

**MINUTES OF THE MEETING OF THE  
VILLAGE OF BEAR CREEK COMMISSIONERS  
August 16, 2021**

**1) Call to Order**

The meeting was called to order 7:06 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 moves the following items out of order to be discussed at this time***

**New Business:**

**#9.F Discussion and possible action regarding 8/12/2021 TDS trash/recycling services resulting in litter and broken glass on roadways.**

TDS Representatives Ja-Mar Prince and Frankie Betz are in attendance and explained they have a shortage of drivers. They were working late in VOBC Thursday, 8/12/21; because it was dark the driver couldn't see the recycle / trash loading, as a result, a sizable amount of glass and debris littered VOBC roadways. TDS was notified and promptly returned Friday 8/13/21 and successfully cleaned up the roadway from glass and debris. They apologized for the unfortunate circumstance. Commissioners thanked them for their quick action to remedy the situation.

**#9.E Discussion and possible action regarding VOBC/TDS Annual Trash Clean Up Day on September 25, 2021.**

With TDS representatives in attendance Council opened discussion regarding the upcoming TDS trash day. In past years VOBC has put plywood down in at the two collection locations to protect roll off container from damaging the road. Council is of the consensus the plywood didn't make a difference. In addition, the plywood as it would often disappear after use. Those factors combined with the increase in cost of plywood council decides not to

Purchase plywood this year. City Secretary has TDS flyers in the posting boxes and the week prior to TDS trash day she will add signage at each entrance. Each sign will have a 'take one box' containing TDS flyers. She'll also post the information on BCO Facebook page. Council has open discussion of how to combat people dumping trash material at the two locations prior to the date and time of the event. Decide to have new signs made for each collection location. Sign verbiage to include 'no dumping outside of hours of the event' and to list the "allowed items in green" and "prohibited items in red". Mayor Bohm makes a motion to approve two VOBC trash day signs at a cost not to exceed \$150.00. Commissioner Burns seconds. Motion is approved unanimously.

**#9.A Discussion and possible action regarding West Travis County Public Utility Agency (WTCPUA) road bore request to install water tap and meter at 12805 S Madrone Trl, owner David Brodsky. WTCPUA Project Manager, Ruben Ramirez.**

Ruben Ramirez, Project Manager for West Travis County Public Utility Agency is in attendance. July 26, 2021, VOBC received a request to approve road bore under S Madrone Trail to install a water tap and meter for 12805 S Madrone Trl. Upon receipt WTCPUA was made aware this item need council approval and would be reviewed at the VOBC Commissioners Meeting on 8/16/2021. Without VOBC approval WTCPUA began construction on Wednesday 8/4/21. Thursday 8/5/21 Mayor Bohm issued a stop work order. Mayor Bohm hand delivered the Stop Work order to the crew on site and posted it on site as well. The work crew immediately stopped work; set up cones, a barrier fencing and removed their equipment. Ruben apologized for the oversight and admitted starting the job without VOBC approval was a miss communication on their end. The road bore is a straightforward process; construction to clean up is 4 days. They install a 1" service line off of the existing 6" line. Property owner, David Brodsky, indicates where the meter is to be placed. Expect it will be +/- 8' from 12805 S Madrone Trl driveway. Mayor Bohm makes motion to approve the WTCPUA request to road bore 12805 S Madrone Trl as submitted. Commissioner Brushwood seconds. Motion is approved unanimously. Ruben confirmed he will take this verbal approval; written approval isn't necessary.

Resident Dave Perry asks Ruben if he can provide council with map of existing WTCPUA water lines. Commissioner Brushwood asks the feasibility of upgrading fire hydrant capability. Ruben explains the original line was Hill Country Water Supply, sold to LCRA

then sold to WTCPUA. He will forward a water line map. Said in 2007 the dead-end lines terminate into flush valves. For fire hydrant capability we'd have to look into bringing the water lines up to current to fire code standards. An engineer must design plans, the plans pass fire department approval, then WTCPUA approval.

**#9.H Discussion and possible action regarding the Cononavirus Local Fiscal Recover Fund (CLFRF) program and VOBC. (Mayor Bohm)**

Mayor Bohm explained the Cononavirus American Rescue Plan is to reimburse municipalities for infrastructure. Funds must go toward water, sewer or broadband. We can get up to \$115,000.00 funding from CLFRF. VOBC has no need for sewer or broadband, but we do have water needs, so when the opportunity came to accept or reject CLFRF he chose to accept. Disbursement of funds is twofold 50% October 2021 and 50% October 2022. Chad Gilpin, City Engineer said to we'd need +/-6500 feet of line to complete the water line to FM1826. Said there are advantages to having the water line being a full loop with no dead ends. Fire hydrants need 8" line. Fire Hydrant on FM1826 (near N Madrone Trl) Is an 8" line. Ruben said the FM 1826 line is 8"; it connects and reduces to 6" line in VOBC. The line on Madrone Trail Is 6" and the line in Bear Creek Dr is 4". To use these funds wisely we'll need to investigate line upgrade and/or expanding water lines.

***Mayor Bohm resumes to items in agenda order.***

**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) Approval of Minutes from July 19, 2021 Commissioners Meeting.**

Mayor Bohm makes motion to approve July 19, 2021 Commissioners Meeting minutes with one correction; #9. E spelling correction changing "completed to completing". Commissioner Brushwood seconds. Motion is approved unanimously.

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

Open discussion regarding over budgeted utilities. In March 2021 monthly PEC utility fee increased from \$31.84/month to \$69.55/month as direct result of February 2021 winter weather event. Commissioner Brushwood makes a motion to increase utilities \$500.00 to \$800.00 by taking \$300.00 from contingency. Commissioner Burns seconds. Motion is approved unanimously.

Mayor Bohm makes a motion to increase payroll expenses from \$700.00 to \$715.00 by taking \$15.00 from contingency. Commissioner Burns seconds. Motion is approved unanimously.

**8) 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 \$30.00 for April attorney services. Invoice #3104 dated 8/3/2021.**

**B. Approve payment to News Dispatch \$37.00 for public notice of budget hearing. Invoice #62531 dated 8/2/2021.**

Mayor Bohm makes motion to approve the Consent Agenda as read. Commissioner Burns seconds. Motion is approved unanimously.

**9) New Business**

**A. Discussion and possible action regarding West Travis County Public Utility Agency (WTCPUA) road board request to install water tap and meter at 12805 S Madrone Trl, owner David Brodsky. WTCPUA Project Manager, Ruben Ramirez.**

Discussed earlier in the meeting.

**B. PUBLIC BUDGET HEARING: VOBC BUDGET 10/1/2021 – 9/20/2022.**

Mayor Bohm opens the budget hearing. Budget reviewed. Council agree to increase Utility budget to \$800.00 and Payroll Expenses to \$715.00 to match the previous year budget. The property tax revenue is based off 0.08940 cents per \$100.00 value. With increase of appraised values Mayor Bohm suggests for budget purpose we reduce property tax revenue to 0.0800 cents per \$100.00 valuation. Commissioners agree Budget amended to show property tax rate at 0.0800 cents per \$100.00 valuation.

**C. Discussion and possible action to approve VOBC Budget 10/1/2021 – 9/30/2022; Ordinance #210816.001.**

Mayor Bohm makes motion to approve the VOBC Budget 10/1/2021 - 9/30/2022; Ordinance #210816.001 with the changes discussed in #9.B above. Commissioner Burns seconds. Motion approved unanimously.

**D. Discussion regarding the proposed VOBC tax rate of \$0.08940 cents per \$100.00 valuation for tax year 2021.**

Council has general discussion and due to increased appraised values want to reduce the tax rate to be between revenue neutral 0.0787 cents per \$100.00 valuation and max voter approved rate of 0.0814 per \$100. Council settles on a proposed a tax rate of 0.0800 per \$100.00 valuation. City Secretary will communicate that to Hays County Tax Assessor and request they prepare the required posting notice. VOBC 2021 tax rate will be on the September 2021 agenda.

**E. Discussion and possible action regarding VOBC/TDS Annual Trash Clean Up Day on September 25, 2021.**

Discussed earlier in the meeting.

**F. Discussion and possible action regarding 8/12/2021 TDS trash/recycling services resulting in litter and broken glass on roadways.**

Discussed earlier in the meeting.

**G. Discussion and possible action regarding VOBC records and fire recover. (Mayor Bohm)**

Mayor Bohm was told all city records were destroyed in the fire on 7/16/21. Upon further investigation some of the file cabinets were tightly packed and still contained files. They appear to be burned on edges and sustained water damage. The state advised him city files are considered government property; we need to make every effort to retrieve what we can. Then catalog what we lost and what we have. At this point +/- 20 banker boxes of files are off sight at to be restored. Expense to VOBC will be roughly \$7,000.00.

**H. Discussion and possible action regarding the Cononavirus Local Fiscal Recover Fund (CLFRF) program and VOBC. (Mayor Bohm)**

Discussed earlier in the meeting.

**I. Discussion and possible action regarding the new Hays County Fire Marshall burn permit process. Including but not limited to an interlocal**

## **agreement with Hays County and updating VOBC Outdoor Burning Ordinance #091221.001 (Mayor Bohm)**

Mayor Bohm informs council of the new Hays County Fire Marshall Outdoor Burn permit procedure. Permitting replaces the requirement of calling and notifying them of your burn. And allows them to easily track all outdoor burns. If you want to burn brush you'll need to plan in advance and get a permit. VOBC needs to update our Outdoor Burn Ordinance #091221.001 to include the Hays County Fire Marshall Permitting requirement and clarify what can be burned. Which is basically brush that has been grown on the property.

To obtain a permit; First you register <http://www.hayscountypermits.com> select Login or Register button in the top right corner. Once you've registered, log in and click the "Apply for a New operational permit" then choose Open Burning Permit and complete the required information. Hays County will issue a 7-day permit; and you need to activate. "Each Day" you wish to burn within the 7-day permit. Hays County Fire reviews submissions in real time, except on weekends, so it should be a relatively fast around time.

Under state law, you cannot burn building materials, rags, etc. And can only burn brush that has been grown on the property. One cannot haul brush from another property and burn it on a property it wasn't grown on.

City Secretary will post this information on the BCO Facebook page.

### **10) 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. No new information.

#### **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.**

Council has discussion regarding the draft Subdivision Ordinance. Commissioner Brushwood recommends the ordinance include a definition for "replat" and "amended plat". Mayor Bohm is hoping to finalize Subdivision Ordinance soon so we can have a Public Hearing and take action.

**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 reads as of 8/6/2021 Hays County Covid-19 reports reflect Covid cases increasing. Of 67 people hospitalized 58 are not vaccinated. One confirmed case of the Delta variant in Hays County. Hays County Sherriff released public statement upholding government and supreme court mask mandate. However, Hays County Judge Ruben Becerra ruled Hays ISD to require masks.

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

Table. No new information.

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

Commissioner Brushwood will work to fix the 30-mph speed limit on N Madrone Trl hanging by one bolt. Mayor Bohm reports road cracking in some areas and suggests we have Tx Road Repair & Patches apply crack fill to these areas. Mayor Bohm makes a motion to approve an amount not to exceed \$2,500.00 to TX Road Repair & Patches. Commissioner Brushwood seconds. Motion approved unanimously. Commissioner Brushwood will reach out to Johnny with TX Road Repair & Patches.

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

City Secretary shared that Roland Williams continues to work on web site in his spare time. Yes, he intends to upload pictures.

**10) Announcements**

**A. Next VOBC Commissioners Meeting is scheduled for Monday, September 20, 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.**

- C. VOBC Low Water Crossing dedication ceremony to Erin Foster will be held Saturday, October 2, 2021 at 1:00 PM at the Low Water Crossing.**

**11) Adjournment**

The meeting adjourned at 10:40 PM

Submitted on October 3, 2021 by Kathryn Rosenbluth.

Approved on \_10/18/2021\_\_\_\_\_

By *Kathryn Rosenbluth*  
Kathryn Rosenbluth, City Secretary