

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS July 19, 2022

1) Call to Order

The meeting was called to order at 7:02 PM

2) Roll Call

Mayor Bohm, Commissioner Brushwood are present. Commissioner Brackenridge is absent.

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

9) New Business

A) Discussion and possible action to renew and extend Pedernales Electric Cooperative (PEC) franchise agreement for a five-year term. PEC provided Ordinance #220816.002 granting a five-year extension to Ordinance #170821.002 establishing PEC 2% Franchise Fee to VOBC to use VOBC streets, and other rights-of-way for purpose of erecting, constructing, maintaining operating, using extending removing, replacing and repairing PEC electrical distribution facilities serving customers within the boundaries of VOBC; term expires 8/21/2022. Ordinance#220719.001 would renew all terms of Ordinance #170821.002 effective 8/22/2022 and expiring 8/21/2027.

PEC representatives Shannon Johnson and Diana Gonzales are in attendance. They've provided a copy of our current 5-year franchise agreement executed 8/21/2017 and a renewal agreement extending the life of the contract another 5 years with no change in terms nor conditions. The franchise fee remain 2%. PEC said 2% franchise fee is the most common rate. City Secretary informs commissioners she hasn't forwarded these documents to our attorney for review. PEC said they would send their current Franchise agreement template so our attorney can compare the 2017 franchise agreement to the 2022 franchise agreement. Commissioners suggest extending the current ordinance to September, allowing us time for attorney review. Mayor Bohm makes a motion to extend our current Ordinance #170821.002 to continue till 9/30/2022 with current terms and conditions. Pending submitting the updated Ordinance to attorney for review. Commissioner Brushwood seconds. Motion approved unanimously.

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.**

Mayor Bohm had a resident call last Friday to report they were on Bear Creek Dr pulling a trailer. They were turning south onto FM1826 when they cut the corner and the trailer damaged the stop sign pole. Pole was still upright; but had a serious bend and lean. Mayor Bohm quickly ordered a replacement breakaway pole. Before he could get it installed a neighbor notified him they saw a highway truck fixing the sign pole at Bear Creek Dr and FM 1826.

- 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 June 14, 2022 Commissioners Meeting.**

Commissioner Brushwood makes motion to approve the June 14, 2022 minutes as presented. Mayor Bohm seconds. Motion approved unanimously.

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

Mayor Bohm makes a motion to increase Hays County Tax Assessor from \$50.00 to \$60.00. By taking \$10.00 from the contingency fund. 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 Friendship Creekside Fellowship \$50.00 for 7/19/2022 VOBC Commissioners meeting in the Annex.

b. Approve payment to Hays Central Tax Assessor-Collector \$30.15 for assessing and collecting fees or 2021 tax rolls.

c. Approve payment to Jeff Raffaele \$1,450.00 for mowing the VOBC Right-of-Way. Invoice dated 6/24/2022.

d. Reimburse Mark Bohm \$364.34 for the total of A) \$279.00 to Pathmark Traffic Products for replacement breakaway stop sign pole at Bear Creek Dr and FM 1826. B) \$71.44 Olympus Voice Recorder to record city council meetings. C) \$13.90 Lexar Micro SD Card and Flash Memory Card for Voice Recorder.

Mayor Bohm makes a motion to approve the Consent Agenda as read. Commissioner Brushwood seconds. City Secretary brings to council's attention that Jeff Raffaele's mowing bid was for \$1475.00 and he invoiced for less, \$1450.00. Motion approved unanimously.

8) New Business

A) Discussion and possible action to renew and extend Pedernales Electric Cooperative (PEC) franchise agreement for a five-year term. PEC provided Ordinance #220816.002 granting a five-year extension to Ordinance #170821.002 establishing PEC 2% Franchise Fee to VOBC to use VOBC streets, and other rights-of-way for purpose of erecting, constructing, maintaining operating, using extending removing, replacing and repairing PEC electrical distribution facilities serving customers within the boundaries of VOBC; term expires 8/21/2022. Ordinance#220719.001 would renew all terms of Ordinance #170821.002 effective 8/22/2022 and expiring 8/21/2027.

Discussed earlier in the meeting.

B) Discussion and possible action to select potential dates for the 2023 annual VOBC/TDS Trash Clean Up Day.

Council has a general discussion and selects the three potential dates in order of preference: Saturday March 25, 2023, Saturday April 22, 2023, Saturday April 29, 2023. City Secretary will reach out to our TDS representative, Frankie Bates and get it on their calendar

C) Discussion and possible action in regards to transcribing city meetings to written minutes via a service or an automated process.

Mayor Bohm purchased a new recorder that has a dual microphone. It can capture clear speech recording and put it in an audio MP3 format. We're testing it out at this tonight. We'd like to record the meetings and have the speech converted to text, then utilize the text format for City Minutes. Mayor Bohm said IBM Watson has a sweet of AI tools. Free for the first 500 minutes a month. VOBC wouldn't use over 500 minutes a month. We would

need to set up an online cloud storage with Box.Com (\$15.00/month) and pay a setup fee. Commissioner Brushwood makes a motion not to exceed a \$1,000.00 to acquire Box.com transcription service for a one year. Mayor Bohm seconds. Motion is approved unanimously.

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.

No new information in regard to the sale and development of the Bear Creek Oaks track nor the Silver Spur Ranchettes tract. As a result of this issue BCOPOA had a community meeting to educate property owners what the HOA needs to do make the deed restrictions enforceable. Commissioners attended that meeting and have a general discussion of how the meeting went. Only action items is to remove subset 1) from future agendas..

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.

City Secretary confirms Hays County Tax Assessor/Collector mails to her home address; she'll scan the most invoice approved early in the meeting to Mayor Bohm. This document should be sufficient to update the SAM registration to a street address since; a PO Box isn't acceptable.

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

Council agrees Jeff Raffaele did a good job of mowing and edging. Mayor Bohm confirmed Jeff Raffaele mowed with a mulching kit attachment. Mayor Bohm purchased a sign pole to replace damaged stop sign pole at Bear Creek Drive and FM 1826. Before he could install it the pole was replaced by, we assume, TX Dot. Now we have a spare breakaway pole. Commissioner Brushwood said Johnny with Texas Road Repair reached out to him and said he's available to take work. Council discusses

having him fix the potholes at both entrances, shoulders and identifiable sunken areas. Commissioner Brushwood to identify work areas. Mayor Bohm makes a motion approve an expense not to exceed \$3,000.00 for TX Road Repair to spray patch repair on all identified road areas. Commissioner Brushwood seconds. Motion 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)

Mayor Bohm was contacted by a resident who almost got T-Boned when they pulled out of N Madrone Trail on to FM1826. Resident asked what the status was on FM 1826 traffic safety improvements and how he could get involved. Mayor Bohm referred him to Bill Brock with the 1826 Neighborhood Coalition.

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

Mayor Bohm to follow up with Glen Ragan on the City Engineer issue. (In regards to Glen Ragan saying the VOBC Driveway Culvert Ordinance references ATS Engineers; and not Chad Gilpin Engineering).

E) 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 cases are ticking upward. However, hospitalizations and deaths are not increasing. Hays County has 998 active Covid-19 cases.

**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.

Table.

11) Announcements

A) Next VOBC Commissioners Meeting is Tuesday, August 16, 2022 at 7:00 PM at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.

12) Adjournment

The meeting adjourned at 8:31 PM

Submitted on August 6, 2022 by Kathryn Rosenbluth

Approved on __ 8/17/2022 _____

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary