

**MINUTES OF THE MEETING OF THE
VILLAGE OF BEAR CREEK COMMISSIONERS
February 20, 2024**

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.

Mark Bohm got a call Quincy Despain, BCOPOA Vice President, asking about the vacant lot at N Madrone entrance with the dumped construction debris. He suggested she reach out to City Secretary for property owners contact information.

4) Approval of Minutes from April 19, 2022 Commissioners Meeting.

Table, minutes are not complete.

5) Approval of Minutes from January 16, 2024 Commissioners Meeting.

Commissioner Brushwood makes a motion to approve the January 16, 2024 minutes as submitted. Commissioner Brackenridge seconds. Motion is approved unanimously.

6) Discussion and possible action in regard to reviewing 2023- 2024 budget and actual expenditures.

- a. VOBC Liability Insurance: budgeted \$1,700.00. Actual Cost \$3,420.92
(TML \$3090.92 + \$330.00 Texas Mutual Workers Comp)**

Council has a general discussion. Mayor Bohm makes a motion to increase Liability Insurance by \$1,721.00 from contingency funds; and increasing Liability Insurance to \$3,421.00. Commissioner Brushwood seconds. Motion is approved unanimously.

7) 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.

- b. Approve payment to Friendship Creekside Fellowship \$50.00 for
2/20/2024 VOBC Commissioners meeting in the Annex.**
- c. Approve reimbursement to Kathryn Rosenbluth \$330.00 for VOBC
Workers Compensation Insurance with Texas Mutual policy #0002105008
1/19/2024 – 1/19/2025.**

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

8) New Business

a. Discussion and possible action regarding scheduled TDS/VOBC Trash Collection Day.

City Secretary states TDS/VOBC Trash Collection Day is scheduled for Saturday 4/20/2024. Frankie Bates, TDS Representative has provided the VOBC/TDS 2024 informational flyer. Last year a couple residents said they were not aware of the scheduled trash collection day (even with signage at entrances and numerous postings on BCO Facebook) for that reason she reached out to BCOPOA asking if they would be good with VOBC including the VOBC/TDS trash collection day flyer with mailed 2024 BCOPOA annual invoices. BCOPOA has authorized VOBC to include VOBC/TDS trash collection day flyer. City Secretary requests council to approve the expense of coping the VOBC/TDS trash flyer for the BCOPOA mailer. Commissioner Brushwood makes a motion to authorize VOBC/TDS trash day flyer be mailed to residents with the BCOPOA 2024 dues invoice and reimburse City Secretary for printing the flyer. Mayor Bohm seconds. Motion approved unanimously.

b. Discussion and possible action to review and approve Subdivision Application and Checklist.

Mayor Bohm tables. We don't have legal counsel's version of the completed checklist for review.

c. Discussion and possible action to contract with JL Powers and Associates to focus on VOBC matters with nearby property owners and jurisdictions.

In January Mayor Bohm received an email from an attorney in Dripping springs saying he represented a citizen of the village and wanted to speak to the VOBC legal representative. Legal council approved Mayors' offer to have a side chat with whoever it was, to get a feel of the subject matter and not involve attorney. Mayor reached out and they declined. They did, however, speak to our legal counsel. Said they were representing one or more property owners and considering utilizing the

new Texas statute that passed during the last legislative session, allowing for people in an extraterritorial jurisdiction of a city to file a form to extricate themselves from the ETJ. Depending on where they lot is located, they could request to extricate from Dripping Springs ETJ, Austin ETJ or both. And they wanted to know if the VOBC would do anything challenging or combative of that effort. Mayor Bohm found out the property in question is the Lang Family Ranches property aka Mission Oaks Condo Project. Due to the location of the tract and the past history the Mayor recommends we hire Jim Powers to represent us and our interests in how it relates to the proposed development of this tract. It's unknown what kind of a solution we may be able to come to, but by hiring Jim Powers, independent of lawyers, perhaps we can get an agreement in place. Mayor Bohm also found out that the Mission Oaks development agreement that was negotiated with and approved by Hays County Commissioners Court was never executed. (Hays Co Commissioners Court voted and approved, it took over a month for attorneys to finish reviewing to make sure no one had objections. Then the proposed buyers were indicted for fraud and the whole thing fell thru, and the County approved development agreement wasn't executed by all parties) We have no assurances what Hays County Commissioners court approved will remain intact. VOBC Council previously approved initiating a contract agreement with JL Powers and Associates to represent us in the matter; Mayor Bohm took action to initiate a monthly consultation contract at \$1,100.00/month with a 30-day cancellation. Mayor Bohm edited the contract based on legal councl's advise. Mayor Bohm makes a motion to approve contract with JL Powers and Associates not to exceed \$6,000.00 for retainer fees and expenses for the next three months. Commissioner Brackenridge seconds. Motion approved unanimously.

9) Old Business

A) Discussion and possible action regarding the VOBC Trash and Recycling services and contract renewal. Including but not limited to TDS Proposed 1 year service contract renewal 3/1/2024 – 3/1/2025.

Mayor Bohm states our legal counsel and TDS were going back in forth in review.

Now the contract is ready for Commissioner review. It's a one-year contract. If

VOBC requires Roll Offs and Port-o-Can, the contract requires they ordered from TDS. However, residents aren't restricted to using TDS for those services. Commissioners are good with the document and will request Frankie Bates, send it for execution.

B) Discussion and possible action regarding the Cononavirus Local Fiscal Recovery Fund (CLFRF) program and VOBC use of allocated funds. (Including but not limited to Broadband and Water)

City Secretary is aware the Annual Report is due 4/30/2024. And the TDEM reporting for grant of \$750,000.00 or more is due ASAP. Reminds council the CLFRF program requires funds obligated by 12/31/2024. Commissioner Brackenridge hasn't any news to report on broadband, he's been looking at other municipalities who maybe thought about or used a grant. Seems a lot of people are asking the same question but looks like you can't use the grant toward broadband. On Mayor Bohm to do list is to find FAQ's on other ways we can use the funds.

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.

Table.

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

Commissioner Brackenridge is in the process of using white spray paint on the roads identifying repair areas. Once the roads are marked, we'll have a better idea how much work needs to be done. He feels we'll need to repair the roads and road edge with some sort of asphalt mix along with gravel. Mayor Bohm shared that Johnny with Texas Road Repair uses a premade mix, that has worked very well for us in the past. Commissioners have a open discussion. Mayor Bohm makes a motion to approve road repair work not to exceed 2 loads at a cost of \$6,000.00. Commissioner Brackenridge seconds. Motion is approved unanimously. Commissioner Brushwood is reaching out to TX Dot regarding repairing the FM 1826 /N Madrone Trl street identifier on the FM 1826/N Madrone Trl Stop Sign. He will also investigate the leading stop sign at Niles Cove and will either fix or make a repair recommendation to council.

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 the status of radar speed detectors FM1826 and the 1826 Neighborhood Coalition. (Commissioner Brushwood)

Commissioner Brushwood reports no activity from the 1826 Neighborhood Coalition. TX Dot is having a meeting on March 7, 2024 at Oak Hill United Methodist Church, regarding proposed 1826 road expansion/ improvements from Hwy 290 to the Travis County Line, Commissioner Brushwood will be the VOBC representative attending the meeting. Meeting is open to the public and City Secretary will push out meeting information on the BCO Facebook page.

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

Table.

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

Table

11) Announcements

A) Next VOBC Commissioners Meeting is Tuesday, March 19, 2024 7:00 PM at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.

B) VOBC/TDS Annual Trash Day is Saturday, April 20, 2024 from 9:00 AM to 1:00 PM at Niles Cove and Madrone Circle.

12) Adjournment

The meeting adjourned at 7:51 PM

Submitted on April 7, 2024 by Kathryn Rosenbluth

Approved on ___4/16/2024_____

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary