

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

## **1) Call to Order**

The meeting was called to order at 7:06 PM

## **2) Roll Call**

Mayor Pro Tem Brushwood and Trent Brackenridge present. Mayor Bohm 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.**

None

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

Table, minutes are not complete

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

Table, minutes are complete however Council quorum not in attendance to approve the minutes.

## **6) Approval of Minutes from February 15, 2022 Commissioners Meeting.**

Table, minutes are complete however Council quorum not in attendance to approve the minutes.

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

Kathryn Rosenbluth commented the updated Budget with changes approved at the February 15, 2022 are outstanding. The Texas Workforce Commission check cut in December 2021 hasn't cleared. To avoid further penalty changes she auto debited funds directly to TWC. Prosperity bank has a \$30.00 stop payment fee. If council authorizes, she will put a stop payment on December 2021 check. However, recommends not putting a stop payment; if the TWC check clears our account will be credited and applied to future 2022 payments.

## **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 Central Appraisal District \$113.43 for 2022 2<sup>nd</sup> Quarter 2022. Invoice dated 3/1/2022.**

- b. Approve payment to Friendship Creekside Fellowship \$50.00 for 3/15/2022 VOBC Commissioners Meeting.**
- c. Approve reimbursement to Al Brushwood \$91.85 for street signs (N Madrone Trl & FM 1826) and hardware.**
- d. Approve payment to Montemayor Britton Bender PC \$1,825.00 for 50% upfront payment for the 10/2/2020 – 9/31/2021 VOBC Fiscal Audit, per contract. Invoice dated 1/31/2022.**

Lee Otten asked how a citizen can get a copy of VOBC Audit. City Secretary responded you'd file an Open Records Request. Commissioner Brackenridge makes a motion to approve the Consent Agenda as read. Mayor Pro Tem Brushwood seconds. Motion is approved unanimously.

#### **8) New Business**

##### **A) Discussion and possible action to select dates for 2022 VOBC/TDS Annual Trash Collection Day.**

Council has an open discussion on possible 2022 VOBC/TDS Clean Up date. Requests City Secretary communicate these dates in order of preference and get it scheduled with TDS. Saturday 5/14/2022, Saturday 5/21/2022, Saturday 6/11/2022, Saturday 9/24/2022.

##### **B) Discussion and possible action regarding Montemayor Britton Bender PC renewal contract for VOBC annual final statement review for years 2022, 2023 and 2024.**

Council has an open discussion on the Montemayor Britton Bender PC 3 year renewal contract for year end 30 September 2022, 2023 and 2024 at cost of \$4,000.00 for first year and a 5% increase for each subsequent 2 years. Current 3 yr contract is at fixed rate of \$3,650.00 per year. Council agrees an increase to \$4,000.00 is reasonable; however prefers fixed rate 3 year contract. Mayor Pro Tem Brushwood makes a motion to request Montemayor Britton Bender PC consider a 3-year renewal contract at flat \$4,000.00 per year. Commissioner Brackenridge seconds. Motion passes unanimously.

#### **9) Old Business**

##### **A) Discussion and possible action regarding, and not limited to, the sale and development of 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.**

Mayor Pro Tem Brushwood opens the floor for general discussion. We know the sale is under contract, they've hired a developer and are doing the feasibility study. Until we know what their plans are we are kinda in a holding pattern. All in attendance agree a large housing development in Silver Spur Ranchettes would very likely have a road accessing N Madrone Trl; as this would allow for easy access to FM 1826. Access to FM 1826 would be a shorter and preferred route out compared to taking Dave Crocket to Nutty Brown Road. Is there any way we can disallow road access to N Madrone Trl? It's feared if with road access we'd suffer immensely due to increased residential and construction traffic, wear and tear on roads and safety issues. There is no benefit to us. No ability to tax Silver Spur Ranchettes and we'd lose VOBC's quaint residential feel. Tracie Upham would like to start a Citizens Action Committee. She feels many neighbors don't know about the proposed development. She will put up signs on the lot, spread the word and research road rights and ingress/egress. Council appreciates her initiative and agrees a Citizens Action Committee is a good idea. City Secretary will reach out to City of Austin for an ETJ contact and their development review procedures.

**B) Discussion and possible action regarding open application period 12/10/2021 to 4/29/2022 for the FEMA Hazard Mitigation Grant Program (HMGP) related to FEMA-DR-4485 (Covid-19 Pandemic)**

Table.

**C) Discussion and possible action regarding Village of Bear Creek roads and Right of Way. Including but not limited to non-permitted culvert installed on 1/27/2022 at 8150 N Madrone Trl; owners Roger and Carol Goodman.**

Mayor Pro Tem Brushwood reports on the search to find a new contractor for road work. He hopes to find a company with the same equipment that TX Road Repair and Patches used. He contacted RDC Paving, an Austin paving company 512-920-9155. They came out and reviewed the roads with him. They don't own the same machine as TX Road Repair & Patches, but can rent it from a vender in Houston. They're putting a bid together for road edge repair. Some road edge could use a ribbon of dirt put down then back filled with road base and packed. Lee Otten suggested we contact the Texas Transportation Institute as they could have cost effective options for road construction and repair. John Hudson asked how much of our budget is allocated to roads. Bruce Upham mentioned the asphalt base under the road provides the strength. Chip seal on top of asphalt is to extend the life but doesn't provide strength.

In regards to the non-permitted culvert at 8150 N Madrone Trl on February 15, 2022 City Secretary mailed a letter notifying the Goodman's of noncompliance along the Driveway/Culvert Ordinance and Application. Has received no response. She'll mail a follow up letter and request Glen Ragan, Driveway Authority to review the culvert for compliance and advise. Their Airstream hasn't been visible for months; maybe their traveling and that's why they've not responded?

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

City Secretary will work meeting the 4/30/22 Project & Expenditure Report deadline.

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

Mayor Pro Tem Brushwood confirmed with Walt Smith and the new TX DOT Engineer that TX DOT will perform a FM1826 traffic survey in April. They'll measure wait time and traffic counts. For them to get an accurate read we recommend residents don't take a right on FM 1826 and make a U turn on Reunion Blvd to avoid taking a left onto FM1826. They should be patient and take a left onto FM1826 so TX Dot can get an accurate report. TX Dot lowered the speed limit to 50mph from JD's to FM150.

**F) Discussion and possible action regarding Driveway Ordinance #190218.001.**

Table.

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

Table.

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

Table.

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

Table.

**11) Announcements**

**A) Next VOBC Commissioners Meeting is Tuesday, April 19, 2022 at 7:00 PM at  
Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.**

**12) Adjournment**

The meeting adjourned at 8:30 PM

Submitted on April 3, 2022 by Kathryn Rosenbluth

Approved on \_\_\_\_ 4/19/2022 \_\_\_\_\_

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary