

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS June 14, 2022

1) Call to Order

The meeting was called to order at 7:01 PM

2) Roll Call

Mayor Bohm, Commissioner Brushwood and Commissioner Brackenridge are present.

Mayor Bohm moves # 9 New Business # A to be discussed at this time

9) New Business

A) Presentation by Cody Chamblis with Ergon Asphalt and Emulsion on how to extend the life of our roads. Discussion and possible action to follow. (Commissioner Brushwood)

Ergon Asphalt & Emulsions, Inc is an liquid asphalt supplier. Cody Chamblis, Sales Representative, inspected our roads and has come to talk about pavement preservation and maintenance products. Recommends going to their Save My Roads web site for additional information. Roads are built to last 20 years; recommends maintenance every 7 years. He gives a brief overview and costs of different applications: Fog Seal pennies per yard, Micro Seal a few dollars per yard, Hot Mix/Asphalt \$10-\$11 dollars per yard. For our roads he suggests applying a Fog Seal -Rejuvenating Fog Seal. Fog seal treatment add 1-3 years to existing service life of the pavement. (City of Austin recently applied Fog Seal in Hunters Chase and Lone Star Paving recently applied Fog Seal in Onion Creek) Fog Seal will fill micro cracks and will go penetrate down and seal on the inside. 1/8" crack and greater will seal from the inside but you'll still need to address the crack on top of road. He recommends applying a Scrub Seal – Rejuvenating Chip Seal. Recommends using an Onyx product. Onyx is a thin slurry seal with a fine aggregate material. It's shot twice; one .15 application to cure and dry then a second .15 application in the opposite direction. Clarke Construction in San Antonio is the only company he knows that has the equipment to apply Onyx. Their aggregate is a black beauty sand. If applied at the right time in pavement's lifecycle the Scrub Seal will add

minimum 5-7 years to remaining service life of road. Also we can apply a EFlex –Premium Micro Surfacing Emulsion. It’s a surf slurry seal that can be applied after or before the Onyx. EFlex has a quick set time. It’s designed to help roads withstand oxidation, wear and tear from large utility vehicles and enhance performance. Cody offered to assist us in meetings with road contracting companies.

Mayor Bohm returns to the Agenda in sequence

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 shares our oldest resident and original homesteader, Turkan Haynes, turned 90 yrs old June 1, 2022.

Lee Otten said that two weeks ago he saw a man with yellow construction vest, gloves and had pulling mail out of mailboxes and leaving junk mail on the ground. He got the man’s license plate number and reported it to the Hays County Sherriff.

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) Approval of Minutes from May 17, 2022 Commissioners Meeting.

Commissioner Brushwood makes motion to approve the May 17, 2022 minutes as presented. Commissioner Brackenridge seconds. Motion approved 2 Yea and Mayor Bohm abstains.

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

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 Friendship Creekside Fellowship \$50.00 for 6/14/2022 VOBC Commissioners meeting in the Annex.

b. Approve payment to Hays Central Appraisal District \$113.34 for 2022 3rd Quarter. Invoice dated 6/1/2022.

Mayor Bohm makes motion to approve the Consent Agenda as presented. Commissioner Brackenridge seconds. Motion is approved unanimously.

9) New Business

A) Presentation by Cody Chamblis with Ergon Asphalt and Emulsion on how to extend the life of our roads. Discussion and possible action to follow.

(Commissioner Brushwood)

Discussed earlier in the meeting.

B) Discussion and possible action regarding the annual VOBC/TDS Trash Clean Up Day held on Saturday, June 11, 2022.

Council has a general discussion; all agree the event was a success but not as broadly attended as previous years. This year's lighter attendance could be due to the excessive heat, vacation schedules, or that people didn't have as much to get rid of. Mayor Bohm states that each location (Niles Cove and Madrone Circle) had a manned trash compactor. Each location should have also had 1 roll off. This year TDS errored and delivered 2 roll offs to Niles Cove. The TDS employee at Madrone Circle requested homeowners drive to Niles Cove if their items couldn't fit in the trash compactor. City Secretary confirmed by 1:30 pm TDS had picked up the roll off's. Niles Cove was swept clean. Madrone Circle contained debris and needed a good sweep. Commissioner Brushwood swept Madrone Circle. One homeowner dumped material at Madrone Circle the Friday morning before cleanup day. Luckily the TDS employee said it wasn't that big of a deal since all were permitted items and easily compactable. City Secretary recommends at the next Commissioners Meeting there be an agenda item to discuss proposed dates for next years' VOBC/TDS trash clean up day.

C) Discussion and possible action to change the Subdivision schedule to match rescheduled commissioner meetings.

Last month the June 21, 2002 commissioner meeting was rescheduled for June 14, 2022. Mayor Bohm said the Subdivision schedule is based off the commissioner meeting dates. In the future when a commissioner meeting is rescheduled, it's imperative we update the Subdivision Schedule accordingly.

10) 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 Bohm spoke to Jon Thompson who reiterated the Bear Creek Oaks tract will be subdivided; those subdivided tracts will have access to N Madrone Trl. To the best of his knowledge the proposed buyers have made no change in their plans. Land clearing that's underway on the Silver Spur Ranchettes track is to put in a road. The road will give Silver Spur Ranchettes access to Davey Crocket and Nutty Brown. Silver Spur Ranchettes will not have road access to N Madrone Trl. He did say that the Hays County Fire Marshall may request dual access to Silver Spur Ranchettes; it yes that would include access from N Madrone Trl for emergency purposes only. If so, they could access thru the Public Utility Easement (PUE). PUE would remain gated and locked; and only Hays County Fire Dept would have the key. Said the Belterra has something similar.

Mayor Bohm spoke to Jim Powers who basically advised against hiring him as a consultant. Powers doesn't think he would add any additional benefit to us; being that we already have an open dialog with Jon Thompson.

City Secretary shared that the Title Company requested a BCOPOA Resale Certificate. She assumes the closing is within 30 days.

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.

Mayor Bohm has no update from Chad Gilpin, City Engineer on where they are in working with West Travis County Public Utility Agency on our Fire Hydrant/Water Study.

Mayor Bohm informs council CLFRF requests a new Sam.gov registration annually to continue getting funds. Sam.gov requires a street address, won't accept our PO Box mailing address. Currently Sam.gov is linked to Bruce Upham's previous address. City Secretary suggests using her home address. She believes Hays County Tax Assessor/Collector mails to her home address and can provide evidence of that.

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

1) Including but not limited to open bid requests for Right of Way mowing.

Mayor Bohm confirms we received three ROW mowing bids: Lee Otten, Jeff Raffaele and Jose LawnCare. All bidders confirm they can do the job prior to July 4th weekend.

All bids are for mowing 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 has a general discussion and agree to award the contract to the lowest bid of \$1475.00. Mayor Bohm makes a motion to accept Jeff Raffaele's bid of \$1475.00 for mowing the ROW before July 4, 2022. Commissioner Brackenridge seconds. Open for discussion. Lee Otten requests Jeff Raffaele ensure council that the mowing discharge would be directed to the right of way and not the street. And that he turns off mower when a vehicle or pedestrians are present. Council agrees; if he doesn't have a mulching attachment, we want the discharge blown toward the Right of Way and not the street. And it's prudent to take heed to pedestrians and traffic. If that's not acceptable, we'll award contract to the second lowest bid; Jose LawnCare for \$1,600.00. Lee Otten requests that council remove his bid from consideration and leaves the meeting.

Mayor Bohm amends the motion to accept Jeff Raffaele \$1475.00 bid with the condition that he turn of mower if he sees a pedestrian or vehicle. Direct the exhaust to shoot toward properties and not the street. If Jeff Raffaele is unwilling to comply at the same bid price then we'll award the contract to Jose LawnCare, with the same conditions for \$1,600.00. Commissioner Brushwood seconds. Motion is approved unanimously.

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)

Bear Creek Oaks HOA and VOBC were represented at the 1826 Neighborhood Coalition meeting. Commissioner Brushwood said the May 23,2022 1826 Neighborhood Coalition meeting was well attended and many people spoke. Representatives from many HOA's along FM 1826 were in attendance along with CAMPO, Walt Smith Hays County Commissioner, TX Dot representatives and more. Tx Dot spoke to future traffic/growth along FM 1826. They've taken action to reduce speed limits and add caution signage. There are turn lane projects scheduled for Lewis Mountain, Appaloosa Run and Zyle Road. 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 solutions with Tx DOT, CAMPO, Hays County and Travis County.

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

City Secretary brings to the Commissioners attention that Glen Ragan, Driveway Culvert

Administrator's 6/9/22 email to Diana Zamora re: 13008 S Madrone Trl driveway permit letter references that she can contact ATS Engineers, Inspectors and Surveyors at ats-engineers.com to have them inspect the driveway form board for a fee, if he is out of town. City Secretary contacted Glen and questioned why ATS Engineers as she thought all VOBC engineering duties fall upon Chad Gilpin w/ Gilpin Engineering. Glen said the VOBC Driveway Culvert Ordinance references ATS Engineers; and that why he included that information in his letter. City Secretary reviewed Driveway Culvert Ordinance #190218.001 and found no language referencing ATS Engineers or any VOBC Engineering company for that matter. Mayor Bohm said he would investigate and give Glen Ragan a call.

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

Mayor Bohm states the Hays County Covid-19 report reflects fatalities are down. Outside of that nothing new to report.

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

(Mayor Bohm)

Mayor Bohm was referred to a woman with many years of City Secretary experience, who now contracts her services out. Thought it would be great if we could hire her to assist with VOBC fire record recovery and more. But turns out she's retired.

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

Table.

11) Announcements

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

12) Adjournment

The meeting adjourned at 9:09 PM

Submitted on July 17, 2022 by Kathryn Rosenbluth

Approved on 7/19/2022

By *Kathryn Rosenbluth*
Kathryn Rosenbluth, City Secretary