

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
May 17, 2022**

1) Call to Order

The meeting was called to order at 7:04 PM

2) Roll Call

Mayor Pro Tem Brushwood and Commissioner Brackenridge present. Mayor Bohm 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.

Lee Otten follows up with Council on the status is of his recommendation that we have an Ergon Asphalt representative speak at a Commissioners Meeting. Mayor Pro Tem said that will be discussed Old Business #9.C.

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

Table, minutes are not complete

5) Approval of Minutes from April 19, 2022 Commissioners Meeting.

Table, minutes are not complete

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

Kathryn Rosenbluth reminded council we're pending an updated Budget with changes approved at the February 15, 2022. Reminded council the Texas Workforce Commission check cut in December 2021 hasn't cleared. Prosperity Bank has a \$30.00 stop payment fee. To avoid additional expenses and further penalty changes she auto debited funds directly to TWC. She'll void the December check in a few months.

7) 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 Friendship Creekside Fellowship \$50.00 for 5/17/2022 VOBC Commissioners meeting in the Annex.

b. Approve payment to RDC Paving LLC \$8,500.00 for road edge repair throughout the Village. Invoice dated 5/11/2022.

Mayor Pro Tem Brushwood makes motion to approve the Consent Agenda as presented. Commissioner Brackenridge seconds. Mayor Pro Tem Brushwood opens discussion and said RDC used 15 tons of asphalt fixing edge of road throughout the Village and at the Bear Creek entrance. They ran out of asphalt at the N Madrone entrance; but they filled in the hole as best they could. Motion is approved unanimously.

8) New Business

A) Discussion and possible action to reschedule June, July or August Commissioner Meetings due to summer vacation schedules. Including but not limited to changing the subdivision schedule to match rescheduled commissioner meetings.

City Secretary shares she has a conflict with the scheduled June 21, 2022 commissioners meeting. Council has a general discussion and June meeting date is the only conflict. Commissioners recommend moving the June meeting to the Tuesday prior, 6/14/2022 and if the meeting space isn't available then move it to the Tuesday after, 6/28/2022. Commissioners have a general conversation about using a web hosting service to include a City Council member or City Secretary if they are not able to attend the meeting in person. City Secretary mentions VOBC WebX account expired, and we should confirm it's acceptable with TML. Mayor ProTem makes a motion that we re- up a Zoom membership so members traveling can hookup via Zoom. Commissioner Brackenridge shares that he has a Zoom account and with Friendship Creekside internet access we can use his account. Mayor Pro Tem withdraws his motion.

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.

1) Including discussion and possible action to hire a consultant and/or attorney.

Mayor Pro Tem Brushwood opens the floor for general discussion. City Secretary shares with a council that on April 29, 2022 City Engineer, Chad Gilpin hosted a Zoom Pre Planning Meeting for Lot 5, Section 3 BCO. In attendance: Mayor Bohm, City Secretary, Kathryn Rosenbluth, Jon Thompson, Thompson Professional

Consulting and Chad Gilpin, VOBC City Engineer. Jon Thompson provided executed authorization letters from the seller and proposed buyer allowing Jon Thompson to represent their interests in the potential development of the property Lot 5 Section 3, Bear Creek Oaks. (seller Carl Lang with Lang Family Ranches, LP and the proposed buyer Ryan Wright with Mission Oaks Group Robles Ranch Dripping Springs LLC) Jon Thompson provided an exhibit with hand drawing of the 5.06 acre tract (Lot 5, Section 3, BCO) subdivided into two lots at 2.5 acres each. (lot closest to the PUE would be a flag lot). Jon Thompson confirmed there would be no connectivity to/from the 39 acre Silver Spur Ranchette tract to VOBC streets. They acknowledge they are not allowed to connect any street(s) from Silver Spur Ranchettes (or outside the VOBC) to a VOBC roadway. They will adhere to VOBC Subdivision Ordinance and sell the subdivided BCO lot fee simple. Both BCO lots are hinged on having public water. West Travis County Public Utility Agency will install a 8" line from Zyle Road (what is now a 4" line) will be upgraded to 8" line and service the future Silver Spur Ranchette development. (Silver Spur Ranchette is a proposed condo regime with 30 upper end Single Family Residents at sales price > \$1,000,000./ea) This water line will service the two BCO lots. On a side note: A. they intend to bring in a TX Gas line off Nutty Brown Rd to service the condo regime. B. Austin ETJ requires 20% impervious cover. Chad Gilpin instructed the next steps 1) provide a Concept Plan including: Summary letter with layout of lots, intended structure(s) and driveways, schematic water line to serve the lots, septic and existing wells, topographic and drainage patterns. 2) Preliminary Plat 3) Construction Plans 4) Final Plat.

A resident in attendance shared that he has firsthand knowledge that Lot 5, Section 3, BCO was recently surveyed. Today a survey/excavation crew was at the South/East corner of Silver Spur Ranchettes and appeared to be indiscriminately clearing and not treating Oak wounds. When he asked the crew, they said they were "setting up to put in a road to Nutty Brown". The resident realizes we have no control on what happens on the Silver Spur Ranchettes 39 acre tract. He came to tonight's Commissioners meeting concerned they are clearing into the BCO lot and they will auspiciously clear adjacent to the PUE easement; then the next thing we know there's a road to N Madrone Trail adjacent to the PUE easement. Once it's in it will be grandfathered and we'll have no say in the matter. He showed commissioners clearing pictures he took on his phone. Concerned they and other neighbors with lots backing up to Silver Spur Ranchettes will lose their tree buffer. Asked can the Public Utility Easement be used as a roadway ?

Council has a general discussion and requests the City Secretary reach out to

Mayor Bohm and share this information with him. Ask the Mayor to reach out to Jon Thompson. Also see how the Mayors' conversation went with Jim Powers and possibility of hiring him as a consultant in this matter.

B) 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 shared that she met the April 30, 2022 reporting deadline. Not sure where City Engineer Chad Gilpin is in working with West Travis County Public Utility Agency on our Fire Hydrant/Water Study.

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

1) Including but not limited to non-permitted culvert installed on 1/27/2022 at 8150 N Madrone Trl; owners Roger and Carol Goodman.

5/10/22 Glen Ragan approved Goodman's culvert. Apologized for the delay has he needed to contact City Engineer, Chad Gilpin for his opinion.

2) Including but not liited to RDC Paving bid dated 3/15/2022 for 1500 LF of road edge repair. Cost \$8,500.00 (Commissioner Brushwood)

Mayor Pro Tem Brushwood discussed earlier in the meeting he's pleased with RDC's recent work. Since they ran out of material; they provided a preliminary time/bid for the remaining work. Bid: \$120.00 for a ton of material and \$700./hr for men and equipment. Brushwood intends to look at what RDC's work and mark the areas in need of repair. Once that's done, we'll have a better idea of the anticipated cost to continue the road repair effort.

A few months ago Mayor Pro Tem Brushwood spoke with Cody Chambliss with Ergon Asphalt and will follow up with him about giving a short presentation at the next Commissioners meeting. Ergon Asphalt makes and sells materials cities use on roadways. Lee Otten personally knows Cody Chambliss and asked he come out and look at our roads and provide Council his opinion and suggestions for extending the life of the roads. Mr Otten suggested commissioners go to www.savemyroad.com; web site that walks you through what you need to do to preserve your roads.

Mayor Pro Tem Brushwood wants the Right of Way mowed prior to July 4th weekend. Suggested we go out for mowing bids; request bids be received prior

to June Commissioners meeting and on the June's meeting agenda. Council discussed the parameters of the bid and decided on mow both sides of the road 6 feet from the edge of the pavement and weed whack along the culverts that go under the road, mailboxes and road signage. Cut 2 inches high. Council requested City Secretary request mowing bids from Lee Otten, Jeff Raffaele and Jose LawnCare.

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 FM 1826 and 45W.

1) Including but not limited to 1826 Neighborhood Coalition. (Commissioner Brushwood)

Mayor Pro Tem Brushwood has no new information regarding TX DOT FM1826 traffic slated for April. However, he is the VOBC representative for the 1826 Neighborhood Coalition. Bear Creek Oaks POA is also involved and promoting the 1826 Neighborhood Coalition meeting to be held on Monday May 23, 2022 at 7:00 PM at the Friendship Creekside Fellowship Hall. It's the hope this meeting is start of Homeowner Associations and communities along FM1826 coming together discuss safety issues, form a unified voice and work toward a solution with Tx DOT, CAMPO, Hays County and Travis County.

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.

Table.

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.

Table.

12) Announcements

A) Next VOBC Commissioners Meeting is Tuesday, June 21, 2022 at 7:00 PM at

Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.

As discussed earlier in the meeting the June 2022 Commissioners Meeting will be rescheduled to 6/14/2022 or 6/28/2022.

B) Annual VOBC/TDS Trash Clean Up Day will be held on Saturday, June 11, 2022. 9:00 AM to 1:00PM at Niles Cove and Madrone Circle

13) Adjournment

The meeting adjourned at 8:21 PM

Submitted on May 30, 2022 by Kathryn Rosenbluth

Approved on ____6/14/2022_____

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary