

# MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS February 21, 2023

## 1) Call to Order

The meeting was called to order at 7:02 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 shared that Hays County is beginning the process of updating the Hays County Hazard Mitigation Plan; updated every 5 - 6 years. Each community must have a representative actively involved in the process and requested we identify who is to represent the Village of Bear Creek. Last go around Commissioner Allen Brushwood and I shared that responsibility. I requested we both be included in all correspondence.

Kathryn Rosenbluth gives kudos to all residents who jumped in and helped clear their neighbor's property and/or the Village roadway debris caused by the January 31, 2023 to February 5, 2023 Ice Storm. Many residents lost power and/or internet during the Ice Storm.

Trent Brackenridge shared the Matt Rubino is inquiring about ability of getting Google fiber in the Village of Bear Creek. He's reaching out to the actual company who manages bringing Google fiber into various areas.

Trent Brackenridge shared a recent email from Texas Municipal League of a proposed bill in this year's Texas Legislature which if passed will limit cities control over various things such as agriculture, drought, etc. Essentially taking away the city's ability to enact stricter controls than the state. To have your voice heard Mark Bohm recommends the most direct route is calling the bill's author.

Mark Bohm shared that a few hours ago he received copy of land use notification a neighbor adjacent to the Lang Family Ranch lot received. The letter is from Hays County Development Services dated 2/14/2023 notifying them Silver Spur Ranchettes, the 35 acre tract proposed condo development; called Mission Oaks Condominium, is to be discussed at the Hays County Commissioner Court Tuesday March 14, 2023. Allen Brushwood will reach out Marcus Pacheco with Hays County Development Services and see what he can find out; in regards to any variance or exceptions the developer has requested and ask why the Village isn't receiving these notifications.

**Mayor Bohm moved 9) New Business #A to be discussed at this time.**

**#9)**

**A) PUBLIC HEARING: Discussion and possible action regarding the Amended Plat request received on 1/27/2023. Amended Plat to remove the lot line between Section 3, Part of Lot 30 (1.47 acres) and Section 3, part of Lot 30 (1.02 acres), thereby combining two lots into one; Section 3, Lot 30-A (2.388 acres). Dave Brown owns both lots. (Street address 8905 N Madrone Trl)**

City Secretary goes on record stating the Amended Final Plat was received on January 27, 2023. At that time she reviewed and felt the following required items have been met satisfactorily.

- Side and rear Building Lines are 20'. Correct the South East Building Line from 15' to 20'.

- Adjacent Lot 18-A doesn't identify the owners names nor lot size. Add owners names and lot size; in a manner similar to the other adjacent lots.

- Add a note on page two addressing the existing garage encroachment into the 20' Building Line. Example: Frame garage that was built circa 1985 encroaches into 20' Building Line and is grandfathered.

Council has a general discussion reviewing the Final Plat. Each correction identified and deemed acceptable. Commissioner Brushwood makes a motion to approve the Amended Final Plat as submitted to remove the lot line between Section 3, Part of Lot 30 (1.47 acres) and Section 3, part of Lot 30 (1.02 acres), thereby combining two lots into one: Section 3, Lot 30-A (2.388 acres). Mayor Bohm seconds. Motion passes unanimously. City Secretary will get the Final Plat recorded with Hays County as soon as possible.

**Mayor Bohm resumes the meeting in order of the Agenda.**

**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 January 17, 2023 Commissioners Meeting.**

Mayor Bohm sights one correction in items 3; correct the leach to leash. Mayor Bohm makes a motion to approve the January 17, 2023 minutes as corrected. Commissioner Brushwood seconds. Motion passes unanimously.

**7) Discussion and possible action in regard to reviewing 2022- 2023 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 2/21/2023 VOBC Commissioners meeting in the Annex.**
- b. Approve reimbursement \$12.34 to Kathryn Rosenbluth for printing the annual VOBC/TDS Clean Up Day flyer.**
- c. Approve payment to Montemayor Britton Bender PC \$4,100.00 for VOBC 10/1/2022-9/30/2023 financial review. Invoice dated 2/14/2023.**

Mayor Bohm makes a motion to approve the Consent Agenda as read. Commissioner Brushwood seconds. Motion is approved unanimously.

#### **9)New Business**

**A) PUBLIC HEARING: Discussion and possible action regarding the Amended Plat request received on 1/27/2023. Amended Plat to remove the lot line between Section 3, Part of Lot 30 (1.47 acres) and Section 3, part of Lot 30 (1.02 acres), thereby combining two lots into one; Section 3, Lot 30-A (2.388 acres). Dave Brown owns both lots. (Street address 8905 N Madrone Trl)**  
Discussed earlier in the meeting.

**B) Discussion and possible action regarding the draft financial review prepared by Montemayor Britton Bender PC for VOBC fiscal year 10/1/2021 – 9/30/2022.**

Council has a general discussion. Commissioner Brushwood makes a motion to approve the draft independent review report by Montemayor Britton Bender PC for VOBC fiscal year 10/1/2022 – 9/30/2023 as submitted. Mayor Bohm seconds. Motion is approved unanimously.

#### **10) Old Business**

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

City Secretary received a request to upload our annual audit into Texas Division of Emergency Management web site. She confirmed because our grant amount is less than \$500,000.00 we're exempt from the audit requirement. However, we're still required to complete the audit information in Texas Division of Emergency Management web site indicating no report required. She's requested access to the web site and will complete the audit reporting requirement.

**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 spoke to Chad Gilpin, City Engineer, who is interacting with West Travis County Public Utility Agency, and sounded like we might have gotten a proposal before the meeting, but obviously we didn't. Hopefully we'll have something for the March Commissioners Meeting.

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

Mayor Bohm says thank you to everyone in the room, by extension to almost the entire village.

Everybody did something to help clear the damage and debris left by the Ice Storm. It was a great community effort and something we should all be really proud of. We'll have to get bids from a Tree Contractor to clean up the entire Village Right of Way. Trim where needed, seal new Oak cuts, chip the debris that fell, etc. Meanwhile, we need to get word out to residents the Village won't remove debris that's piled the Right of Way. Hays County has 5 locations people can haul their debris too and it's their responsibility to do so. City Secretary this information along with 5 locations and hours of operation on the BCO Facebook page. City Secretary reached out to Frankie Bates, with Texas Disposal Services, they don't have the resources to do house to house bulk debris pick up house; he suggested we rent a Roll Off container, and citizens can load it up. Mayor Bohm said it only takes 5 large cedar trees to fill up a Roll Off, that's not reasonable solution. If people bring tree debris to the March 25, 2023 VOBC Trash collection day, they should unloaded into the trash compactor. Commissioner Brushwood will work on getting bids for Right of Way clean up; advises council we'll likely be on a long wait list. Mayor Bohm said now that our roads are clear and we don't have any visible hazards, he doesn't see any issue with us getting in the rotation for the regular semiannual Right of Way work. Commissioner Brackenridge shares concern with neighbors unknowingly spreading Oak Wilt mulching their debris and other neighbors taking their mulch. We must be careful, whoever we get isn't the cheapest, but the best qualified to work in an Oak Wilt Community. We want the Tree Company to strictly adhere to Oak Wilt protocols. Mayor Bohm makes a motion to approve an amount not to exceed \$4,000.00 a day, two days' worth of work; max \$8,000.00 total. Commissioner Brackenridge seconds. Council has a general discussion. Mayor Bohm amends the motion to 3 days of work; an amount not to exceed \$12,000.00. Motion approved unanimously.

**C) 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)**

Mayor Bohm reached out to TX Dot regarding our proposal for two Speed Limit Detection signs on FM 1826. TX Dot primary concern is that Hays County approved a couple speed limit signs for FM1826. TX Dot doesn't have the locations of where on FM1826 they'll will be installed; said too many signs makes people complacent and the signs become ineffective. Council has general discussion regarding the Bear Creek Dr and FM1826 entrance. Taking a right from FM 1826 onto Bear Creek Drive has become a hazard due to the pothole. Commissioner Brushwood will contact Texas Road Repair and Patches to repair the Bear Creek Drive intersection. Road repair funds approved at a previous council meeting.

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

City Secretary reports she has appointments to discuss opening a VOBC interest bearing account with 3 banks in our area; Wells Fargo, Bank of America and Chase.

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

No update available. Table.

**E) 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.

**11) Announcements**

**A) Next VOBC Commissioners Meeting is Tuesday, March 21, 2023 at 7:00**

**PM at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.**

**B) The VOBC/TDS Annual Trash Clean Up Day will be held on Saturday,  
March 25, 2023 9:00AM to 1:00 PM at Niles Cove and Madrone Circle.**

**12) Adjournment**

The meeting adjourned at 8:17 PM

Submitted on March 20, 2023 by Kathryn Rosenbluth

Approved on \_\_\_3/21/2023\_\_\_\_\_

By *Kathryn Rosenbluth*  
Kathryn Rosenbluth, City Secretary