

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
February 15, 2022**

1) Call to Order

The meeting was called to order at 7:00 PM

2) Roll Call

Mayor Bohm and Commissioners Brushwood present. Trent Brackenridge is absent.

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.

Kathryn Rosenbluth shared that early voting is on-going for the March 2022 primary election. Early Voting is 2/14/2022 thru 2/25/2022 the closest location is at Patriot's Hall of Dripping Springs, 231 Patriots Hall Blvd. Election date is March 1, 2022 and closest polling location is at the N. Hays County Fire Dept, 15850 FM 1826.

Kathryn Rosenbluth noticed a few signs are twisted: likely due to high winds. IE: signs on pole at Bear Creek entrance, stop sign on N Madrone Trl.

Commissioner Brushwood noticed stop sign on North Madrone is bent.

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 January 18, 2022 Commissioners Meeting.

Mayor Bohm makes a motion to approve January 18, 2022 commissioners meeting minutes as submitted. Commissioner Brushwood seconds. Motion is approved unanimously.

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

Council has general discussion. Mayor Bohm makes motion to pull \$50.00 from contingency fund and increase the TML Liability Insurance from \$1,500.00 to \$1,550.00. Commissioner Brushwood 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 Hays County Auditor's Office \$500.00 for Animal Control Services 10/1/2021 to 9/30/2022. Invoice dated 1/21/2022.**
- b. Approve payment to Friendship Creekside Fellowship \$50.00 for 2/15/2022 VOBC Commissioners Meeting.**
- c. Approve reimbursement to Kathryn Rosenbluth \$31.92 for printing VOBC checks.**
- d. Approve payment to Jeff Raffaele \$400.00 to repair and/or replace metal roofing on the two VOBC posting boxes. Invoice dated 2/7/2022.**

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 non-permitted culvert installed 1/27/2022 at 8150 N Madrone Trl owners Roger and Carol Goodman.

January 27, 2022 Commissioner Brushwood noticed a culvert going in at 8150 N Madrone Trl. He took pictures and confirmed with City Secretary that VOBC has not received a culvert application and it's non-permitted. He then went to the property, the owners weren't home, he spoke to their adult son. Informed him that they are in violation of the VOBC Driveway/Culvert Ordinance #190218.001. Provide him with a copy of the Ordinance and requested share this information with his parents and encourage them to submit a culvert permit request soon as possible. The son acknowledged and said the purpose of the culvert is so that they can easily pull their airstream on and off their property. City Secretary located the owners email address and phone number in an old BCOPA directory. On 2/15/22 she emailed the owner and the email bounced back. She will take action to mail them a violation notice along with Ordinance #190218.001.

B) Discussion and possible action regarding Lang Family Ranches properties: Lot 5, Section 3, Bear Creek Oaks (5.06 acres) and the adjoining Lot 8, Silver Spur Ranchettes (39.13 acres) both in Hays County.

On 2/9/22 Independence Title Company notified City Secretary there is a commercial contract on the two lots owned by Lang Family Ranches. Said the buyers are in the feasibility stage and looking to build a subdivision. They've not requested a resale certificate; but wanted information regarding our Subdivision Ordinance. The buyer is out of state and has hired a local development consultant, Jon Thompson. (Ex Planning Director for Dripping Springs and Ex Subdivision Coordinator for Hays Co) Listing & Selling Agent is Josh Friedman. Independence Title put Jon Thompson in touch with Mayor Bohm. Mayor Bohm shared his conversation with Jon Thompson. Thompson said the Silver Spur Ranchettes is in the City of Austin ETJ. Asked if we knew what the City of Austin ETJ development restrictions are. They're exploring the idea of developing a subdivision with 32 homes. At present we're waiting for Jon Thompson provide us with a written proposal. Bohm's understanding is 30 homes would be on the Silver Spur Ranchettes and 2 homes would be Bear Creek Oaks (they'd subdivide the 5.06 acres per VOBC Subdivision Ordinance) They need City of Austin ETJ approval, Hays County & VOBC approval regarding roads, drainage, flood. He asked if VOBC would de annex BCO Lot 5, Section 3 and they discussed possibility of VOBC road access, traffic flow and safety. Will the subdivision be gated? Will VOBC have road access to Davy Crockett Rd? How much traffic would spill onto VOBC roads? Mayor Bohm spoke with Paige, Legal Counsel, who said to de annex we'd have to discuss with City of Austin and get permission to physically transfer the tract. City Secretary said if we de annex our city boundary and map would change; that's an expense we need to consider. Bohm added we need to consider traffic and septic pollution. All the BCO lots that back up to Silver Spur Ranchettes their homes are the rear of the lots making them close to the new development. He spoke to the property owner to the west of Lot 5, Section 3 who requested that VOBC mandate the new developer not clear cut; but leave a border of trees between VOBC lots and the new development.

