

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS January 18, 2022

1) Call to Order

The meeting was called to order at 7:01 PM

2) Roll Call

Mayor Bohm, Commissioners Brushwood and Trent Brackenridge 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.

Mark Bohm shared his wife brought to his attention a new real estate listing; for +/- 44 acre tract of land for +/- \$6,300,000. Asked that we put this on next month's agenda for discussion as a small portion of the tract is in VOBC.

Al Brushwood mentioned a recent Facebook post where neighbor asked about the PEC mulch piles on S Madone Trl. He agreed with Kathryn Rosenbluth's response that she believes the PEC mulch piles are in the utility easement and PEC told VOBC that residents have their permission to take as much mulch as they want. However, if some of the mulch is on private property we don't know if the property owner authorizes the same.

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 December 21, 2021 Commissioners Meeting.

Mayor Bohm notes two corrections. 1) #7 #2 correct the amount approved from \$4,000.00 to \$4,400.00. 2) #10.B sentence reads "light Nutty Brown light" requests removing the 'light'. Commissioner Brushwood makes a motion to approve the December 21, 2021 minutes as amended. Commissioner Brackenridge seconds. Motion is approved unanimously.

7) Discussion and possible action in regard to reviewing 2021- 2022 budget and actual expenditures.

Council has general discussion. No changes needed. Kathryn Rosenbluth mentioned we typically receive the Hays County Animal Control invoice in January. She'll call

Hays County Auditor department and track it down.

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 \$255.00 for October 2021 attorney services. Invoice #3565 dated 12/22/2021.**
- b. Approve payment to Friendship Creekside Fellowship \$50.00 for 1/18/2022 VOBC Commissioners Meeting.**

Mayor Bohm makes motion to approve the consent agenda as read.

Commissioner Brushwood seconds. Motion is approved unanimously.

9) New Business

- A) Discussion and possible action regarding the removal and cleanup of temporary driveway at 13104 S Madrone Trl, owners Bruce and Tracie Upham. Driveway Ordinance requires City Council's acceptance and authorization to refund \$1,500.00 temporary driveway fee.**

Council has a general discussion and all agree the temporary driveway at 13014 S Madrone Trl has been removed. At this time the permanent driveway in the right of way is installed and clean-up is complete. City Secretary confirmed receipt of \$1,500.00 deposit check. Work was to be done within 30 days; due to the quick turn time she elected to hold the check and not deposit it. Applicant; Bruce and Tracie Upham are aware if Council approves authorization to refund she will void the check. If Council denies she will deposit the check. Mayor Bohm makes motion per Driveway Ordinance, Council has confirmed the temporary driveway at 13014 S Madrone Trl is removed and the area is cleaned up therefore, requests refund to applicant the \$1,500.00 application fee. In this case City Secretary is to void the check. Commissioner Brackenridge seconds. Motion approved unanimously.

B) Discussion and possible action regarding Texas Disposal System's annual rate adjustment effective March 1,2022, in accordance with VOBC/TDS contract.

Council has general discussion regarding the VOBC TDS 5-year contract expiring March 1, 2024. Provisions of the contract stipulates increase fees for the following services effective March 1, 2022:

Refuse and recycle services increase from \$21.38/month to \$21.76/month

Extra cart fee increases from \$6.86/month to \$6.98/month.

Portable Restroom Monthly Rates increase +/- 2.00/month depending on how many units rented.

Portable Restroom Weekly Rates deliver fee and rental increase +/- 2.00/month depending on how many units rented.

Roll Off Rates: Delivery fee increase from \$170.99 to \$174.07. Daily rental \$5.18 to \$5.27 and Haul fee increase from \$466.35 to \$474.74.

10) Old Business

A) Discussion and possible action regarding open application period 12/10/2021 to 4/20/2022 for the FEMA Hazard Mitigation Grand Program (HMGP) related to FEMA-DR-4485 (Covid-19 Pandemic).

Commissioner Brushwood reached out to Hays County and TX Dot contact. Both have yet to respond. Table.

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

Commissioner Brushwood said he spoke to Jonathan (Johnny's son) who confirmed TX Road Repair and Patches equipment is up and running. However, since they got behind on jobs; he hopes to have our work completed in February.

In regards to the CLFRF program Mayor Bohm will forward a 400 page document that covers their interim policies and all uses of funds. He the encourages commissioners to review the document. His opinion is that we are eligible to use funds for 1) Broadband infrastructure 2) water and/or sewer infrastructure. Chad Gilpin, VOBC Engineer is waiting to VOBC directive on

what we want to do. He quoted cost of \$800.00 to \$1000.00 for a water hydrant load flow test on the hydrant at FM 1826 and N Madrone Trl. Commissioner Brushwood makes a motion authorizing Gilpin Engineering do a water distribution evaluation throughout VOBC at an expense not to exceed \$2,000.00. Commissioner Brackenridge seconds. Motion approved unanimously.

C) 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.

Commissioner Brushwood commented FM 1826 is also referred to as RR 1826, and RM 1826. He hasn't reached out to TX Dot yet regarding their upcoming traffic study; but will do so.

D) Discussion and possible action regarding Driveway Ordinance #190218.001.

Table.

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

Mayor Bohm shared even with latest Omicron variant the Covid numbers are tracking upward. The Hays County Covid-19 reports increased to three times a week. VOBC report; 0 fatalities / 0 active / history of 8 cases. Hays County report: 33 people are hospitalized. Of the 33: 17 are non-vaccinated and 16 are vaccinated.

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

Table.

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

City Secretary used a different browser and was successful in deleting Ordinances.

Confirmed the Subdivision Ordinance uploaded is the correct version. Rowland

Williams still working on the web site; intends to add pictures. City Secretary

requested training on the calendar function and adding page maps.

11) Announcements

- A) Next VOBC Commissioners Meeting is Tuesday, February 15, 2022 at
7:00 PM at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX
78737**

12) Adjournment

The meeting adjourned at 8:00 PM

Submitted on January 23, 2022 by Kathryn Rosenbluth

Approved on 2/15/2022

By *Kathryn Rosenbluth*
Kathryn Rosenbluth, City Secretary