

**MINUTES OF THE MEETING OF THE  
VILLAGE OF BEAR CREEK COMMISSIONERS  
May 16, 2023**

**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.

**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 Steve Foster reached out and asked if Shane Foster (son of Erin Foster) could come and pay respects at the VOBC Monument for Erin Foster on Mother's Day. On Mother's Day they laid long stem sunflowers. At noon it began to rain, the creek started running and come close to cresting the low water crossing. A perfect homage for Erin Foster.

**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 April 18, 2023 Commissioners Meeting.**

Mayor Bohm makes a motion to approve the April 18, 2023 minutes as submitted.

Commissioner Brushwood seconds. Motion passes 2 Yea and Commissioner Brackenridge abstains.

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

Table. 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**

**5/16/2023 VOBC Commissioners meeting in the Annex.**

**b. Approve payment to Texas Disposal Systems \$3.90 for charges associated with VOBC Annual Trash Day. Invoice #7221198 dated 5/1/2023.**

Mayor Bohm states that TDS recalled their invoice. (#8.b) All costs associated with VOBC

Trash Day were paid by TDS. Mayor Bohm makes a motion to approve Consent Agenda #a. Commissioner Brushwood seconds. Motion is approved unanimously.

## **9)New Business**

### **A) Discussion and possible action regarding the Hays County Multi Jurisdictional Hazard Mitigation Plan. (Commissioner Brushwood)**

Commissioner Brushwood attended the first Hays County Multi-Jurisdictional Hazard Mitigation Plan meeting. They reviewed all hazard risks, and each city ranked each risk based on perceived level of risk, frequency of occurrence and potential impact. Brushwood reviewed each risk (drought, flood, wildfire, sever winter storms, etc) and how he rated each one (#1 highest and #13 lowest). The council agreed with his risk level assessment/rating system. The top five risks identified are Wildfire, Windstorms, Severe Winter Storms, Drought and Flood. Brushwood then reviewed Mitigation Action Plan Worksheet. The Worksheet has 17 action items identified during the last Hays County Mitigation Plan. Council reviewed each mitigation action; majority are ongoing, and few aren't applicable. In case of emergency, Council discusses how we could gather and store cell phone numbers for VOBC residents; and send emergency auto notifications. Is there a way we can capture and retain the information? City Secretary tries to keep residents cell numbers and email address in QuickBooks. She doesn't have them for everyone. It's difficult to keep up with, people often change their cell numbers and email address. Commissioner Brackenridge suggested maybe a software company, for a nominal monthly fee would maintain phone numbers, email address and be able to send out emergency messages. Mayor Bohm suggested a link where people could self-register. City Secretary to reach out to Rowland Williams, perhaps he knows if we can facilitate this through our web site.

### **B) Discussion and possible action regarding Presidential Declaration #4705 for Winter Storm Mara in Texas Counties, including Hays County.**

City Secretary attended a TDEM webinar on 5/10/23; Applicant Briefing for Winter Storm Mara Presidential Declaration #4705. This provides FEMA assistance to cities in Hays County to fund storm clean up, rebuild, improvements etc. FEMA provides a 75% cost share for proposed work and for work already done. The key is documenting storm damage and the work done. We didn't take copious pictures documenting the storm damage. Perhaps we can apply for assistance for the funds we'll pay toward Winter Storm Mara Right of Way Clean Up and see what happens? She's yet to receive the Power Point presentation which provided all the details including filing deadlines, etc. The council has a general discussion and suggests we

apply and see if we can get partial reimbursement.

## **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) aka Mission Oaks Condominiums both in Hays County.**

Mayor Bohm said he's not seen any new activity. No action yet by the Hays County Commissioners Court. City Secretary will continue to forward the Hays County Commissioners Court agenda to Council Members upon receipt.

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

City Secretary wasn't notified of the 4/30/2023 reporting deadline. Thankfully Mayor Bohm forwarded an email reporting deadline reminder; the report was filed 5/1/2023.

Commissioner Brushwood inquires on the status of Broadband. Resident Brockman suggested we talk to AT&T about the possibility of running fiber on the AT&T poles.

### **C) Discussion and possible action regarding West Travis County Public Utility Agency (WTCPUA) water expansion model/study for VOBC, including but not limited to discussion of VOBC City Engineer cost estimates for implementation as well as various possible approaches to fund the project.**

Mayor Bohm states he had a productive phone call with Legal Council, Paige about potentially doing a taxing district within the Village; for the areas that don't currently have the availability of surface water on their street or in front of their mailboxes. Her suggestion is to create a Municipal Utility District(s). (MUD). MUD draws income from taxation.

Suggests a MUD for specific areas in the Village. (ie: North Madrone Trl MUD, Cedar Cove MUD, etc) Citizens in each MUD district would vote to approve the MUD. Each MUD board would be run by 3 resident in that district and not members of VOBC council.

VOBC has to authorize the MUD. But the MUD board is responsible operating the MUD, including annual tax audits on monies collected and spent. The MUD district levy taxes for the

project amount. Typically MUDs typically have a 30-year term for repayment. Paige recommends that we talk to a couple attorneys that specialize in MUDs and see if it could be tooled for our purposes.

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

Commissioner Brushwood confirms Garcia Tree Service has finished Right of Way clean up due to winter storm Mara. We can expect their invoice at the June Commissioners meeting. He's pleased with the work performed. The council agrees that the volume of storm debris is good that debris wasn't chipped on site. Garcia Tree Service hauled everything off to the dump. City Secretary shared a phone call from Mr Gauna who said Garcia Tree Services wasn't sealing Oak wounds. She informed him Garcia Tree Services is a certified Oak Wilt Specialist and has specific instructions to seal all Oaks. Commissioner Brushwood and Commissioner Brackenridge both observed Garcia Tree Service sealing Oak wounds. Maybe Mr Gauna was confused on the type of tree that was being cut? The Council has a general discussion on Right of Way mowing; we typically have the ROW mowed prior to July 4<sup>th</sup>. Mayor Bohm makes a motion requesting the City Secretary contact Jeffrey Raffaele, see if he can come out the 3<sup>rd</sup> week of June and mow the right of way with mulch kit attachment, and edge culverts/mail boxes at a cost not to exceed \$1,500.00. Trent Brackenridge seconds. Motion is approved unanimously.

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

Mayor Bohm provided the results to TX Dot's traffic study (aka camera counts and photos) performed at N Madrone Trail/FM 1826 entrance and the Bear Creek Dr/FM 1826 entrance. Unfortunately, the results aren't what we hoped for. We don't have enough traffic volume or accidents on N Madone Trl and Bear Creek Dr to warrant improvements to the FM1826 intersections. No question FM 1826 traffic volume has increased dramatically due to growth. Yes, it's hazardous when we enter/exit the intersections. TX Dot created the right turn lane from FM 1826 onto N Madrone Trl for safety and suggests all residents would enter VOBC via N Madrone Trl (and not Bear Creek Dr). Due to visibility, suggested all residents exit onto FM 1826 from Bear Creek Dr. Mayor Bohm asked what TX Dot what recommendations they have for us. TX Dot said they'd analyze and get back with him in 3 week. Council has a general discussion about future Hays County growth; the increase FM 1826 traffic volume and how that will

affect us.

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

City Secretary reports the Prosperity Bank \$374,000.00 was transferred from the Prosperity Bank Money Market to the 7 w mo CD account. The account is open.

**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

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

City Secretary will talk to Rowland Williams about utilizing the web site to as a phone number data base.

**11) Announcements**

**A) Next VOBC Commissioners Meeting is Tuesday, June 20, 2023 at 7:00 PM at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.**

**12) Adjournment**

The meeting adjourned at 8:15 PM

Submitted on June 18, 2023 by Kathryn Rosenbluth

Approved on 6/20/2023

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary