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 has not heard from Hays County nor TX Dot contact. Request we leave this item on the agenda thru April.

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

Commissioner Brushwood received a text from Johnny with TX Road Repair and Patches recommending we find another contractor as he's unable to do our job in a timely matter. A combination of being backed up with work orders largely due to mechanical difficulties and unfavorable weather. Council has general discussion. Brushwood will reach out Johnny for referrals and see if he can find out what type of equipment/manufacture he uses. Mayor Bohm will call Chad Gilpin and Ramming Paving requesting referrals.

Mayor Bohm mentioned that Jon Thompson said he knows the guy at TX Dot that has something to do with approving/disapproving traffic light locations. And that he'd reach out to him. We'll see if Thompson follows up on that.

Commissioner Brushwood has ordered street signs from Pathmark for the N Madrone Trl/FM 1826 stop sign and will submit for reimbursement.

C) Discussion and possible action regarding Cononavirus Local Fiscal Recovery Fund (CLFRF) program and the April 30, 2022 deadline to submit the Project and Expenditure Report.

Mayor Bohm spoke to Chad Gilpin who said the \$2,000.00 we approved should be sufficient for the water tests; but not enough for him to complete the study. He'll start researching and get people in to do the water test on the fire hydrant at FM 1826 and N Madrone Trl. Gilpin thinks he'll have an update for us at March VOBC Commissioners meeting. WTPCUA said it's a 6" line at FM 1826 and N Madrone Trl. City Secretary forward email to Commissioners regarding 4/30/22 Project and Expenditure Report deadline. Email was 100's of pages; she hasn't had opportunity to review it.

D) 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 met with our Hays County Commissioner Walt Smith and discussed our concerns and issues regards to FM1826 traffic and safety. The discussion included Willie Samara with TX Dot. Brushwood said the meeting went very well and Walt Smith recognizes the issues and receptive to working with us. He too has concerns for population growth and traffic issues on FM1826. Brushwood shared in April 2022 TX Dot will perform a comprehensive FM1826 traffic study. They will take readings at all times of the day and study wait times to access FM 1826 from intersections such as ours. He shared that TX DOT plans to install RoundABOUTs at FM 967 & FM 1826 and FM 150 & Hays City Store. Commissioner Walt Smith said the Skylark subdivision plans to have 100 homes and will have 3 entrances on FM1826.

E) Discussion and possible action regarding Driveway Ordinance #190218.001. Table.

F) 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 downward. The Hays County hospitalizations are down. Hays County report: 25 people are hospitalized. Of the 25: 5 are non-vaccinated, 5 are vaccinated, 2 unvaccinated on a ventilator, 0 vaccinated on a ventilator. VOBC has no active cases.

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

Table.

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

City Secretary shared she received a suspicious email from Mayor Bohm's and think's his VOBC email is hacked. He will look into it and contact Rowland Williams.

11) Announcements

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

12) Adjournment

The meeting adjourned at 8:27 PM

Submitted on February 26, 2022 by Kathryn Rosenbluth

Approved on 4/19/2022

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary