

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS September 20, 2021

1) Call to Order

The meeting was called to order at 7:04 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 April 19, 2021 Commissioners Meeting.

Table

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

Table

6) Approval of Minutes from August 16, 2021 Commissioners Meeting.

Table

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

10/1/2021 to 9/30/2021 Fiscal Year End Budget and Expenses reviewed. No action required.

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 \$135.00 for May 2021 attorney services. Invoice #3175 dated 8/19/2021.

b. Approve payment to News Dispatch \$54.00 for public notice of VOBC tax rate notice. Invoice #62657 dated 9/8/2021.

c. Approve payment to Hays Central Appraisal District \$112.73 for 2021 4th Quarter. Invoice dated 9/1/2021.

d. Approve reimbursement to Kathryn Rosenbluth \$ 116.37: \$35.18 for color prints of the VOBC/TDS clean up date flyer and \$81.19 for two VOBC/TDS clean up signs.

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

9) New Business

A) Discussion regarding the proposed VOBC tax rate of 0.0800 cents per \$100.00 valuation for tax year 2021.

Commissioners discuss proposed tax rate of \$0.0800 cents per \$100.00 valuation. No opposition to reducing 2020 rate of \$0.08940 cents per \$100.00 valuation to \$0.0800 cents per \$100.00 valuation. Due to increase in property valuations the \$0.0800 rate is lower than the voter approved rate (ie roll back rate) of \$0.0814 cents per \$100.00; and a little higher than the revenue neutral rate of \$0.0787 cents per \$100.00 valuation.

B) Discussion and possible action to approve VOBC Tax Rate Ordinance 210920.001.

Mayor Bohm makes a motion to approve the 2021 VOBC Tax Rate Ordinance #210920.001 as amended. Amendments are the following corrections in first paragraph
1) Remove "The City Of" 2) Correct years 2019 – 2020 to 2021 – 2022. 3) Correct spelling Effectie to Effective. Commissioner Burns seconds. Motion is approved unanimously.

C) Discussion and possible action to amend VOBC 10/1/2021 - 9/30/2022 Budget.

Mayor Bohm makes motion to increase \$250.00 rent budget to \$600.00 due to the increase in meeting fees. Commissioner Burns seconds. Motion is approved unanimously.

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

City Secretary states the new VOBC/TDS signs are now up at the 2 clean up locations: Niles Cove and Madrone Cir. She'll remove them after the event. Our new TDS representative, Frankie Bates, is looking forward to participating. Asked if he could set up a table with promotional items. She suggested he bring bottled water instead of promotional items. Due to previous years participation Council suggested we inquire as to the cost of an additional roll-off container. City Secretary will inquire on that. Commissioner Brushwood recently toured the TDS facility. Shared that he was very

impressed with TDS being a family-owned company. Their commitment to the community, recycling/composting and their exotic wildlife game ranch. He highly recommends taking the tour.

E) Discussion and possible action regarding October 2, 2021 Low Water Crossing dedication ceremony to Erin Foster.

City Secretary has reached out to family and friends and posted event in VOBC boxes as well as the BCO Facebook page. Expects +/- a dozen people to attend the event and it will last an hour. She'll set up a table with beverages and requests attendees bring chairs. Commissioner Brushwood offers to weed eat the area around the monument and Right of Way.

F) Discussion and possible action regarding City Commissioner Douglas Burns resignation effective September 30, 2021.

The Burns family sold their home and are moving out of state. Mayor Bohm accepts City Commissioner Douglas Burns resignation effective 9/30/21 and thanks him for his years of service and dedication. As of 9/30/21 we'll have a vacancy on council until Mayor Bohm appoints a replacement to complete the Burns term to November 2022. Resident Dave Perry expressed interest in filling the vacancy; but the timing was bad. Council members are discussing the opportunity with other residents.

G) Discussion and possible action regarding State of Texas Open Meetings Act Suspension Updated and VOBC Open Meetings.

June 30, 2021, Governor Abbott's office approved a request by Ken Paxton, Texas Attorney General, to lift the suspensions of certain provisions of the Open Meetings Act allowing government meetings be held virtually due to Covid-19. Effective September 1, 2021, all Texas governmental bodies are subject to the Open Meetings Act and must conduct their meetings in full compliance. Effective 9/1/2021 VOBC Commissioner Meetings must be held in person and not virtual. City Secretary reached out to Hays Co Volunteer Fire Dept and confirmed the Driftwood Volunteer Fire Dept community room has not re-opened for HOA, POA nor city meetings. City Secretary reached out to Friendship Creekside church (an old VOBC polling location) and told they can accommodate VOBC's meetings on the third Monday of each month. VOBC application completed and accepted by Friendship Creekside. Cost of \$50.00/per meeting.

10) Old Business

A) Discussion and possible action regarding Village of Bear Creek roads and Right of Way. Including but not limited to Cononavirus Local Fiscal Recovery Fund (CLFRF) program.

Mayor Bohm was notified that we should receive the first installment of 50% funds soon. Funds should be direct deposited into VOBC Money Market account. Mayor Bohm feels we should concentrate on using these funds toward continuation of water line and/or fire hydrants. We should have a study done to determine best use with the funds. Commissioner Brushwood makes a motion authorizing Mayor Bohm initiate a water study by our City Engineer at an expense not to exceed \$2,500.00. Mayor Bohm seconds. Motion is approved unanimously. Commissioner Brushwood followed up with Johnny TX Road Repair and Patches who confirmed he intends to do road work in October.

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

Mayor Bohm commented on the new light at JD's and FM 1826. TX Dot installed the light due numerous accidents and the urging of neighbor communities. Due to the timing of the new light, traffic load and timing of the light at 45 and FM 1826 the mayor personally experienced a back log of traffic especially at rush hour. City Secretary mentioned that over the weekend the FM1826 Right of Way from the Hays County line to FM 150 was mowed.

C) 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 reports that Chad Gilpin, City Engineer approves of the updates and modifications to the proposed Subdivision Ordinance. Commissioner Brushwood would like the Ordinance to define replat. Council has general discussion of replats and short form plats. Page 14, Section 11 add #3 No new public infrastructure including public water, wastewater or drainage facilities shall be necessary to serve the lots. Mayor will communicate that to council. Requests the updated Subdivision Ordinance on the October agenda for approval. City Secretary will post public notice in The News Dispatch.

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

Table.

E) Discussion and possible action regarding Covid-19 Hays County Disaster Order, the Governors Orders and VOBC.

Mayor Bohm shared information from Hays County Covid-19 update from report September 18 – 20, 2021.. Two Covid related fatalities both over 70 years old. 246 new lab confirmed cases along with 11 new hospitalizations and 17 new hospital discharges. 74 additional persons considered recovered. In the past 21 days there have been 2,760 active cases. Hays county has had 1,265 covid related hospitalizations and 49 people are currently hospitalized. Of those, 43 are unvaccinated, which is about 88 percent.

**F) Discussion and possible action regarding VOBC records and fire recovery.
(Mayor Bohm)**

Mayor Bohm reports the files are damaged more than anticipated. He was told we will probably never remove the smell of smoke. Advised the best approach is for 1) each document scanned then stored electronically. This would cost us 2 to 3 times the bid amount. Or 2) they continue doing the best they can; make a best effort to restore each document and we'd store them in plastic bins. Council has general discussion and agree to 2) continue what they're doing and make best effort.

**G) 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 has personally requested Hays Co Burn Permit thru the web site. Said it was quite easy; permit is issued for 7 days. Each day you want to burn within the 7 day period you activate that date as a burn date. The permit expires after 7 days. Commissioner Brushwood suggests Hays County Fire Dept signage should state permits required. City Secretary will post the new Hays County Burn Permit requirement on BCO Facebook page. Mayor Bohm will update VOBC Outdoor Burn Ordinance #091221.001 adding Hays County Burn Permitting requirement and requests we have the new Ordinance on October VOBC Commissioners Meeting agenda. City Secretary will post notice in the News Dispatch.

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

Table.

11) Announcements

A) Next VOBC Commissioners Meeting is Monday, October 18, 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.

12) Adjournment

The meeting adjourned at 9:01 PM

Submitted on October 9, 2021 by Kathryn Rosenbluth

Approved on 10/18/2021 _____

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary