

MINUTES OF THE MEETING OF THE VILLAGE OF BEAR CREEK COMMISSIONERS February 18, 2025

1) Call to Order

The meeting was called to order at 7:05 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.

Commissioner Brackenridge said it would be beneficial for the Sherriff to occasionally drive thru VOBC. As our community grows it would be beneficial to have a law enforcement presence. He will call the new Hays County Sheriff and request when an officer is in our area; they take the time to drive thru the VOBC.

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

10) New Business

a. GrantWorks representative, Margaret Hardin to talk about what they do to assist small communities in the CAPCOG region.

Margaret Hardin, