zoning; and **(b)** the discussion and possible action on the submittal of a Concept Plan for 15401 FM 2769, Volente, TX, Lots 2, 3, 4 and 5, Nicholson's Lake Travis Subdivision No. 1, Travis County, TX.

As of this writing, it is our understanding that the Owner of the property where VJ's Café & Grocery once operated--Lot 2, 15401 FM 2769, Nicholson's Lake Travis Subdivision No. 1, Travis County, Texas--has discovered there are numerous unreleased Liens on the abutting Lots 3, 4 and 5 which will require an extensive amount of time and effort to have cleared. Therefore, it is our further understanding that the Owner of Lot 2 is evaluating his options for Lot 2 based on this new development.

**RE** the ordinance draft by our Village Engineer and Village Attorney that would define, create and add a needed Conditional Overlay District to the Village's current Zoning Districts List, it is our understanding that the draft has undergone extensive review and editing and it now ready for consideration by the Commission in its March meeting.

**RE** the Scope of Work language for inclusion in an RFP for a Comprehensive Plan Consultant to assist the Village in its update of the Village of Volente Comprehensive Plan, the Scope of Work language was provided to the Village Secretary on January 19, 2010. It is our further understanding that the Village Secretary has provided the RFP to possible interested parties, e.g., Richard Fraser, Carey Witt, Cat Smith, Fred Graber, Ron Patterson, Texas Municipal League, other Village Secretaries of similar-sized municipalities, etc.

**RE** a possible Variance Request sought by Greg Sparks, Owner of Lot 14, Lime Creek Road, on the hillside adjacent to the Daffron Property, it is our understanding that such a Variance Request related to the Village's Driveway regulations is expected to be ready for consideration by the Commission in its March meeting.

Respectfully submitted,  
Allison Thrash, Chair, Planning & Zoning Commission

2/1/10

January 31, 2010

T. L. Ashcraft  
15771 Booth Circle  
Volente, Texas 78641

Mayor Jan Yenawine  
Village of Volente  
15403 Hill Street  
Volente, Texas 78641

Dear Mayor Yenawine:

By this letter Dr. Robert and Cherry Raley, Joy Wristers and I are petitioning you and Village Council to address a problem of growing importance and urgency in the Village. On Friday, January 29, 2010 my wife, Joy Wristers, was harassed by two dogs and bitten by one of them while riding her bike on Booth Circle.

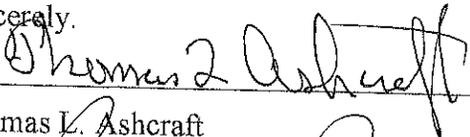
This was not the first incident of harassments and attacks by dogs roaming Booth Circle. Last February, Mrs. Cherry Raley reported a similar incident to the City Council. As far as we know, nothing has been done about that incident. I, too, have been harassed by dogs while walking on Booth Circle.

My wife reported the attack to the County Sheriff's Department that day and has since contacted several neighbors in an effort to locate the owner of the dogs without success. One fear, of course, is the possibility of rabies.

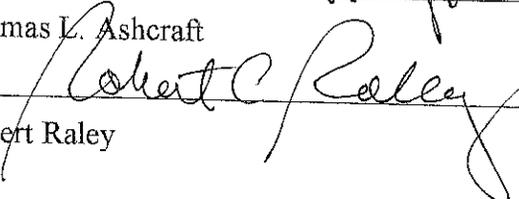
Volente is no longer an unconsolidated country village. It is an incorporated Village with ordinances and laws to protect its citizens. We have experienced rapid growth and increased population density during the past several years. It's our experience that the number of encounters between roaming dogs and the citizens in the Village who use public roads and areas is increasing. The Village needs a leash law to protect its citizens from such attacks!

It is time to act now! This letter is a formal request to be placed on the calendar for the next Council Meeting to bring this issue before the City Council. Please be aware that this is a matter of great concern to us.

Sincerely,



Thomas L. Ashcraft



Robert Raley

## Summary of Risk Interlocal Changes

- WHEREAS, the undersigned Employer Member represents that it is a Political Subdivision of *this state or of another state, that it is a "Local Government" qualified to enter into this Interlocal Agreement*, and that its governing body has acted by majority vote, at a duly called and posted public meeting, to authorize and participate in this Interlocal Agreement; and
  
- WHEREAS, the TML IEBP represents that it is a "*Local Government*" qualified to enter into this Interlocal Agreement pursuant to Chapter 791 of the Texas Government Code;
  
- 3. The Employer Member will adopt one or more of the TML IEBP Plans and make the payments and contributions set forth in the Schedule of Benefits. *The payments required to be made by the Employer Member shall be made at Austin, Travis County, Texas.* Interest, beginning the first day after the due date and continuing until paid, shall accrue at the maximum rate allowed by law on the balance of any payment or contribution not paid when due. All such payments and contributions shall be paid from then current revenues and be available for payment of eligible benefits and administrative expenses for all participating Employer Members. Supplemental benefits, including but not limited to dental, vision, life, Medicare Supplement and Long and Short Term Disability will not be offered separately from medical benefits.
  
- 8. The Employer Member hereby appoints the TML IEBP as its agent to act in all matters pertaining to the processing and handling of claims and agrees to cooperate fully and provide all information necessary. All decisions on individual claims shall be made by the TML IEBP *or by its contracted third party administrator.*
  
- 12. *To the extent authorized by law, the Employer Member* agrees to indemnify and hold harmless the TML IEBP for all claims, damages and expenses, including but not limited to attorney's fees and costs of court, arising out of acts or omissions of officers or Employees of the Employer Member in connection with the Plan. The Employer Member agrees to pay all such claims, damages, and expenses out of current revenues at the time the obligation is determined. In the event current revenues are inadequate to fund the obligation at the time it is determined, the Employer Member agrees to take the appropriate budgetary action sufficient to pay the obligation.

**TML Intergovernmental Employee Benefits Pool**

Austin, Texas

**INTERLOCAL AGREEMENT  
(RISK PARTICIPATING MEMBER)**

WHEREAS, the TML Intergovernmental Employee Benefits Pool, hereinafter referred to as TML IEBP, is a legal entity created by Political Subdivisions of the state and governed by trustees, and is the successor of the Texas Municipal League Group Benefits Risk Pool formerly operating under the name of the Texas Municipal League Insurance Trust Fund, which was established May 1, 1979; and

WHEREAS, the undersigned Employer Member represents that it is a Political Subdivision of this state or of another state, that it is a "Local Government" qualified to enter into this Interlocal Agreement, and that its governing body has acted by majority vote, at a duly called and posted public meeting, to authorize and participate in this Interlocal Agreement; and

WHEREAS, the undersigned Political Subdivision has examined all the facts and issues it deems relevant and determined that it is in the best interest of the Political Subdivision, its Employees, officials, and retirees and their dependents to enter into this Interlocal Agreement and to obtain one or more life, sick, accident, and other health benefits, as well as the related services, by becoming a member of the TML IEBP;

WHEREAS, the TML IEBP represents that it is a "Local Government" qualified to enter into this Interlocal Agreement pursuant to Chapter 791 of the Texas Government Code;

NOW, THEREFORE, in consideration of the covenants and agreements herein set forth, the undersigned Political Subdivision, together with other Political Subdivisions executing identical or substantially similar Interlocal Agreements, enters into this Interlocal Agreement for the purpose of providing certain benefits and related services for their Employees, officials, and retirees and their dependents. The benefits will be provided under the authority of the laws of the State of Texas including the Texas Political Subdivision Uniform Group Benefits Program (Chapter 172, Local Government Code), the Interlocal Cooperation Act (Chapter 791, Government Code) and the Texas Trust Code (Title 9, Subtitle B, Texas Property Code). The Employer Member hereby designates the TML IEBP as its instrumentality to administer the business and supervise the performance of the Interlocal Agreement and the operation of the risk pool. All money transferred by the Employer Member to the TML IEBP under this Interlocal Agreement, together with any other property which may become subject to this Interlocal Agreement, will be held in trust by the Board of Trustees of the TML IEBP for the benefit of the Employees, officials, and retirees and their dependents, of the Employer Members. The conditions of membership in the TML IEBP are agreed upon by and between the parties as set forth hereinafter.

1. When used in this Interlocal Agreement, the capitalized terms shall have the meanings specified in this paragraph unless the context clearly requires otherwise:

"Board of Trustees" or "Board" or "Trustees" means the trustees selected pursuant to the Trust Agreement Establishing the TML Intergovernmental Employee Benefits Pool to supervise the operation of the TML IEBP.

"Covered Participant" means a person who is eligible for coverage and who has enrolled in a Plan.

"Employee" means a person who works at least 20 hours a week for a Political Subdivision.

"Employer Member" means a Political Subdivision member of the TML IEBP that has executed the Interlocal Agreement.

"Interlocal Agreement" means the TML Intergovernmental Employee Benefits Pool Risk Participating Member Interlocal Agreement.

"Plan" or "Plans" mean the TML IEBP benefit plan(s) selected and adopted by the Employer Member.

"Political Subdivision" means any legal entity included within the definition of "political subdivision" in Chapter 172, Local Government Code, or Chapter 791, Government Code, or otherwise qualified as a political subdivision under Texas Law.

"Schedule of Benefits" means the document outlining the Plan benefits and contribution level of the Employer Member.

"TML IEBP" means the TML Intergovernmental Employee Benefits Pool.

2. The Employer Member agrees to be bound by this Interlocal Agreement, the Trust Agreement Establishing the TML Intergovernmental Employee Benefits Pool and all amendments thereto, and the Policies and Procedures established by the TML IEBP which collectively establish the conditions for membership in the TML IEBP.
3. The Employer Member will adopt one or more of the TML IEBP Plans and make the payments and contributions set forth in the Schedule of Benefits. The payments required to be made by the Employer Member shall be made at Austin, Travis County, Texas. Interest, beginning the first day after the due date and continuing until paid, shall accrue at the maximum rate allowed by law on the balance of any payment or contribution not paid when due. All such payments and contributions shall be paid from then current revenues and be available for payment of eligible benefits and administrative expenses for all participating Employer Members. Supplemental benefits, including but not limited to dental, vision, life, Medicare Supplement and Long and Short Term Disability will not be offered separately from medical benefits.
4. Except as may be otherwise specified in the TML IEBP Trust Agreement Establishing the TML Intergovernmental Employee Benefits Pool, as amended, this Interlocal Agreement may be terminated by either the Employer Member or the TML IEBP upon 30 days written notice which will become effective on the first day of the month following the 30 day notice. An Employer Member that withdraws from the TML IEBP may not withdraw amounts contributed to cover obligations incurred prior to such withdrawal. The TML IEBP may terminate this Interlocal Agreement for non-payment of a payment or contribution immediately upon delinquency as determined by the TML IEBP Policies and Procedures. In the event of a disagreement between an Employer Member and the TML IEBP regarding non-payment of a payment or contribution, the Employer Member may appeal to the Board. The decision of the Board on appeal is final. The TML IEBP may also terminate this Interlocal Agreement if the Employer Member fails to cooperate with claims agents or attorneys representing the TML IEBP or if the Employer Member takes any other action detrimental to the TML IEBP's ability to carry out its purposes in an efficient manner.
5. Every Employer Member shall furnish all the information the TML IEBP deems necessary and useful for the purposes of this Interlocal Agreement and shall abide by the Policies and Procedures adopted for the administration of the benefits Plans. The TML IEBP may amend the Policies and Procedures and Trust Agreement Establishing the TML Intergovernmental Employee Benefits Pool at anytime to the extent it deems advisable except that no amendment shall change

the purpose of the TML IEBP. The TML IEBP may employ and contract with a third party administrator.

6. The TML IEBP may purchase excess loss coverage or reinsurance as provided in Chapter 172, Local Government Code, and all Employer Members are subject to the terms and conditions of any such excess loss coverage or reinsurance agreement.
7. Each Employer Member will designate and appoint a person of department head rank or above to be the Employer Member's Coordinator with the TML IEBP and agrees that the TML IEBP shall not be required to contact or provide notices to any other person. Further, any notice to or agreement by an Employer Member's Coordinator with respect to services or claims hereunder shall be binding on the Employer Member. The Employer Member reserves the right to change the Coordinator from time to time by giving written notice to the TML IEBP.
8. The Employer Member hereby appoints the TML IEBP as its agent to act in all matters pertaining to the processing and handling of claims and agrees to cooperate fully and provide all information necessary. All decisions on individual claims shall be made by the TML IEBP or by its contracted third party administrator.
9. The TML IEBP shall be audited annually by an independent certified public accountant, and the audit shall be filed as required by the laws of the State of Texas including, but not limited to Chapter 172 of the Local Government Code. A summary financial report will be provided to each Employer Member upon request.
10. All monies available for investment shall be invested by the TML IEBP in compliance with the Public Funds Investment Act of 1987 (TEX. GOV'T CODE. ANN. Sec. 2256.001, et seq.) or the Texas Trust Code (Subtitle B, Title 9, Property Code).
11. Each Employer Member, as Plan Administrator, retains the right, duties and privileges of the Plan Administrator and acknowledges it has responsibility for compliance with the state and federal laws applicable to employee benefits. For purposes of delivery of any Continuation of Coverage notices, TML IEBP is not the Group Administrator for any Employer Member unless and until a separate contract for administration of Continuation of Coverage is entered into between TML IEBP and that Employer Member.
12. To the extent authorized by law, the Employer Member agrees to indemnify and hold harmless the TML IEBP for all claims, damages and expenses, including but not limited to attorney's fees and costs of court, arising out of acts or omissions of officers or Employees of the Employer Member in connection with the Plan. The Employer Member agrees to pay all such claims, damages, and expenses out of current revenues at the time the obligation is determined. In the event current revenues are inadequate to fund the obligation at the time it is determined, the Employer Member agrees to take the appropriate budgetary action sufficient to pay the obligation.
13. The Employer Member agrees that all conditions of coverage for the benefits provided shall be as specified in the Plan booklet/document furnished to the Employer Member by the TML IEBP. The Employer Member agrees that the Employees and the Board of Trustees of the TML IEBP and individuals and entities with whom the TML IEBP contract for staff functions may receive Plan benefits.
14. Each Employer Member acknowledges that some Plan benefits are provided in accordance with Chapter 172 of the Local Government Code. These benefits are not insurance and the TML IEBP is not an insurer under the Insurance Code or other laws of the state.

15. The Employer Member and the TML IEBP may contract for additional administrative services related to the Employer Member's employee benefit programs as long as the Employer Member is a full medical risk participating member of the TML IEBP.
16. The Employer Member agrees that no Covered Participant shall have any claim against the property of the trust. The rights of Covered Participants are limited to the benefits specified in the Plan.
17. The Employer Members desire to join together to purchase life insurance benefiting their Employees, officials, and retirees and their dependents. Therefore, the Employer Member authorizes the TML IEBP to purchase life insurance coverage insuring the lives of all Covered Participants under the Plan.
18. No bond is required of the Board of Trustees of the TML IEBP.
19. If any part of this Interlocal Agreement, save and except paragraph 3, is declared invalid, void or unenforceable, the remaining parts and provisions shall continue in full force and effect. It is further agreed that venue for any dispute arising under the terms of this Interlocal Agreement shall be in Austin, Travis County, Texas.
20. This Interlocal Agreement represents the complete understanding of the TML IEBP and the Employer Member and may not be amended, modified or altered without the written agreement of both parties.
21. The initial term of this Interlocal Agreement shall be from the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, at 12:01 a.m. and continue until \_\_\_\_\_. Absent notice of termination, the Employer Member may annually renew and extend the Interlocal Agreement by executing and returning the rerate notice and benefit selection form as authorized at the inception of this Interlocal Agreement.

**This Interlocal Agreement is entered into for the Employer Member under authorization of**

\_\_\_\_\_ (EMPLOYER MEMBER)

at duly called meeting held on \_\_\_\_\_ (Date of Meeting)

By \_\_\_\_\_ (SIGNATURE) (Typed or Printed Name)

Authorized Official Title \_\_\_\_\_

Date \_\_\_\_\_

**This Interlocal Agreement entered into and Appointment Accepted By:**

The TML Intergovernmental Employee Benefits Pool at Austin, Texas

By \_\_\_\_\_

Date \_\_\_\_\_

**TO BE COMPLETED BY EMPLOYER MEMBER:**

**EMPLOYER MEMBER BENEFITS COORDINATOR**

Name \_\_\_\_\_

Title \_\_\_\_\_

Mailing Address \_\_\_\_\_

Street Address (if different from above) \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

## Village of Volente

---

**From:** Kent McMillan [kentmcm@swbell.net]  
**Sent:** Tuesday, February 02, 2010 9:55 AM  
**To:** lindalc@tularosa.net  
**Cc:** volente@villageofvolente-tx.gov  
**Subject:** Survey for Village of Volente  
**Attachments:** 100\_4025.jpg; 100\_4022.jpg

Ms. Carter:

This is to give you my contact information in case you have any questions about our recent survey work performed at the request of the Village of Volente.

While we found survey markers in place at the North corners of your Lot 75, of LAKE TRAVIS SUBDIVISION NO. 1, no marker was in place at its Southeast corner, the intersection of the West line of Lime Creek Road and the North line of Wharf Cove. We installed a new marker at that corner, a 5/8 in. Iron Rod with a 2 in. Aluminum Cap stamped with my name and registration number, and also stamped "102" the serial number of that marker in my records of our work. A punchmark on the top of the Aluminum Cap marks the exact location of the corner.

Since the purpose of our work was to identify the lines of the public roads adjoining Lot 75 as shown upon the 1938 plat of LAKE TRAVIS SUBDIVISION NO. 1 so that the Village of Volente can relocate the traffic signal without encroaching onto your property, we also set two markers on the lines of the streets shown as "Anderson Mill Road" and "Lookover Street" on the 1938 plat and presently known as "Wharf Cove" and "Lime Creek Road", respectively. These markers on the street lines are 5/8 in. Iron Rods with white PVC pipes beside them to make them easy to find.

I've attached photos showing the locations of the markers and the PVC pipes beside them.

Sincerely,

Kent

Kent Neal McMillan, RPLS  
418 Ridgewood Road  
Austin TX 78746

Telephone (512) 445-5441

No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 8.5.435 / Virus Database: 271.1.1/2662 - Release Date: 02/02/10 07:35:00

# FOR LEASE

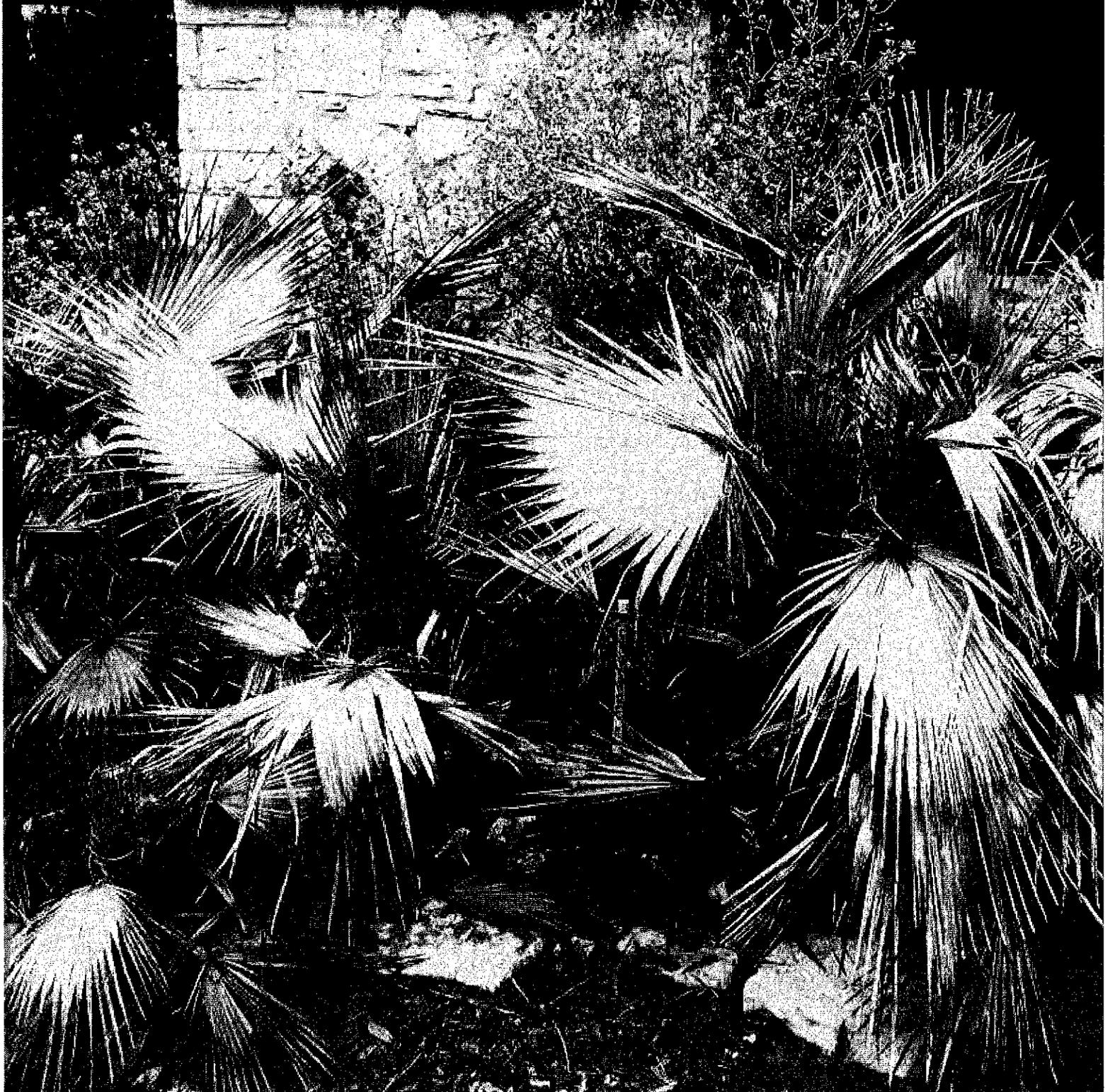


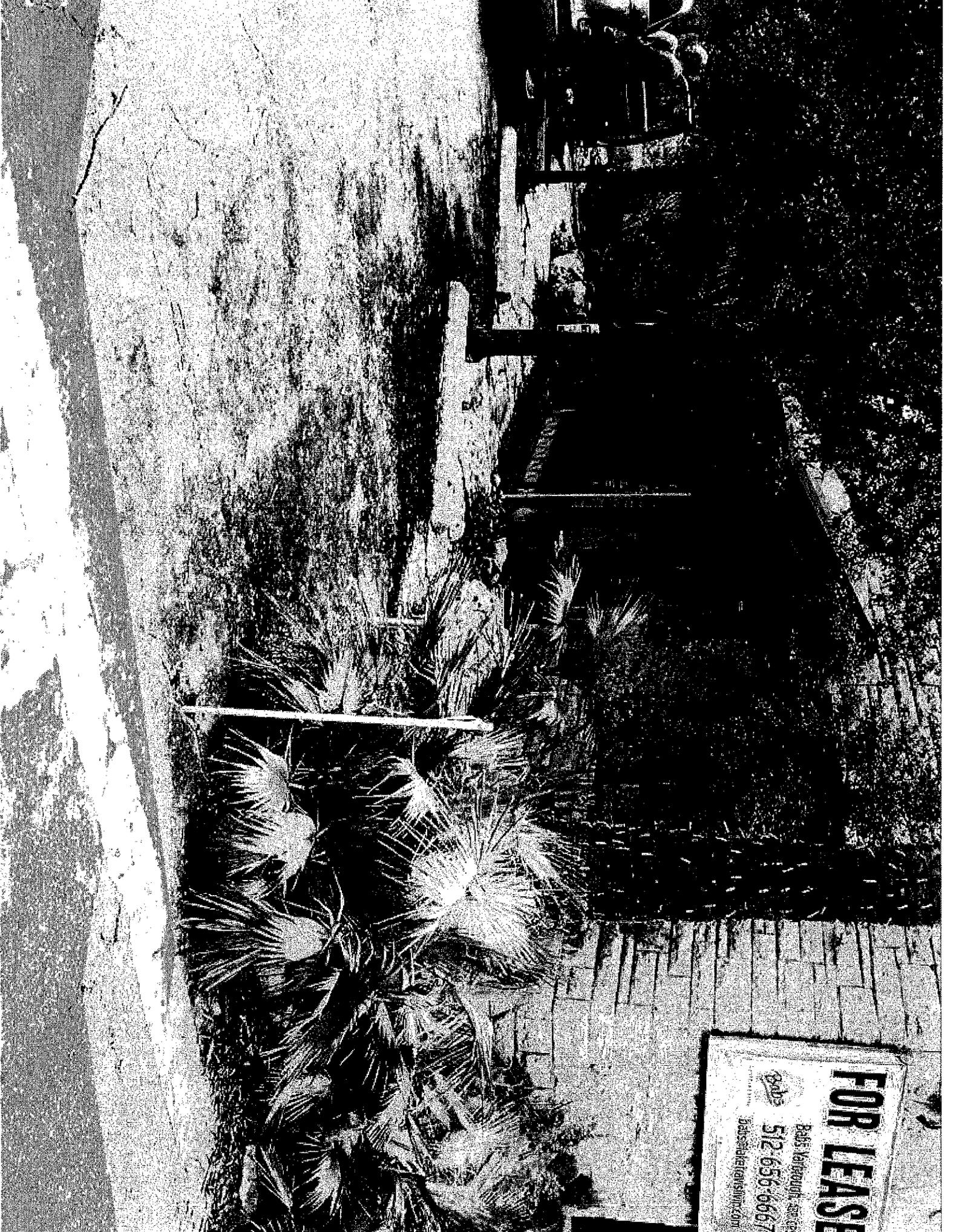
WORTH & REALTY

Babs Yarbrough, ABR, CRS

512-656-6667

babs@laketravislivin.com





**FOR LEASE**



Bob's Kaffeehaus, Inc. Co.  
512-656-6667  
Dusseldorf@earthlink.net

=====  
KENT NEAL MCMILLAN  
LAND SURVEYOR

418 Ridgewood Road  
Austin, Texas 78746  
(512) 445-5441  
=====

February 2, 2010

Village of Volente  
15403 Hill Street  
Volente TX 78641

re: Marking Lines for Traffic Signal Relocation  
at Northwest corner of Intersection of Wharf  
Cove and Lime Creek Road, Volente, Texas

I N V O I C E F O R S E R V I C E S

-----  
R e s e a r c h W o r k :

Obtained copy of deed of present owner of Lot 75  
and Lot 84 of LAKE TRAVIS SUBDIVISION NO. 1  
Obtained copy of record subdivision plat.  
Research Assistant, 2 hrs. @ \$35.00/hr. \$ 70.00  
Copies of records (at cost) 3.50

F i e l d W o r k :

Searched for original markers placed in 1938 as  
shown on plat of LAKE TRAVIS SUBDIVISION NO. 1.  
Investigated discrepancies.  
Made survey measurements to locate Southeast  
corner of Lot 75 and lines of Wharf Cove and  
Lime Creek Road.  
Placed new survey markers at corner of Lot 75 and  
along lines of Wharf Cove and Lime Creek Road  
nearby.  
Survey Party, 6.75 hrs. @ \$100.00/hr. \$ 675.00

O f f i c e W o r k :

Made calculations upon survey measurements.  
Land Surveyor, 2.5 hrs. \$75.00/hr. \$ 187.50

-----  
T O T A L D U E this invoice ..... \$ 936.00

We appreciate the opportunity to provide this service to you.

**\*\*DRAFT WITH ESTIMATES\*\*\***

**Village of Volente Financial Report for 4 months ending January 31<sup>st</sup>, 2010  
Prepared by Mark Scott for Council meeting February 16<sup>th</sup>, 2010**

**1) Report from auditors on 2008/2009 year**

I am waiting on a response from the auditor regarding:

- 1) Any ETA on the 2008/2009 audit?
- 2) Can you provide a short explanation for the 6 figure 'Reconciliation Discrepancies' line item on the current reports? Jennifer says that this has shown up because of discrepancies that Tracie is working on
- 3) I would like to talk about the plans to adjust our Quickbooks reporting to reflect budget line items
- 4) Can someone come in to bring Jennifer up to speed on the proper Quickbook entries that you need
- 5) As we have no liabilities other than current payables, and no assets other than our bank accounts, what form should a balance sheet take?

**2) Financial Report**

From Jennifer's Revenues over Expenditures by Fund report, October 1, 2009 through January 30, 2010:

Income: Total tax revenues to date are \$146,915.16 vs. our taxes billed of \$175,232. We should continue to see additional tax revenues coming in over the next months. We also received \$40,179 reimbursement from Cap Metro for work done in the 2008/2009 year. Another large income item was the \$55,000 reimbursement of legal expenses as part of the Grayson settlement. Sales and use tax seems to be running a bit lower than planned, and mixed beverage seems to be higher than planned. Franchise fees received are \$13,416.36 of the \$20,000 budgeted to be received, as a large part of that comes in January. Total funds in from all sources: \$271,539.88

Expense: Office and administrative expenses are running according to budget. Legal and professional services seem to be below budget currently, but those are items that can change quickly. We did pay out \$12,117.63 to the Noise Consultant, but that was part of the \$17,000 paid in 2008/2009 year by Grayson to fund the Noise Consultant work. Mowing by Travis County seems to be under budget. We did spend \$10,700 on the much needed tree trimming vs a budget of \$3,000. We also spent \$2,400 in the Road and ROW maintenance against a budget of \$2,000. So we will need line item transfers eventually to handle that spending. Total funds out: \$74,400.90

Bank account:

General Fund Balance as at 09/30/09:	\$317,446.92
Savings fund account as at 9/30/09	52,438.80
Parkland Dedication Fund acct as at 9/30/09	<u>47,025.59</u>
Total cash in accounts as at 9/30/09	<u>416,911.31</u>

Excess deposits/withdrawals 9/30/09- 1/31/10: 168,108.09

Consolidated balance as at 1/31/10 \$585,019.40

Assets and Liabilities, as at 1/31/10:

Assets

Bank account:	\$585,019.40
Furniture and fixtures	
Equipment	
Receivables	_____
Total Assets	_____

Liabilities

Parkland Dedication Fund reserve	61,250.00
Loans	
Accounts payable	_____
Total Liabilities	_____

Possible Line Item Transfers

We did spend \$10,700 on the tree trimming vs a budget of \$3,000. We also spent \$2,400 in the Road and ROW maintenance against a budget of \$2,000. These items will require a line item transfer by year end.

In the 2008/2009 budget, we had budgeted \$10,000 for tree trimming, of which only \$900 was spent due to slow tree growth because of the drought. That extra unspent funds was part of the rollover of excess revenues to savings in the 2008/2009 year.

Mark Scott

**Village of Volente**  
**Combined Revenues over Expenditures**  
 October 2009 through January 2010

	Oct 09	Nov 09	Dec 09	Jan 10	TOTAL
<b>Income</b>					
4010 · Real Property Tax - Current Yr	615.55	4,446.22	50,216.52	70,472.90	125,751.19
4015 · Real Property Tax Prior Yr	520.14	169.80	287.40	20,186.63	21,163.97
4020 · Penalties & Interest	100.66	33.15	-24.70	319.63	428.74
4050 · Sales & Use Taxes	0.00	3,495.12	1,692.29	983.16	6,170.57
4055 · Mixed Beverage Sales Tax	1,704.93	0.00	0.00	382.92	2,087.85
4400 · Building Review Fees.	2,487.50	1,825.00	0.00	2,132.00	6,444.50
4405 · Sign Permit Fees	240.00	30.00	20.00	140.00	430.00
4410 · Franchise Fees	0.00	6,855.39	0.00	6,560.97	13,416.36
4600 · Grants	0.00	20,089.50	20,089.50	0.00	40,179.00
4999 · Uncategorized Income	467.67	0.00	0.00	55,000.00	55,467.67
<b>Total Income</b>	<u>6,136.45</u>	<u>36,944.18</u>	<u>72,281.01</u>	<u>156,178.21</u>	<u>271,539.85</u>
<b>Gross Profit</b>	6,136.45	36,944.18	72,281.01	156,178.21	271,539.85
<b>Expense</b>					
5025 · Wages Reg Employees	3,466.40	3,466.40	3,466.40	5,199.60	15,598.80
5026 · Code Enforcement Wages	446.25	775.00	1,207.50	647.50	3,076.25
5027 · Part Time Office Assistant	437.50	507.50	797.00	600.00	2,342.00
5030 · Employment Taxes	265.18	265.18	265.18	558.96	1,354.50
5110 · Attorney - General Services	0.00	1,230.00	2,152.50	2,842.50	6,225.00
5111 · Attorney - City Projects	0.00	0.00	1,380.00	2,535.00	3,915.00
5134 · Code/Consultant	0.00	575.00	0.00	0.00	575.00
5135 · Payroll Services	65.99	63.82	31.91	95.73	257.45
5136 · Noise Consultant	0.00	1,400.00	10,717.63	0.00	12,117.63
5150 · Tax Collection - Travis Co	0.00	974.48	0.00	-229.51	744.97
5183 · Events	1,162.36	26.40	0.00	0.00	1,188.76
5201 · Advertising/Public Notices	0.00	225.00	225.00	70.88	520.88
5221 · Office Supplies - General	0.00	1.24	-14.48	400.12	386.88
5222 · Office Supplies - Postage	56.41	0.00	4.80	14.60	75.81
5223 · Office Supplies - Printing	0.00	115.77	0.00	0.00	115.77
5225 · Books & Publications	0.00	0.00	47.50	0.00	47.50
5226 · Dues, Fees, & Subscriptions	0.00	85.00	0.00	0.00	85.00
5230 · Equipment Rental	249.00	498.00	0.00	255.00	1,002.00
5234 · Website Maintenance	125.00	0.00	0.00	0.00	125.00
5235 · Utilities - Electric/Water	105.93	100.11	96.08	112.13	414.25
5236 · Utilities - Telephone	0.00	25.00	25.00	0.00	50.00
5238 · Utilities- Internet access	123.41	246.92	0.00	247.21	617.54
5240 · Insurance, Liab/workers comp	866.17	0.00	0.00	439.75	1,305.92
5241 · Insurance/Employee	919.74	459.87	0.00	919.74	2,299.35
5261 · Mowing	576.00	0.00	0.00	0.00	576.00
5262 · Roads & ROW	0.00	2,480.00	0.00	0.00	2,480.00
5263 · Street Signs (New & Repairs)	344.50	762.00	0.00	0.00	1,106.50
5264 · Tree Trimming	0.00	0.00	10,700.00	0.00	10,700.00
5763 · Development Inspection Serv Reim	126.25	852.50	917.50	140.00	2,036.25
5764 · Professional Services Non Reimb	0.00	299.00	164.50	357.88	821.38
5765 · Development Plan Review Reimb	0.00	360.70	221.51	2,737.30	3,319.51
66900 · Reconciliation Discrepancies	-107,531.19	26.72	0.00	0.00	-107,504.47
<b>Total Expense</b>	<u>-98,195.10</u>	<u>15,821.61</u>	<u>32,405.53</u>	<u>17,944.39</u>	<u>-32,023.57</u>
<b>Net Income</b>	<u><u>104,331.55</u></u>	<u><u>21,122.57</u></u>	<u><u>39,875.48</u></u>	<u><u>138,233.82</u></u>	<u><u>303,563.42</u></u>

**Village of Volente Regular Council Meeting,  
Tuesday, January 19, 2010, 7:00 P.M.  
VVFD and Community Center, 15406 FM 2769, Volente, Texas.**

1. **Call to order and Announce a Quorum is Present.** Mayor Yenawine called the meeting to order at 7:00 P.M. Present were Jan Yenawine, Chris Wilder, Matthew Hammond, Fred Graber, and Justine Blackmore-Hlista. Mark Scott was absent.
2. **PLEDGE TO THE FLAG** and reading of Village Vision Statement:  
Justine Blackmore-Hlista read the Vision Statement.
3. **VISTOR/CITIZENS FORUM: Nancy Carufel**, of Joy Rd, asked why there was no lobbyist report listed on the agenda stating she thought that Council was to receive a report monthly.  
**Libby Davis**, of FM 2769, stated to Council how unhappy and heartbroken she was that VJ's is no longer open, that it was the center of the Village and communication for residents stating it is like a ghost town without it.
4. **PUBLIC HEARING: A request for a zoning change for Lots 3, 4, and 5 of Nicholson's Lake Travis Subdivision No. 1. Applicant is Black Rock Management requesting a change from R1, Single Family Residential Zoning to C2, Medium Commercial Zoning.** Jacy Warwick from CMA Engineering gave presentation of why they needed to rezone the lots and what the intended use would be. Several residents voiced concerns and support for the project.  
**James Jordan**, Reed Dr: water quality, Package Store, commercial area moving.  
**Gary Frame**, Davy Dr: water quality ponds  
**Fred Graber**, Booth Circle: light for parking lot  
**Michelle Broyles**, Arrowhead DR, stated noise and light could be controlled with the ordinances already in place.  
**Cary Witt**, Reed Dr, concern of zoning, suggested zoning C1 instead of C2 or put restrictions on the zoning.  
**Judy Graci**, Booth Circle; Concern of the impact with the seating capacity of 78 seats inside. Safety concerns.  
**Silvia Jones**, Randolph St; no opposed to the convenience store or restaurant but concerned about a package store.  
**Sam Love**, Beauregard; can't reopen VJ's as it was so should be looking at what might work in the future.  
**Mike Long**, Jackson St; felt should do what can be done to open it back up.  
**Justine Blackmore-Hlista**, Councilmember stated that everything had to be looked at and has to go through the process to get the answers before approval.  
**Tim Davis**, Volente Realty; stated that the three lots beside VJ's were supposed to be zoned commercial when the zoning was done after incorporation but instead was zoned residential for safety concerns. Zoning of residential could potentially put three driveways on FM 2769 at the dangerous curve.

