

**MINUTES OF THE MEETING OF THE  
VILLAGE OF BEAR CREEK COMMISSIONERS  
February 22, 2021**

**1) Call to Order**

The meeting was called to order 7:00 pm.

**2) Roll Call**

Mayor Bohm, 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.**

In regard to last week's record-breaking snow/ice storm with numerous days of unsafe driving conditions, below freezing temperatures and rolling blackouts. Some residents lost power for more than a 20 hour stretch. Many homes suffered broken pipes, well pump issues, tree's splitting or limbs broken, and even internet issues. Mayor Bohm very pleased to hear that our community spirit was strong. Neighbors helping neighbors from everything to helping with repairs to making meals. The Bear Creek Oaks Facebook played a big role in facilitating communication.

**4) Approval of Minutes from September 21, 2020 Commissioners Meeting.**

Item tabled. September 21, 2020 meeting minutes are not available.

**5) Approval of Minutes from January 18, 2021 Commissioners Meeting.**

Brushwood makes motion to approve January 18, 2021 minutes as submitted.

Commissioner Burns seconds. Motion is approved unanimously.

**6) Discussion and possible action in regard to reviewing 2020 -2021 budget and actual expenditures.**

City Secretary said the Postal Annex hasn't increased rates in over 5 years. Recently notified us the Medium PO box rate is increasing from \$25./month to \$30./month. If we renew before 4/1/21 we can lock in the \$25./month rate for another year. Our PO box is paid thru 10/2021. If we provide payment to renew for 11/2021 to 10/2022 by 4/1/21 we can lock in the current rate for another year. Our annual fee \$252.00; discount applied due to paying annually rather than monthly. Commissioner Brushwood asked that \$252.00 payment to Postal Annex for 11/2021 to 10/2022 be included in next month's Consent Agenda.

**7) 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 Victor Insurance Managers \$130.00 for Mayor Bohm’s 3 Year Bond. Invoice dated 1/23/21 #S1922877.**

**B. Approve payment to Knight Law Firm \$120.00 for November 2020 attorney services. Invoice dated 1/28/21 #2756.**

Mayor Bohm makes a motion to approve the consent agenda as presented. Commissioner Burns seconds. Motion is approved unanimously.

**8) New Business**

**A. Action to appoint Commissioner Allen Brushwood to Mayor Pro-Tem. (Bohm)**

Mayor Bohm makes a motion to appoint Commissioner Allen Brushwood to Mayor Pro-Tem. Commissioner Burns seconds. Motion is approved unanimously. Commissioner Brushwood abstains.

**B. Discussion and possible action regarding Hays County TDEM 147 providing VOBC an Emergency Management Coordinator and Assistant EMC.**

Laurie Taylor with Hays County reached out to Mayor Bohm for signature on TDEM 147. TDEM 147 gives Hays County authority to be our Emergency Coordinator if the need arises. The Hays County Emergency Coordinator is appointed by the County Judge. The Hays County staff member is required to be trained & certified in Emergency Management and has a detailed emergency plan. Ms Taylor said previously TDEM 147 was executed by Mayor Upham. Commissioner Brushwood participated in many of the Hays County Emergency Plan meetings and confident Hays County resources and planning would assist us. He is in favor of executing TDEM 147. If we have county wide emergency; all our issues and management of them will be handled by Hays County.

Mayor Bohm makes motion authorizing him to execute TDEM 147 identifying Hays County as the VOBC Emergency Coordinator. Commissioner Burns seconds. Motion is approved unanimously.

**C. Discussion and possible action regarding recent power generation failures in Texas power grid and PRC responses and updated with respect to VOBC.**

Mayor Bohm opens discussion regarding PEC power during last week's storm. All residents in VOBC experienced black outs; most blackouts didn't exceed 2 hrs. Some reported one night when they were in a cycle of power ON for 45 minutes then power OFF for 45 minutes throughout the night. Wednesday morning 2/17/21 City Secretary heard what sounded like a transformer pop in Appaloosa Run; she and 2 to 3 other households lost power after that. All placed service calls with PEC. The next day found that PEC had cleared the calls assuming they were all associated with rolling black outs. That's concerning. Thursday all household places new service calls. Mayor Bohm suggests we invite our PEC representative to attend VOBC Commissioners Meeting and will reach out to PEC.

**9) Old Business**

**A. Discussion and possible action regarding improving traffic safety at the two FM 1826 intersections at N Madrone Trl and Bear Creek Dr and FM1826 and 45W.**

Mayor Bohm spoke to our State Legislator, Erin Zwiener, about our issues and concerns. Erin is working on getting with Epi Gonzales's boss at TX Dot, her and VOBC. Commissioner Brushwood wrote Epi Gonzales regarding FM 1826 speed limit >50 mph at both VOBC entrances and has had no response.

**B. Discussion and possible action regarding updating the Subdivision Ordinance #180820.002. Include but not limited to modifying Section 10 General Requirements g.5 changing Driveway Ordinance #060821.002 to Driveway Ordinance #190218.001.**

Mayor Bohm followed up with legal counsel. Legal counsel has completed their search and unsuccessful. Agreed the appended draft Ordinance is cumbersome and will draft an Ordinance with obsolete items deleted and easy to read. Has the impression legal counsel will have a draft ready to discuss at March council meeting and anticipate the cost will be +/- \$1,000.00. James Bellevue requests a copy of all draft(s) of the

Subdivision Ordinance prior to Commissioners Meeting discussion. Also asks the timeline for Ordinance approval. Mayor Bohm explains when the draft is provided the Ordinance will be a discussion and action item. However, posting requirements need to be met before Ordinance is on the agenda for action to approve. This will likely take a couple months.

**C. Discussion and possible action regarding Covid-19 Hays County Disaster Order and VOBC.**

Council has general discussion of Covid-19 activity in Hays County. Commissioner Burns shared his hospital's high was 120 Covid patients and currently down to 20 Covid patients. Commissioner Brushwood is scheduled to get 1<sup>st</sup> Covid Vaccine shot in Kyle tomorrow.

**D. Discussion and Possible action on how to address non-permitted driveways. (Bohm)**

Mayor Bohm tables item.

**E. Discussion and possible action regarding Village of Bear Creek roads and Right of Way.**

In regard to concrete work the vendor that Mayor Bohm met with over a month ago sent him a text that he'd do the job for \$9,500.00. Price includes 7 sites they reviewed: excavation, reinforcement, laying concrete pad throughout the culverts. \$9,500.00 seems high and concerned with his professionalism and no formal bid. Mayor Bohm will reach out to our Engineer Chad Gilpin to go over job details and request referrals. As a result of last week's winter storm there are many limbs down in the Right of Way. Mayor Bohm hand sawed some of them. Some limbs are on personal property and not in the Right of Way. Commissioner Brushwood suggest contacting Cathey's Tree Service for them to clear down limbs in the Right of Way. Mayor Bohm makes motion to approve an amount not to exceed \$3,000.00 for Cathey's Tree Service to clear storm damage in Right of Way. Commissioner Burns seconds. Motion is approved unanimously. City Secretary suggests sending ROW work letter to residents alerting them of ROW work and their assistance with any down limbs on personal property. Mayor Bohm asked for draft of the ROW work letter, he'll add verbiage for all council members input and review. City Secretary shares that just prior to the winter storm received notification from PEC that they will soon be doing line maintenance and clearing trees from lines. Regarding road damage caused by the winter storm.

Commissioner Brushwood noted an area on N Madrone Trl heading out of the neighborhood, passed More Happy Trails and before the 3 way stop; the edge of road has a sizable drop off. Might just need a couple bags of rocks/dirt to shore it up.

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

Commissioner Brushwood reports the new battery held up during the last week's storm and the digital sign is working fine.

**G. Discussion and possible action regarding Village of Bear Creek web site maintenance.**

Roland Williams is working on tweaking the web site. Council requests their personal mailing addresses be removed. VOBC mailing address is to be the only mailing address on the web site.

**10) Announcements**

**A. Next VOBC Commissioners Meeting is scheduled for Monday, March 15, 2021 7:00 PM. Possible Webex Meeting or Location To Be Determined.**

**B. Next VOBC/TDS Annual Trash Collection day is Saturday, September 25, 2021. 9:00 AM to 1:00 PM.**

**11) Adjournment**

The meeting adjourned at 8:08 PM

Submitted on March 14, 2021 by Kathryn Rosenbluth.

Approved on 3/15/2021

By *Kathryn Rosenbluth*  
Kathryn Rosenbluth, City Secretary