

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS August 20, 2024

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 states there are four to five homes listed for sale in VOBC. She requested a realtor update the listing to reflect Village of Bear Creek and not Austin; realtor was adamant they're required to show Austin since USPS validates Austin and not the Village of Bear Creek. But she would add verbiage in the listing stating the property is in the Village of Bear Creek city limits. Mark Bohm challenges that; he receives mail using Bear Creek and when he files US patent for legal reasons, he does so as Bear Creek, TX 78737. As bookkeeper for BCOPOA Kathryn prepares the Resale Certificate in that document she includes information informing the buyer of the BCOPOA and their web site and VOBC and their web site. Finding that new homeowners aren't being educated by their realtor or reading Resale Certificate. Moving forward Kathryn's adding an acknowledgment form and request Title Company obtain the buyers signature and return it with the BCOPOA fees.

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

Table, minutes are not complete.

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

The Council has a general discussion. Mayor Bohm makes a motion to approve the July 16, 2024 minutes with the following correction. Correct #12.E spelling of Ceder to Cedar. Commissioner Brackenridge seconds. Motion is approved unanimously.

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

No action. Table.

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.

- a. Approve payment to Friendship Creekside Fellowship \$50.00 for 8/20/2024 VOBC Commissioners meeting in the Annex.**
- b. Approve payment to Knight Law Firm \$659.00 for April 2024 attorney services. Invoice #6000 dated 7/26/2024.**
- c. Approve payment to Knight Law Firm \$555.00 for May 2024 attorney**

services. Invoice #6066 dated 8/7/2024.

- d. **Approve payment to Knight Law Firm, LLP \$1,950.00 for June 2024 attorney services. Invoice #6127 dated 8/29/2024.**
- e. **Approve payment to Hays County Tax Assessor-Collector \$30.15 for assessing & collecting 2023 property taxes. Invoice dated 7/30/2024.**
- f. **Approve payment to Hays Free Press \$35.75 for Budget Hearing Public Posting Notice in The News Dispatch on 8/7/2024. Invoice #56881.**
- g. **Approve reimbursement to Kathryn Rosenbluth \$119.10 payment to TDS for fees incurred on VOBC annual trash day.**
- h. **Approve payment to Hays Free Press \$109.20 for VOBC Trash Services RFP Public Posting Notice in The News Dispatch on 8/14/2024. Invoice #56931.**
- i. **Approve payment to Texas Road Repair \$2,000.00 for asphalt work on Cedar Cove and North Madrone Trl.**

City Secretary explains to council on #g the check we cut to TDS for \$119.10 got lost in the mail. TDS required it be paid with credit card, and why she's requesting reimbursement.

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

8) New Business

A) PUBLIC BUDGET HEARING:VOBC BUDGET 10/1/2024 – 9/30/2025.

No citizens are in attendance. The Council reviews the proposed 10/1/2024 – 9/20/2025 budget and has a general discussion. The general discussion includes reviewing proposed tax revenue and other tax calculations provided by Hays County Tax Office. As well as going through the budget line by line. The Council supports basing the 2025 property tax revenue at \$0.0633 per \$100.00 valuation and updated the budget to reflect \$0.0633. (Last year property tax revenue was \$0.0634 per \$100.00 valuation) Commissioner Brushwood is in favor of the VOBC Budget 10/1/2024 to 9/30/2025 as amended.

B) Discussion and possible action to approve VOBC Budget 10/1/2024 – 9/30/2024 Ordinance #240820.001.

Mayor Bohm makes a motion to approve VOBC Ordinance #240820.001 VOBC Budget 10/1/2024 – 9/30/2025 as submitted with the amended Budget as the Exhibit. Commissioner Brackenridge seconds. Motion is approved unanimously.

C) Discussion regarding the VOBC 2025 proposed tax rate of \$0.0642 cents per \$100.00 valuation.

The Council has a general discussion and agrees to use \$0.0633% per \$100.00 valuation for the proposed tax rate. City Secretary will request Hays County Tax Department prepare the Small Unit Tax Notice and will have it posted in The News Dispatch Public Notices. It will be on the September Commissioners Meeting Agenda for review and approval.

D) Discussion and possible action regarding November 5, 2024, General Election for VOBC Mayor and Commissioners. Including but not limited to: Order the General Election, Hays County Contract for Election Services, Joint Election Agreement and the November 5, 2024 Election Law Calendar.

City Secretary informs council as of this date she's received Applications for Place on the Ballot for Mark Bohm - Mayor, Al Brushwood - City Commissioner, and Trent Brackenridge -City Commissioner. The deadline to file is 8/19/24; if VOBC receives no "mail in" Applications for Place on the Ballot post marked on or prior to 8/19/24; we will be eligible to cancel the 11/5/2024 election due to no opposition. Until that's known she recommends the Council authorize the Hays County Contract for Election Services and the Joint Election Agreement, so we'll be able to proceed with an election if necessary. Mayor Bohm makes a motion to approve the Joint Election Agreement between Hays County and VOBC and the Contract for Election Services between Hays County and VOBC. Commissioner Brushwood seconds. Motion is approved unanimously.

E) 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 researched the FEMA's website and thinks there is a chance that we may have to modify our existing Flood Ordinance. He wants to review new FNMA Map for our area (Community No 48169) and get our City Engineer, Chad Gilpin involved since they are currently doing a VOBC flood/drainage study for us. Their flood/drainage study will incorporate the FEMA floodplain information, so it should cover properties prone to flood that may not be in a designated in FEMA flood plain.

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

The Council has a general discussion. City Secretary requested West Travis County Public Utility Agency (WTCPUA) place their stage two drought restriction signs at both entrances. There is a sign at the Bear Creek Dr & FM1826 stop sign; but not one at N Madrone Trl & FM1826 stop sign. Commissioners agree it's important to have a signage at both entrances, even if we have to pay for it. City Secretary will reach out to WTCPUA.

9) Old Business

A) Discussion and possible action regarding 8/4/2024 \$175,000.00 CD renewed for a 7-month term with new balance \$150,000.00 at 4.5% rate with Prosperity Bank. \$25,000.00 plus interest transferred to VOBC Savings account.

City Secretary confirms the \$150,000.00 CD was renewed at 4.5%.

B) Discussion and possible action regarding the VOBC RFP for Trash Collection Services.

Mayor Bohm located four or five trash companies; he's reached those who service Dripping Springs; Troy Garis with Republic Services, Alison Slaton with Waste Connections, Frankie Bates with Texas Disposal Services and Rob Brown with Frontier Waste Solutions and sent them VOBC RFP for Trash Collection Services. Republic asked if we would consider a contract with a longer term than 1 year. The Council has a general discussion. The council agrees we would consider a three- or five-year contract with the trash company selected. Commissioner Brackenridge mentioned if one trash company has an RFP question or requests clarification. We must send our response to all the trash companies preparing proposals; all companies bidding should have all information provided to any bidder. The deadline for bidders to submission questions is 8/23/2024 and all sealed proposals must be received by 9/6/2024.

C) Discussion and possible action regarding Pedernales Electric Cooperative power line upgrade and vegetation maintenance.

Commissioner Brackenridge said about three weeks ago survey crews came on his property to identify where the new poles will be located. The new poles will be bigger in

circumference, 30' taller and spaced closer together. They'll build the new lines, while the old lines are in place, then smoothly transfer the power from the old lines to the new lines. The survey crew is trying not to place the new poles where it would encroach on a building or impact large oak trees. They prefer not to remove large trees; the new line can't have any kinks so it's a bit of a challenge. Right now, they are surveying the VOBC public utility easement for pole placement. Then PEC engineers will figure out where they want the poles located given what's been identified by the surveyors. Anticipate construction to begin first quarter of 2025.

C) Discussion and possible action on the City Engineer's ongoing flood and rainwater runoff study.

Mayor Bohm spoke with Chad Gilpin, City Engineer, they have the preliminary draft of the flood and rainwater runoff study, it's being reviewed. Mark anticipates we should start seeing some data pretty soon, likely by the next commissioners meeting.

D) 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)

Table.

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

Commissioner Brackenridge said there are probably a dozen or so spots of bad spider cracking on the roads, anywhere from 50 feet to 100 feet long. The road appears to be loose under the cracks, recommends ask Chad Gilpin to recommend the best plan of action to hinder road degradation. Kathryn Rosenbluth shared Cedar Cove resident Mark Brockman reached out to her and requests the Council discuss the possibility of putting up a no outlet sign at Cedar Cove. Said they have numerous cars pulling in not realizing its' not a through street and others drive in and stopping in the cul-de-sac and work from their car. The council has a general discussion and is not opposed to adding no outlet signage for all three cul-de-sacs; Niles Cove, Cedar Cove and Madrone Circle. Mayor Bohm said he'd reach out to Chad Gilpin ask what the requirements are for adding signage. IE; type of sign, location/height requirements, etc.

G) 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 FM 1826 from HWY 290 to FM 150 and the 1826

Neighborhood Coalition. (Commissioner Brushwood)

No new information. Tabel.

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

Table.

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

City Secretary informs the Council she's uploaded the web site, July Agenda, VOBC RFP, and 11/5/2024 VOBC Election documents.

10) Announcements

**A) Next VOBC Commissioners Meeting is Tuesday, September 17, 2024 7:00 PM
at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.**

14) Adjournment

The meeting adjourned at 8:37 PM

Submitted on October 13, 2024 by Kathryn Rosenbluth

Approved on _____

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary