

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
June 21, 2021**

1) Call to Order

The meeting was called to order 7:03 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

Mayor Bohm pulls Old Business #9.G to discuss at this time.

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

Mayor Bohm thanks PEC for their letter dated 5/10/21 to VOBC which states they take the prevention of oak wilt disease very seriously and clarified that PEC contractors are to paint or dress tree wounds on trimmed oak trees immediately and NOT within 24 hours.

The PEC letter states

“Oak Wilt Treatment Training”

Contractor shall properly train all its employees in the recognition, treatment, and prevention of oak wilt disease, and further warrants that established oak wilt management techniques will at all times be practiced by contractor. PEC may request oak wilt management training documentation from the contractor.

A. Contractor will assume all damages to property owner’s tree/s caused by not painting all cuts, nicks or damage on oak trees.

B. All fresh wounds (inclusive of saw, pruned, superficial and stump cuts) regardless of size, on all oak species, shall be treated with an approved quality tree wound dressing or latex paint immediately after pruning or tree removal. This treatment applies at all times of the year and any size cut or nick.

C. Large cuts from previous trimming shall be repainted if necessary.

- D. All other cuts shall be painted when requested by PEC or its Membership.
- E. Contractor will supply all tree paint and disinfectant.
- F. All cuts will be painted, and all equipment will be disinfected when trimming on or moving from oak tree to oak tree with a bleach mixture or Lysol before work commences AND at the time of transference from one tree to the next. (Guidelines available at www.TexasOakWilt.org)

Michael Hanson with PEC said if the City or Members have any questions or issues, they should contact PEC Vegetation Manager; George Leader 830-613-7334 or

George.leader@peci.com

In regard to the clear cutting on two properties on North Madrone Trl Mayor Bohm reports +/- 10 juniper shrubs have been planted in front of the cleared property, planted by either the contractor or PEC. The property owners recognize this as a nice gesture; but certainly not a remedy for the loss of 30 to 50 mature trees. Michael Hanson will relay this information to George Leader. Mayor Bohm requests George Leader communicate directly with the members rather than VOBC council.

Mayor Bohm returns to meeting agenda

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

Table. The meeting minutes are not available.

5) Approval of Minutes from May 17, 2021 Commissioners Meeting.

Table. The meeting minutes are not available.

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

The Engineering Fee expense item exceeds the \$2,500.00 budgeted amount.

Commissioner Brushwood suggests we increase Engineering Fees to \$7,500.00 by taking funds from Contingency Fees. Commissioner Brushwood makes a motion to increase Engineering Fees by \$5,000.00 to total \$7,500.00 budgeted amount. (Pull the \$5,000.00 out of Contingency). Commissioner Burns seconds. Motion approved unanimously.

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 Knight Law Firm \$105.00 for February attorney services. Invoice dated 5/14/2021.**

- B. Approve payment to Hays Central Appraisal District \$112.73 for 3rd Quarter 2021. Invoice dated 6/1/2021.**
- C. Approve reimbursement to Kathryn Rosenbluth for \$90.60 fees associated with recording the Final Plat 8200 Bear Creek Dr; Lot 4, Section 1, BCO on 6/19/2021.**
- D. Approve payment to Gilpin Engineering \$3,825.00 for services March, April & May 2021. Invoice received 6/13/2021. and**

Mayor Bohm makes a motion to approve the consent agenda as presented. Commissioner Burns seconds. Mayor Bohm states Gilpin Engineering Invoice includes \$262.50 fees related to the review of Prelim and Final Subdivision Plats for 8200 Bear Creek Drive, owned by Ralph and Susan Rubino. VOBC to bill the Rubinos' directly for \$262.50. Motion approved unanimously.

8) New Business

- A. Discussion and possible action to schedule the Low Water Crossing dedication to Erin Foster.**

Commissioners have a general discussion of dates/times for the Low Water Crossing dedication ceremony. First choice: Saturday 10/4/2021 @ 1:00 pm Second choice: Saturday 10/9/21 @ 1:00 pm. City Secretary will reach out to Steve Foster and advise council.

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 has received no update from Epi Gonzales, TX DOT. Commissioner Brushwood notes TX Dot has started work of adding a second traffic light at intersection of FM1826 and 45W.

Jim Bellevue asks if there is any chance of getting a signal at our intersections? Mayor Bohm states no. The current traffic count studies don't support it. As more residential subdivisions come in on FM1826 our plan to request a new traffic count study and a study on wait time for residents to get out onto FM1826. (traffic count and timer) He's heard from a resident they want to initiate a citizen petition; we can present that to TX Dot as well. Commissioner Brushwood would be happy with a flashing yellow light as a warning to FM1826 traffic of our intersections. Jim Bellevue mentions a chicken lane

heading North bound on FM1826 would be nice. Mayor Bohm said the 2030 corridor plan is upgrade FM1826 to SH1826. As part of that upgrade, they will increase sight distances, build up and fill depressions in road, add chicken turn lanes, etc.

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 has no update from legal counsel. Hope we have something for next month.

C. Discussion and possible actin 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 reads a Hays County Covid-19 report dated 6/17/21. 1 – recent Covid fatality; 17 new lab confirmed cases; 1 new hospital case. Total: 18609 recovered, 124 active cases, 908 hospitalizations, 5 currently hospitalized. Requests City Secretary reach out to Hays County Fire Department to see they are now allowing meetings at the Driftwood Fire Station.

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

Table.

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

Mayor Bohm reports that VOBC Engineer, Chad Gilpin, is still working on bids on our behalf for a concrete contractor. Due to the crazy building boom he hasn't had many responses; but hopes to have a minimum 2 bids next month.

General discussion regarding this being a good time for Right of Way mowing. Most of the wildflowers have gone to seed and would be a good idea to mow before July 4th fireworks. Commissioner Brushwood would like the mower to also clean up the down cedars on N Madrone Trl (near Cedar Cove). Commissioner Brushwood makes a motion to contact Jeff Raffaele to mow and cleanup the down cedars on N Madrone Trail

for \$1,500.00. Commissioner Burns second. City Secretary stated the previous two mows included edging around culverts and mailboxes for total \$1,500.00/per job. Motion approved unanimously.

Commissioner Brushwood followed up with Johnny with TX Road Repair and he intends to come out this week and do the work approved in May.

Commissioner Brushwood feels there is enough Right of Way clearing to warrant 2 days of work: S Madrone Trl near the white house, Cedar Cove and N Madrone Trail. He'd oversee the work and requests approval to reach out to Cathey's Tree Service. Mayor Bohm makes motion to approve 2 days of work at \$1,500./day is total \$3,000.00.

Commissioner Burns seconds. Motion is approved unanimously.

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)

Mayor Bohm commented that the sign is working great. Commissioner Brushwood shared he received mailer for two new speed limit detection signs; not that we need new one or two of them. He has not had opportunity to turn the sign around to the opposite direction.

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

City Secretary shared that Roland Williams started working on web site issues. He's not finished yet and is aware of the upload duplication issue. ie: March 2021 City Minutes uploaded once yet 4 sets of March 2021 minutes are on the web site. Mayor Bohm said Rowland Williams set up his Mayor@vilbc.org email and encouraged commissioners to reach out to him if you want a vilbc.org imap email.

10) Announcements

A. Next VOBC Commissioners Meeting is scheduled for Monday, July 19, 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 8:06 PM

Submitted on June 26, 2021 by Kathryn Rosenbluth.

Approved on _July 19, 2021_____

By *Kathryn Rosenbluth*
Kathryn Rosenbluth, City Secretary