MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS December 17, 2024

1) Call to Order

The meeting was called to order at 7:11 PM

2) Roll Call

Mayor Bohm, Commissioner Brushwood are present. Commissioner Brackenridge is absent.

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 makes a general comment, he got an inquiry from a potential buyer of a property VOBC, the borrowers work from home and their bank wanted to know what our rules were on home officing. He said don't have any kind of a policy for or against. They asked if I could provide a letter. He checked with our legal team, they approved it and provided a brief letter which he sent to them.

Al Brushwood said there were gunshots in the neighborhood last Saturday, they're the same people that he spoke to last year, when he confronted them and they are responsible for your bullets. He thinks the son may be home from college and shooting. By the time he walked over, nobody was there. His next-door neighbor on the far side of the shooter said he heard ricochets.

4) Convene into executive session pursuant to Section 4551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Cause No.23-1625 Lipkowski v Village of Bear Creek, et al., in the 428 Judicial District Court, Hays County , Texas.

Table

5) Reconvene into open session to take action as determined appropriate in the City Council's discretion regarding Cause No.23-1625 Lipkowski v Village of Bear Creek, et al., in the 428 Judicial District Court, Hays County , Texas.

Table

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

Table, minutes are not complete.

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

Table, minutes are not complete.

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

The Council as a discussion. No action needed.

9) 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 12/17/2024 VOBC Commissioners meeting in the Annex.**

b. **Approve payment to Texas Municipal League $2,925.30 for liability insurance renewal; contract #2766. Invoice dated 12/1/2024.**

c. **Approve payment to Hays Central Appraisal District $142.41 for 1st Quarter 2025. Invoice dated 12/1/2024.**

d. **Approve payment to Gilpin Engineering Company $22,988.75; the total of $7251.25 Invoice for 9/1/2024 to 10/31/2024 #VC-2024-10 and $15,727.50 Invoice for 11/1/2024-11/30/2024 #V2024-11.**

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

10)New Business

A) **Discussion and possible action to review and approve the 2025 Subdivision Application Calendar.**

Mayor Bohm provides the 2025 Subdivision Application Calendar. The council has a discussion and Commissioner Brushwood makes a motion to approve the 2025 Subdivision Calendar as submitted. Mayor Bohm seconds. Motion is approved unanimously.

B) **Action to appoint Commissioner Allen Brushwood to Mayor Pro-Tem.(Bohm)**

Mayor Bohm appoints Allen Brushwood as Mayor Pro-Tem for the Village of Bear Creek.

C) **Discussion and possible action regarding and not limited to TriPointe Homes proposed 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) both in Hays County.**

Mayor Bohm received a call about development of the 5.06 acre track (Lot 5, Section 2, BCO) that buts up the proposed subdivision "Crocket Canyon Estates". The mayor confirmed the minimum acreage is 2 acres, per lot with WTCPUA or rainwater collection. The minimum acreage is 3 acres if well water. Also confirmed VOBC will not permit road access from Crocket Canyon Estates to VOBC. The Council has a general discussion

about the potential development of Crocket Canyon Estates 39.13 acres and the 5.06 acre track in VOBC; both owned by the same entity. Regarding the potential of Crocket Canyon Estates Mayor Bohm confirmed Judge Jim Powers remains on VOBC retainer to negotiate on behalf of the VOBC . Commissioner Brushwood also received a call about this issue.

11) Old Business

a. Discussion and possible action regarding the VOBC Trash Collection Services and Texas Disposal Service contract renewal.

Mayor Bohm received the revised proposed service contract renewal from TDS. This contract added back the annual trash day component and allows for two options 1) bulky pick up and annual trash day 2) annual trash day only. The council has a general discussion and agrees to proceed with the annual trash day only. The two takeaways, not any big changes to the pricing structure – for example the big 40% price increase we got last year. The pricing is similar to what we are paying now no matter what the contract term is 1yr, 5 yr or 10 Yr. Residents will likely be invoiced $110./per quarter. Commissioner Brushwood prefers a 10-year term. The proposed contract has a provision for enabling clean up assistance for storm damage, if needed. We're just in the initial phase of contract negotiations, plus we want legal to review and approve the service contract prior to executing. No action taken.

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

Table.

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.

Chad Gilpin with Gilpin Engineering provided an updated Flood Ordinance to be in accordance the National Flood Insurance Program. Legal has reviewed and approved Flood Ordinance #241217.001. Ordinance #241217.001 is a Flood Damage Prevention Ordinance

updated in accordance with FEMA's requirements. Commissioner Brushwood makes a motion to update our Flood Ordinance to #241217.001 as submitted. Mayor Bohm seconds. Motion is approved unanimously. City Secretary will submit Flood Ordinance #241217.001 to FEMA for their review and approval. Mayor Bohm points out that the VOBC flood plain administrator is Kathryn Rosenbluth, but we can designate Chad Gilpin as the City's flood plain administrator.

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

Mayor Bohm confirms the West Travis County Public Utility Agency (WTCPUA) Stage II water restriction signs are up at both entrances to VOBC. No further action is needed and remove 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 states last month we approved a plan of action with Gilpin Engineering. Likely won't have any additional information the study until after the New Year. Table..

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)

Now that the CLFRF Funds have been committed, the City Secretary will obligate the funds in the SLFRF web site prior to the 12/31/24 deadline. The Council has a general discussion. We expect the Gilpin Engineering study to be completed by Spring 2025. Once completed the council initiate phase two; identify work projects based on the Gilpin Engineering study, obtaining bids for work and have completing the work. All CLFRF funds must be spent by 12/31/2026.

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)

The Council has a discussion. Mayor Bohm makes a motion to authorize AJ with Trident Excavation and Coatings install no outlet signs at the 3 cul-de-sacs and crack seal roads where needed for an amount not to exceed $9,000.00. Commissioner Brushwood seconds. Additional discussion regarding replacing stop signs weathered and faded with age. Mayor Bohm amends motion to approve an amount not to exceed $10,000.00 and include replacing weathered stop signs in the cul-de-sacs. Commissioner Brushwood seconds. Motin 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, January 20, 2025 7:00 PM at Friendship Creekside Fellowship, 14455 FM 1826, Austin, TX 78737.**

The next meeting is Tuesday, January 21, 2025, not January 20, 2025.

13) Adjournment

The meeting adjourned at 8:32 PM

Submitted on July 12, 2025 by Kathryn Rosenbluth

Approved on __July 16, 2025_____

By *Kathryn Rosenbluth*
Kathryn Rosenbluth, City Secretary