

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
May 17, 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.

None.

4) Approval of Minutes from March 15, 2021 Commissioners Meeting.

Commissioner Brushwood makes motion to approve the March 15,2021 minutes as submitted. Commissioner Burns seconds. Motion is approved unanimously.

5) Approval of Minutes from April 19, 2021 Commissioners Meeting.

Table. Meeting minutes are not available.

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

Council reviews. No action required.

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 Texas Road Repair \$1,800.00 for road repair on shoulders and alligatored areas on N Madrone Trl. Invoice #1485 dated 4/28/2021.

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

Mayor Bohm moves and opens Agenda #9. Old Business G. to discuss at this time.

9)

G. Discussion and possible action regarding PEC overhead pruning in Village of Bear Creek.

PEC representatives George Leader and Diana Gonzales are on in attendance. Mayor Bohm states property owners Dave Brown and Joe Manzello had a productive meeting with PEC. He hopes PEC will work with them and find an equitable resolution. George Leader, PEC confirmed they have an Oak Wilt policy that all contractors must adhere to. Contractors are to cut and seal tree wounds immediately. To keep up with demand PEC clears lines year-round. They realize this is not the best time of year to cut limbs and they require all trees susceptible to Oak Wilt be sealed immediately. If that's not occurring, please take a picture of the unpainted limb and send the picture to him with the tree location and date.

Mayor Bohm returns to Agenda #8 New Business.

8) New Business

A. Discussion and possible to regarding Final Plat to subdivide 8200 Bear Creek Dr – Lot 4, Section 1 Bear Creek Oaks. Owners Ralph and Susan Rubino request to subdivide a 5.439-acre tract into 2 lots: 4A- 3.24 acres and 4B -2.0 acres.

Mayor Bohm states the Preliminary Plat to subdivide was approved at the 4/19/2021 Commissioner's meeting. Final Plat submitted 5/12/2021. Item opened for discussion. Commissioner Brushwood asks where the existing septic field is. Hugo Bazan, Architect responds the existing septic is a standard septic tank located in the back of the property adjacent to the creek; and will be abandoned. Commissioner Brushwood makes motion to approve the final plat as submitted. Mayor Bohm seconds. Open discussion identifies the following.

1. Final Plat identifies all adjacent property owners
2. Confirmed location of existing septic system and that it will be abandoned. New aerobic systems to be installed and approved by Hays County.
3. Final Plat identifies the 100 yr and 25 yr flood plain.

4. Per Ordinance we requested Final Plat includes drainage easement for 25 yr flood. The Final Plat includes a drainage easement for 100 yr flood which meets and exceeds our requirement.

5. ROW is dedicated to VOBC and the dimensions identified on Final Plat.

Motion is approved unanimously

B. Discussion and possible action to review and approve Montemayor Britton Bender's Final VOBC Financial Review for 10/1/2019 to 9/30/2020. If approved to authorize full payment to Montemayor Britton Bender PC \$3,650.00. Invoice #202444 dated 3/14/2021.

Commissioner Brushwood said the questions he had were answered satisfactorily by Archie Montemayor. Mayor Bohm makes motion to approve the Final VOBC Financial Review for 10/1/2019 to 9/30/2020 as submitted. Commissioner Burns seconds. Motion is approved unanimously.

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.

Table. Mayor Bohm has no update from Epi Gonzales with TX DOT.

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 spoke to Jeff Ulmann, Legal Counsel, he's been buried with work and hasn't had a chance to address Chad Gilpin's comments. Commissioner Brushwood is concerned about the city and HOA responsibilities regarding to approving construction. Should we consider adding verbiage that construction approval be routed to HOA. Mayor Bohm confirmed that's one of the topics presented to the legal team.

C. Discussion and possible action regarding Driveway Ordinance #190218.001. Not limited to updating the Ordinance and its association to the Subdivision Ordinance.

Table.

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

Mayor Bohm has no update. CDC updated mask guidelines to include if vaccinated a mask is no longer needed. Commissioner Burns stated his hospital is down to a handful of positive cases. Covid-19 immunizations are ongoing.

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

Mayor Bohm stated David Brown at 8905 N Madrone was very receptive. He worked Mayor Bohm and Glen Ragan to remedy the issues. A new culvert is in, and all are satisfied with the results.

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

Commissioner Brushwood had identified areas on S Madrone and Bear Creek Dr that has cracking. Recommends we have Johnny with TX Road Repair and Patches bring out a load to fix those areas. Commissioner Brushwood makes a motion to approve an amount not to exceed \$1,800.00 toward TX Road Repair and Patches. Mayor Bohm seconds. Motion is approved unanimously.

Mayor Bohm reports that VOBC Engineer, Chad Gilpin, is going to make a slight simplification to his specs for a concrete contractor. Re work the bid and send to us for our review. He's shooting for 5 bids but expect to get +/- 2 bids back. Commissioner Brushwood is hopeful Gilpin guide us through the process and help us find and select a contractor.

G. Discussion and possible action regarding PEC overhead pruning in Village of Bear Creek.

Discussed earlier in the meeting.

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

Commissioner Brushwood said the speed limit sign is functioning well. Asked if we should consider relocating it. Council has general discussion and decides to flip it around to the opposite direction.

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

Roland Williams is working on the web site, said he should have it done in June.

10) Announcements

A. Next VOBC Commissioners Meeting is scheduled for Monday, June 21, 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 7:57 PM

Submitted on February 27, 2022 by Kathryn Rosenbluth.

Approved on 4/19/2022

By *Kathryn Rosenbluth*
Kathryn Rosenbluth, City Secretary