

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS December 13, 2022

1) Call to Order

The meeting was called to order at 7:04 PM

2) Roll Call

Mayor Bohm, Commissioner Brushwood and Commissioner Brackenridge are present.

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 Christmas Cookies from Frankie Bates with Texas Disposal Service.

Kathryn Rosenbluth shares this post from Tracie Upham on the Bear Creek Oaks Facebook page regarding a neighbor's large non permitted burn.

Tracie Upham said: I've been talking to various Hays Co fire officials all day about the "controlled" burn on S. Madrone. Here's what I learned:

1) The burn was happening Mon & Tues without a permit. Several neighbors called Hays Co to report this but, according to the county, an open burn permit is just a courtesy. There are ZERO requirements, ZERO oversight and ZERO fines for failure to get one. Btw, you're not even required to have water available.

2) Today, I called the fire dept when I saw flames 30-50' in the air. The firefighter that responded told me, "He has a permit and is a professional, so there isn't anything I can do." He also told me that they had responded earlier this morning because another neighbor had called.

3) I later spoke with Fire Marshall Mark Wobus and someone named Todd. They told me that the fire was never out of control and, in fact, they are doing us a favor by burning off all the fuel. It's safe - no water required. When I asked if there is ANY size of fire or height of flame that they would consider unsafe today, Todd replied, "No ma'am, you can burn anything you want on your property today and it would be fine."

4) Rest assured. If the fire does get out of control, the contractor doing the work there today will be responsible for your damages.

If you have a problem with this, I urge you to call

Fire Marshall **Mark Wobus**

Mark.Wobus@co.hays.tx.us

512.393.7300

Walt Smith, Hays Co Comm Pct 4

512.858.7268

Joel Despain suggests VOBC hire Judge Powers for \$1,300.00/ month for a year to watch our back for any activity that would directly impact us. Said Judge Powers has numerous connections in both Travis County and Hays County. We could hire him as an advocate for our interests in regard to growth, traffic, safety, environmental etc.

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 November 15, 2022 Commissioners Meeting.

Mayor Bohm makes a motion to approve November 15, 2022 minutes as presented.

Commissioner Brushwood seconds. Motion passes unanimously.

7) Discussion and possible action in regard to reviewing 2022- 2023 budget and actual expenditures.

No action required.

9) 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 12/13/2022 VOBC Commissioners meeting in the Annex.**
- b. Approve payment to Gilpin Engineering \$2,687.50 for engineering services rendered. July 2022 for \$1,837.50 and November 2022 for \$850.00.**
- c. Approve payment to Texas Municipal League Intergovernmental Risk Pool \$1,539.58 for annual liability insurance. Invoice dated 12/1/2022.**

Mayor Bohm makes a motion to approve the Consent Agenda as read. Commissioner

Brushwood seconds. Motion is approved unanimously.

9)New Business

A) Discussion and possible action about rising crime in the Village and the surrounding area, and what others may be doing to address it. (Bohm)

Michelle Hernandez shared concerns for rising crime in our area. She acknowledges we have the occasional mailbox vandalism and stolen deliveries; but what can we do to hinder an escalation in crime. Said recently there was a case when a man with mental illness drove to our neighborhood, parked his car and entered a neighbor's back yard.

Evidentially he thought he was on a movie set. The Sheriff was called and the man was

peacefully removed. Any possibility we could hire a security company to drive around at night? Or place cameras at the entrance? Or become a gated community? Mayor Bohm explained the city budget doesn't support hiring a private security company. Unlike a subdivision that can be a 'gated subdivision' we are a city. The roads are owned by us and are public roads. He spoke to Sheriff Cutler and requested that they have an officer cruise through our Village on occasion. Sheriff Cutler is in favor of that idea and will speak to his patrol captain about it. Sheriff Cutler shared that with the explosive growth in Hays County, their department has staffing issues. They have 1 patrol unit for every 4,500 people. They are actively recruiting and hiring but unfortunately few candidates are applying for law enforcement jobs. The council has a general discussion regarding rising crime in our area and suggests citizens request Bear Creek Oaks POA re activate the neighborhood watch program. Neighborhood watch is homeland security at the local level; and our first line of defense. Many years ago, BCOPOA had an active Neighborhood watch program. There were neighborhood watch meetings, street block captains, a Bear Creek Oaks phone directory and "Bear Paw" stickers for residents to place on their vehicles identifying them as residents.

B) Discussion and possible action regarding State Representative Erin Zwiener's request to the Village of Bear Creek to identify what tools are needed to sustainably and equitably manage growth.

Mayor Bohm has a 2pm call tomorrow with State Representative Erin Zwiener's team to discuss how they can be of assistance to us in the 88th legislative session. The council has a general discussion and identifies the following issues and/or concerns: Land use regulation: **A.** Growth: Counties should be required to notify a municipality when a property adjacent to the municipality has submitted a request to subdivide. **B.** Can we be given an ETJ? The Village of Bear Creek incorporated with City of Austin's agreement to release us from the City of Austin ETJ; that release didn't include granting the Village of Bear Creek half mile ETJ. **C.** Citing authority for Aggregate Production Operations **D.** Groundwater Protection; well water availability and assistance with improving our surface water access thru WTCPUA. **E.** Road Safety. Increase police presence. Can Texas DPS add a patrol unit for FM1826; or must FM1826 first be designated a state highway ?

**C) Action to appoint Commissioner Allen Brushwood to Mayor Pro-Tem.
(Mayor Bohm)**

Mayor Bohm appoints Allen Brushwood to Mayor Pro-Tem.

10) Old Business

A) Discussion and possible action regarding the Coronavirus Local Fiscal Recovery Fund (CLFRF) program and VOBC use of allocated funds.

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B) Discussion and possible action regarding West Travis County Public Utility Agency (WTCPUA) \$3,500.00 proposal to model the Village water line around North Madrone Trl creating a looped system through the VOBC. The model to define what line size is needed and the expected pressures.

Mayor Bohm conversation with Chad Gilpin, City Engineer. WTCPUA is asking their engineering firm, in addition to doing the modeling for the piece we're interested in (where there's no line right now) some of the line in the other parts of our Village has aged out and due to be replaced. It's also possible the existing line might be too small for a 100% loop system. The WTCPUA modeling is also going to have to look at the existing water line infrastructure and required improvements. Chad said we need to allow WTCPUA engineer's time for the modeling. He also suggested reaching out to Hays Trinity Groundwater District for funds that could be made available to the Village as the 100% loop system would get more residents off wells and on to WTCPUA water.

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

Mayor Bohm said Chad Gilpin's engineering team is doing some evaluations on our roads and will advise us.

Commissioner Brushwood hasn't heard back from Johnny with TX Road Repair and Patches about his availability and schedule.

D) Discussion and possible action regarding improving traffic safety at the two VOBC intersections FM1826 at N Madrone Trl and Bear Creek Dr and FM1826 and 45 W.

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

Commissioner Brushwood shares that Walt Smith found funding and will have 4 radar detectors installed along FM 1826.

Mayor Bohm informs those in attendance that over the years he's had multiple conversations with TxDOT regarding traffic safety at the FM 1826 intersections. Conversations included putting a traffic light at N Madrone Trl and Bear Creek Dr entrances. Bear Creek Dr entrance is considered secondary importance

compared to N Madrone Trl. TxDOT analysis indicates more people will die on FM1826 if they install a stop light at N Madrone Trl. We have +/- 400 people in our community and the number of people who drive FM1826 is substantially greater. TxDOT engineering analysis and hard data indicates leaving the intersection as is reduces the risk of death. Commissioner Brushwood asks if TxDOT would be in favor of a flashing warning light at the N Madrone Trl intersection. Joel Dispain will reach out to Tony Voygt, a private consultant for his opinion. Tony Voygt consults with developers, small cities and HOA's and is well connected with TXDOT and their district engineers.

E) Discussion and possible action regarding opening a new VOBC interest bearing asset account.

City Secretary reports Prosperity Bank confirmed they don't partner with other facilities. She has a list of banks in our area and is working on contacting them.

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

Mayor Bohm reports this item wasn't removed from the agenda. On November 18, 2022 Texas Governor Greg Abbott renewed the COVID emergency orders stating that COVID-19 poses an imminent threat of disaster for all counties in Texas.

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

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

City Secretary had Rowland Williams add an "Announcement" page to the VOBC web site. Uploaded drought information to Announcements.

11) Announcements

A) Next VOBC Commissioners Meeting is Tuesday, January 17, 2023 at 7:00 PM at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.

12) Adjournment

The meeting adjourned at 8:50 PM

Submitted on January 15, 2023 by Kathryn Rosenbluth

Approved on ____1/17/2023_____

By *Kathryn Rosenbluth*
Kathryn Rosenbluth, City Secretary

