

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS January 21, 2025

1) Call to Order

The meeting was called to order at 7:08 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.

No citizens comments.

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

Table, minutes are not complete.

5) Approval of Minutes from November 19, 2024 Commissioners Meeting.

Table, minutes are not complete.

6) Approval of Minutes from December 17, 2024 Commissioners Meeting.

Table, minutes are not complete.

Mayor Bohm requests to open Old Business #10 out of order and at this time.

10) Old Business

a. Discussion and possible action regarding the VOBC Trash Collection Services and Texas Disposal Service contract renewal. Including but not limited to discussion and review of proposed contract.

Dan Slovak, TDS Representative is in attendance. Mayor Bohm shares that a week ago we received the TDS Renewal Contract for review and forward to our legal team for review. At this point they haven't had an opportunity to review it. Also, upon receipt of the TDS Renewal Contract Mayor Bohm brought to Dan Slovak's attention on page 26 is Attachment D – the City Map; this map includes property outside of VOBC jurisdiction (on the upper right corner) and needs to be corrected. Mayor Bohm points out this is a 10-year renewal contract that basically mirrors the previous contract with the addition of 'Two Bulky Pickups per household each calendar year'. The council has a general discussion on how to disseminate Bulky Pickup information to property owners. Dan Slovak said he'd request the TDS marketing department to put something together and include information about signing up for the Waste Wizard. They can mail it out or possibly include

it with a billing cycle. Commissioner Brushwood asked if we've downsized the carts? Dan Slovak said know the standard cart (Trash & Recycling) is 96-gallon. However, if a 96-gallon cart is too hard to manage; they have 65 gallon carts (not mentioned in the contract) available, but bit more costly. He believes some of our residents prefer a 65-gallon cart. The Council has a general discussion about TDS Trash/Recycling services and the transference of all outgoing material into the TDS Trucks. Dan Slovak confirmed the drivers intend to leave no trace. However, if TDS Trucks leave VOBC with litter, we should reach out to him and request clean up. Commissioner Brackenridge asks about TDS Contract Section 9.2 where it talks about modification to rate is tied to any change in expenditures. Basically, TDS has the right to change the rates if we have any additional expenses. That's a broad definition that could result in a rate escalation we're not prepared for. The Council has a general discussion and Dan Slovak said this is standard language in every contract and broken down behind index pricing. He'll get with legal and return with an explanation. Commissioner Brackenridge also noted an extra refuse cart is just \$10.50/month. The Council has a general discussion with Dan Slovak about using TDS Rolloffs for storm damage clean-up; and possibly coordinating with a chipping company.

Mayor Bohm returns to the Agenda order.

7) Discussion and possible action in regard to reviewing 2024- 2025 budget and actual expenditures.

Council has an open discussion. 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 1/21/2025 VOBC Commissioners meeting in the Annex.**
- b. Approve payment to IRS (United States Treasury) \$946.50 for 2024 employment taxes reported annually on the IRS 944 Form.**
- c. Approve Knight Law Firm \$2992.50 for October 2024 attorney fee, Invoice #6346 dated 12/27/2024.**

- d. **Approve payment to Gilpin Engineering Company \$6,401.25 for 11/1/2024-11/30/2025 #VBC-2024-12.**
- e. **Approve reimbursement to Kathryn Rosenbluth \$575.44 for \$357,000 TX Mutual Insurance workers comp annual renewal plus \$218.44 Lipkowski's final plat recording fees.**

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

Mayor Bohm seconds. Motion is approved unanimously.

9) **New Business**

A) Discussion and possible action to select potential dates for the TDS/VOBC 2025 Annual Trash Collection Day.

Council has a general discussion and selects three potential dates for 2025

TDS/VOBC Annual Trash Collection Day: Saturday April 12, 2025, Saturday April 5, 2025 and Saturday May 3, 2025. City Secretary will reach out to TDS for scheduling.

B) Discussion and possible action regarding, and not limited to Crockett Canyon Estates Condominiums proposed development of 1 acre single family homes on "Lang Family Ranch" 39.13 acre tract Lot 8, Silver Spur Ranchettes, Hays County. Planned development approval is on the Hays County Commissioners Court agenda for January 21, 2025.

Mayor Bohm was planning to attend the Hays County Commissioners Court Meeting but the meeting was pushed due to inclement weather conditions. From what he can tell, it appears to be a straightforward submission, very similar to the previous submission. With the exception that the Crockett Canyon Estates Condo development is just for the 39.13-acre tract Lot 8, Silver Spur Ranchettes (outside VOBC city limits). The development does not include the lot the Lang Family Ranch owns in VOBC.) Mayor Bohm said if you look at the drawing, they've kind of reused the surveyors' drawings from, I think they were dated 2022 which was the last time there was the whole hubbub going on down at Hays County. Those drawings show what looks like a road coming from the 39.13 acre tract to the edge of the five acre lot that is within the village. Whether they intend to actually try to sneak a road in or they're just trying to reuse the drawings they've already got, we don't know . We can't really tell, and that's why I was going to go to the Hays County

Commissioners Court Meeting, and I may still go. It just kind of depends on when things happen and what else we're hearing by that time. But I was planning on speaking, and not really speaking for or against the development, but making an official statement and concern for a road coming from Crockett Canyon Estates Condominiums and into VOBC (North Madrone Trail). Yes, our Ordinances prohibit this. But because these drawings indicate a landowner, developer, desire to have a road right where there shouldn't be one. We're hoping that's a vestige of, past drawings, and that future drawings will not show that. But we just want to register an official concern. In addition, I reached out to Judge Jim Powers, since we have him on retainer. I felt we should bring him up to speed. We'll incur some billable time. He's probably got four, maybe five hours in at this point because he has reviewed the development contract, he spent an hour and a half on in a meeting with the Hays County Commissioners. He's doing what we've asked him to do, keeping his ear open and working to find out who new players are, what they're plans are compared to the existing plans and communicate on our behalf, etc. The Commissioners have a general discussion.

10) Old Business

- a. Discussion and possible action regarding the VOBC Trash Collection Services and Texas Disposal Service contract renewal. Including but not limited to discussion and review of proposed contract.**

Discussed earlier in the meeting.

- b. Discussion and possible action regarding denied driveway permit application for 8910 Bear Creek Drive; owners Dave and Barbara Perry.**

Table. The Council agrees the 6" culvert is undersized; action is pending completion of the VOBC drainage study.

- c. Discussion and possible action regarding Pedernales Electric Cooperative's power line upgrade and vegetation maintenance.**

Table. No new information.

- d. Discussion and possible action regarding updating VOBC Flood Ordinance #180219.001 in accordance with the National Flood Insurance Program (NFIP) regulations, per FEMA's letter dated July 17, 2024.**

Mayor Bohm shares that in December 2024 the updated Flood Ordinance #241217.001 was submitted to FEMA for their review and approval. They responded with two questions, which we had City Engineer, Chad Gilpin respond to. FEMA accepted the answers and approved VOBC Flood Ordinance #241217.001. FEMA requested that if we're to ever update the Flood Ordinance, at that time we should update the verbiage from Ordinance is a court order to Ordinance is an ordinance. This item can be removed from future agendas.

e. Discussion and possible action regarding a City Ordinance implementing draught water restrictions.

No discussion or action. Mayor Bohm requests this item be removed from future agendas.

f. Discussion and possible action on the City Engineer's ongoing flood and rainwater runoff study. Including but not limited to discussion and possible action on City Engineer's recommendations for water runoff improvements to be completed in the 2025 calendar year.

Mayor Bohm is hopeful we'll have an update from City Engineer, Chad Gilpin for the February Commissioners Meeting.

g. Discussion and possible action regarding the Coronavirus Local Fiscal Recovery Fund (CLFRF) program and VOBC use of allocated funds (Including but not limited to Drainage and Rainwater)

Mayor Bohm notes the November 2024 invoice #VBC-2024-12 from Gilpin Engineering includes \$5,801.25 for water run off study. \$5,801.25 is an CLFRF expenditure.

h. Discussion and possible action regarding VOBC roads and Right of Way. (Including but not limited to installing no outlet signs in cul-de-sac's)

Commissioner Brackenridge recently walked the roads and realized there are a lot of areas he previously identified as needing road work, that didn't get worked on. Primarily along the road edges. He's willing to re-mark the areas or jot down the street address so we can better identify and communicate with Texas Road Repair. He'd estimate it would take at least a couple of loads of road material. The Council has a general discussion. Mayor Bohm makes a motion to approve four loads of road repair not to exceed \$8,000.00 with Texas Road Repair and Commissioner Brackenridge to identify the areas of work. Commissioner Brushwood

seconds. Commissioners have a general discussion; the motion is approved unanimously.

i. Discussion and possible action regarding traffic safety along the FM 1826 corridor.

No update. Table

j. Discussion and possible action regarding VOBC records and fire recovery.

No action. Table

k. Discussion and possible action regarding Village of Bear Creek web site.
Table.

12) Announcements

- a. Next VOBC Commissioners Meeting is Tuesday, February 18, 2025 7:00 PM at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.**

13) Adjournment

The meeting adjourned at 8:08 PM

Submitted on February 16, 2025 by Kathryn Rosenbluth

Approved on _____ 2/28/2025 _____

By *Kathryn Rosenbluth*
Kathryn Rosenbluth, City Secretary