**Sam Furman**, Reed Dr; in favor as long as has a buffer.

**Judy Barrick**, Booth Circle, voiced appreciation for the due diligence the Village is doing to protect the surrounding property owners.

**Allison Thrash**, P&Z Chair; stated the P&Z Commissioners did not have the benefit of the input from the citizens.

**Jean Dixon**, Reed Dr; not opposed but voiced some concern of package store.

5. **Discussion and possible action on the submittal of a Concept Plan for 15401 FM 2769, Volente, TX. Lots 2,3,4,5 Nicholson's Lake Travis Subdivision NO 1, Travis County, TX.**
6. **Discussion and recommendations from the Planning and Zoning Meeting January 6, 2009**
7. **Discussion on modifying zoning ordinance to include protective overlays.** Matthew Hammond made a motion to instruct Planning & Zoning to review and recommend modifying the zoning ordinance to include protective overlays. Chris Wilder seconded and all others agreed.
8. **Discussion and update on meeting with Pedernales regarding upgrade within the Village.** Councilmember Chris Wilder met with Pedernales regarding the infrastructure within the Village. He reported that they are proposing eliminating most of the poles and discussing where the transmission wires will be run. He also reported that the Village will be receiving \$23000.00 of stimulus money to upgrade the heating/cooling of the VVFD Community Center.
9. **Discussion and possible action regarding the road repair work for Debbie and West Dr.** Councilmember Matthew Hammond reported that the work on Debbie is being redesigned to try to divert the flow of water to the "greenway". He is researching to see what needs to be done to get permission to put the drainage easement in this area. Once that is accomplished the bid process will begin again.
10. **Discussion of road and drainage maintenance in all areas.** Matthew Hammond reported to Council that he will look at what areas need attention and come back to Council with the information. Discussion of the funding for maintenance will be discussed when he reports the area that needs work.
11. **Discussion and possible action to sign the proposed engagement letter with Neffendorf, Knopp, Doss and Company to perform the FY 2008-2009 audit.** Councilmember Fred Graber stated he contacted Keith Neffendorf regarding the additional \$500 increase from last year's audit fee and was told it was to cover the assistance to the City Secretary with getting Quick books in order. Justine Blackmore-Hlista made a motion to authorize Mayor Yenawine to sign the engagement letter with Matthew Hammond seconding. All agreed.

- 12. Discussion and possible action to call the May 2010 General election.** This item was taken out of order. Justine Blackmore-Hlista made a motion to call the May 2010 Election with Chris Wilder seconded. All agreed.
- 13. Discussion and possible action on the administration of the Planning and Zoning Commission.** Justine Blackmore-Hlista read a resolution to establish clarification of policy for administration and procedures between city administration and planning and zoning commission. Matthew Hammond made a motion to adopt the resolution with Chris Wilder seconding. All agreed. Council asked City Secretary to cancel the public notice scheduled to be in the Hill Country News regarding variance application for Non conforming use by Black Rock Management, LLC.
- 14. Approval of Minutes: December 16, 2009.** Chris Wilder made a motion to approve the minutes with corrections. Justine Blackmore-Hlista seconded. All agreed.  
**December 22, 2009.** Justine Blackmore-Hlista made a motion to approve with Matthew Hammond seconding. All agreed.
- 15. Financial Report.** Council reviewed.
- 16. Future Meetings and agenda items.** Next regular meeting will be February 16, 2010.
- 17. Adjourn.** Justine Blackmore-Hlista made a motion to adjourn with Chris Wilder seconding. All agreed. Meeting adjourned at 10:05 P.M.

PASSED AND APPROVED THIS \_\_\_\_ DAY OF FEBRUARY, 2010

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Jan Yenawine, Mayor

---

Jennifer Zufelt, City Secretary

## Village of Volente

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**From:** Ken Beck [kbeck@thecrossingsaustin.com]  
**Sent:** Wednesday, February 03, 2010 8:32 AM  
**To:** Volente City Office (volente@villageofvolente-tx.gov)  
**Subject:** VNA Annual Meeting  
**Attachments:** image001.jpg

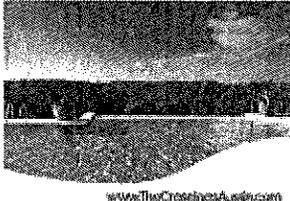
Jennifer, I wanted to inform you as well as all of the Village Council that the VNA will be holding their annual meeting at the Fire Station on Saturday, April 10<sup>th</sup>. We have invited Rep. Donna Howard and County Commissioner Karen Huber to attend and to address our constituents. Karen will be bringing a TxDOT manager with her. I'd like to solicit your help in getting word out to all about this meeting and about the opportunity we will have to interact directly with our key elected officials.

Many thanks,

Ken Beck  
Co-Founder, the Crossings  
[www.thecrossingsaustin.com](http://www.thecrossingsaustin.com)



We all need a rejuvenation  
Wellness spa opens Oct 1, 2009  
Resort Experience begins Dec 31, 2009  
phone: 512.225-1075



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