

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
August 24, 2020**

1) Call to Order

The meeting was called to order 7:03 pm.

2) Roll Call

Mayor Upham, Commissioner Brushwood and Commissioner Burns are in attendance.

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.

None.

4) New Business

A. PUBLIC HEARING: Discussion and possible action to approve Preliminary Plat to subdivide 8105 Bear Creek Dr – Lot 36A, of the Resubdivision of Lot 36 of the Replat of Lot 36 and Lot 35B, Section 1, BCO. Request to subdivide Lot 36A a 10.86 acre tract into 36A – 3.44 acre tract and 36C - 7.42 acre tract. Owner James B Riggs.

Jim Riggs is in attendance. City Secretary informs Council the required Preliminary Plat notices went out to all property owners within 200' and Public Notice posted for this today's Public Hearing. James Riggs informs council the purpose of this subdivide is to sell the 7.42 acre tract (proposed lot 36C) to Elizabeth and Arthur Spec who own Lot 37, the south boundary, are interested in increasing their land footprint. I worked with Holt Carson, Surveyor, to carve out the part of my lot that I use and what I don't use. And willing to subdivide off what I don't use and sell to the Specs. City Secretary shared a recent conversation she had with the Spec's. They confirmed Lot 37 is vacant. They inherited their mother's property (which she bought 50+ yrs ago) south of VOBC. Then they purchased Lot 37, BCO. It's vacant land; their intention is not to live on it but to have a Beehive farming business. They will access Lot 37 from the lot south of VOBC and 'not' from FM1826. That's their plan. Blake Todd, owner of Lot 36B, asks if Lot 36A will have enough room in 20' wide access easement for driveway on Bear Creek Dr. Mayor Upham said yes; 20' access easement is sufficient. Driveway can be right up against a fence if necessary. Mr Riggs confirms all his structures are within proposed Lot 36A (3.44 acres) including dog run, well and rainwater system, septic, garden, house, etc. Blake Todd, owner Lot 36B asks if the easement from his property to the back of Lot 36A could specify that it can only be used by the owner of Lot 36A to access their property across the creek. Mayor Upham said no; purpose of the easement is to provide access from Bear Creek Drive to lots 36B and 35B, so they're not landlocked. There are no restrictions to an access easement. Blake Todd and James Riggs discuss and agree to work out terms amongst themselves. Blake Todd doesn't have any objections to the Preliminary Plat. Tiffany Fuh's, owner of Lot

35B, finance Paul is present and says they don't object to the Preliminary Plat. They too have concerns with the access easement from Bear Creek Dr to their lot. They agree between the three of them; Jim Riggs, Blake Todd and Tiffany Fuh, they'll work together to figure where each house and driveway will go the best way they can.

Mayor Upham makes motion to approve Preliminary Plat to subdivide 8105 Bear Creek Dr, Lot 36A of the Resubdivision of Lot 36 of the Replat of Lot 36 and Lot 35B, Section 1, Bear Creek Oaks. Lot 36A 10.86 tract into 2 lots: 36A – 3.44 acres and 36C -7.42 acres. Subject to:

1. Lot 36B Final Plat to correctly identify the new owner
2. Final Plat to identify all property owners within 200 feet of the subject property on all sides
3. Final plat to include the lot numbers on all properties within 200 feet of the subject property on all sides

Commissioner Brushwood seconds. Motion is approved unanimously.

B. Discussion and possible action contracting with an Engineering firm to assist with various public works such as subdivisions, driveways, drainage, and other development related activities. Chad Gilpin with Gilpin Engineering Company presenting his services to council. (Brushwood)

Chad Gilpin with Gilpin Engineering Company is in attendance. He's interested in contracting with us for Engineering services. Assist us with public works ie: subdivisions, driveways, drainage and other development related activities.

Commissioner Brushwood informs council that our Legal Counsel reviewed and approved verbiage in Gilpin's contract with Dripping Springs. He can provide the same contract; just change out Dripping Springs for Village of Bear Creek. Chad Gilpin confirms the following:

- They do Engineering work for Dripping Springs and Wimberley
- Contract is pay as you go
- He's typically available the 3rd Monday of each month and can attend our Commissioner meetings if needed (He's booked on Tuesdays & Thursdays)
- A full-service Engineering Company and can offer services with roads, drainage, utilities, right of way, subdivisions, etc. Anything that comes up, they have the expertise to do it.
- They can prepare packets to go out for bid.

Commissioner Brushwood requests Gilpin get familiar with our

roads, conditions of the roads, ditches, and drainage. And send us a contract and we'll put on the agenda for review and approval.

C. Discussion and possible action November 3, 2020 Election of VOBC Mayor and Commissioners. Action to approve VOBC Order of Cancellations.

Cancelling the November 3,2020 Election due to uncontested offices.

City Secretary confirms no applications for write in on the ballot. Deadline for applications for places on November 3, 2020 ballot has passed. Village of Bear Creek has no contested offices. We've received two candidates for city office; one for Mayor and one for Council. City Secretary has prepared the Certification of Unopposed Candidates and Order of Cancellation November 3, 2020 election. Mayor Upham makes a motion to cancel the November 3, 2020 election to do no contested offices. Commissioner Burns seconds. Motion is approved unanimously. City Secretary will communicate to Hays County Election Dept, post on VOBC web site and posting boxes.

D. Discussion and possible action to approve the proposed VOBC tax rate for 2020-2021 fiscal year of \$0.08940 cents per \$100.00 valuation.

Mayor Upham shares Hays County Tax Office recently said that since we are a small taxing unit we don't need to "approve the Proposed VOBC tax rate". But we would rather be safe than sorry. August 17, 2020 Commissioners meeting we discussed \$0.08940 cents per \$100.00 valuation is the Voter Approved Rate aka Roll Back Rate. And the rate we've proposed for 2020-2021 fiscal year. Commissioner Brushwood makes a motion to approve the "Proposed" VOBC tax rate to \$0.08940 cents per \$100.00 valuation. Mayor Upham seconds. Motion is approved unanimously.

E. Discussion and possible action to amend VOBC 10/1/2020 – 9/30/2021 Budget.

Budget approved with \$0.08940 cents per \$100.00 valuation. No need to amend it.

5) Announcements

A. Next VOBC Commissioners Meeting is scheduled for Monday,

September 21, 2020 7:00 PM. Possible Zoom Meeting or Location To Be Determined.

B. Next VOBC/TDS Annual Trash Clean Up Day is Saturday, September 19, 2020 9:00 AM to 1:00 PM at Niles Cove and Madrone Circle.

6) Adjournment

The meeting adjourned at 8:18 PM

Submitted on October 18, 2020 by Kathryn Rosenbluth.

Approved on 10/19/2019

By *Kathryn Rosenbluth*
Kathryn Rosenbluth, City Secretary