

**MINUTES OF THE MEETING OF THE  
VILLAGE OF BEAR CREEK COMMISSIONERS  
April 15, 2019**

**1) Call to Order**

The meeting was called to order 7:10 pm.

**2) Roll Call**

Mayor Upham and Commissioner Brushwood present. Commissioner Burns is running late.

**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.**

Update on BCOPOA investigating Oak Wilt. Kathryn Rosenbluth reports BCOPOA Board is sending out a letter but as far as she knows no there is no new Oak Wilt Outbreak. Mayor Upham states this is not the time of year to trim Oaks and hopes the BCOPOA letter educates citizens on when to trim and when not to trim. Mayor Upham reports a property owner on Bear Creek Drive's cat was reported poisoned by antifreeze.

**4) Approval of Minutes from March 18,2019 Commissioners Meeting.**

Mayor Tables item until later in the meeting.

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

No action required.

7:20pm Commissioner Burns is present

**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 \$525.00 for February 2019 attorney fees. Invoice dated 3/28/2019.

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

Mayor Upham reopens Agenda item #4

**4) Approval of Minutes from March 18,2019 Commissioners Meeting.**

Commissioner Brushwood requests a correction on page 3. Correct 8.A to correct “Commissioner Buns” to “Commissioner Burns” and correct item date on #10 change 4/16/18 to 4/16/19. Commissioner Burns makes motion to approve March 18, 2019 minutes with the aforementioned changes. Commissioner Brushwood seconds. Motion approved: 2 yea and 1 abstention (Mayor Upham)

**7) New Business**

**A. Discussion and possible action to wash all VOBC and BCOPOA signage in the Right of Way. (Upham)**

Mayor Upham noted that all street signs dirty and could use a good wash. Feels this could be a good project for Justin Cofield’s son. Just needs a ladder some soap, water and little elbow grease. Mayor Upham makes a motion to have all BCOPOA and VOBC signs in the Right of Way washed at an expense not to exceed \$300.00. Commissioner Burns seconds. Motion is approved unanimously.

**B. Discussion and possible action regarding Hays County Judge Ruben Becerra’s meeting with Hays County Mayor’s. (Brushwood)**

Commissioner Brushwood attended the Mayors meeting on behalf of Mayor Upham. Meeting was to discuss hazard mitigation and an opportunity to meet Mayors in the county. In an effort to network and discuss the possibility of sharing resources in case of an emergency.

**8) Old Business**

**A. Discussion and possible action regarding Jim Riggs, 8105 Bear Creek Dr request to replat lots, Lots 35B and 36, Section 1, BCO .**

Jim Riggs is in attendance. Since the last meeting VOBC Legal Counsel provided instructions and changes to the replat for to be approved by council. Riggs presents replat of Lots 35B and 36 with Legal Counsels changes. Riggs is voluntarily dedicating the right of way to VOBC. Council reviews the replat. Mayor Upham makes note that the 30’ BL from the road to Lot 35B supersedes the 20’BL requirement. 30’ BL is within the 30’ Access Easement. Lot 35B is 2.005 acres water source required to be public water or rainwater collection. Mayor Upham Makes motion to approve replat Section 1, Lot 36 and 35B, BCO. Commissioner Brushwood seconds. Motion is approved

unanimously.

**B. Discussion and possible action regarding VOBC/TDS Trash Collection Day held on April 6, 2019.**

Mayor Upham reports another successful trash collection day. Niles Cove roll off container was full by 10 AM. Attendant suggested we have another roll off container delivered, at cost to the Village. Mayor declined; felt it wasn't needed as trash could easily be compacted. By 1pm the roll off container at Madrone Cr was full. Wood was placed on the road at both locations. Again, this year wood at one location was retrieved, the other is missing. And though highly discouraged, at Niles Cove trash was left on the street the day before trash day. Mayor Upham requests City Secretary send letter to the Garza's on S Madrone Trl they have two large hot tubs in the Right of Way with a 'free' sign. Possibly they intended to take to trash day and missed the 1pm deadline. They've been in the Right of Way for over a week and need to be gone.

**C. Discussion and possible action regarding Village of Bear Creek roads and Right of Way. Including driveway for modular home (RV) at 8007 Niles Cove. (Upham)**

Mayor Upham shares concerns with road condition on Bear Creek Dr; areas of chip seal showing weakness. He'd like to identify the areas with spray paint and have Johnny with Texas Road Repair & Patches use the same product used at the entrances. Commissioner Brushwood makes motion to charge Mayor Upham with contacting Johnny with Texas Road Repair & Patches and request they make repairs to road as required at a cost not to exceed \$5,000.00. Commissioner Burns seconds. Motion is approved unanimously. Open discussion regarding finding new contractor to mow Right of Way mowing. Commissioner Burns advised council TML saw no issue with hiring teenager working with parent. Mayor Upham feels Right of Way mowing is not like mowing a yard, it's too hazardous for a teenager. City Secretary to ask Jeff Raffaele for contact information of who he sold his lawn care business to. Mayor Upham to discuss mowing with new resident, Ralph at 8200 Bear Creek Dr, he has a brush hog. Mayor Upham noted some drainage issues on South Madrone for future discussion.

**D. Discussion and possible action regarding Real Estate listing for 2 acres out of 5.001 Section 2, Lot 33, 8011 Niles Cove, Owners John and Sheryl Young.**

No action. Lack of movement; remove from future agendas.

**E. Discussion and possible action regarding VOBC policy for construction of security parcel delivery boxes in Right of Way including reviewing an amended Right of Way Ordinance #0905183.00I. (Brushwood)**

Commissioner Brushwood presents amended Right of Way Ordinance with language added (Page 4, Section 3) to allow for mailboxes and parcel delivery boxes. Requests public posting of Ordinance and on May 20, 2019 agenda for approval.

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

Commissioner Brushwood reports the digital speed limit detection sign is fully functional.

**G. Discussion and possible action regarding VOBC plaque or another symbol to memorialize first mayor, Erin Foster.**

Table this item.

**9) Announcements**

**A. Next VOBC Commissioners Meeting is scheduled for Monday, May 20, 2019 7:00 PM.**

**10) Adjournment**

The meeting adjourned at 8:42 PM

Submitted on May 18, 2019 by Kathryn Rosenbluth.

Approved on   5/20/2019  

*Kathryn Rosenbluth*

By \_\_\_\_\_

Kathryn Rosenbluth, City Secretary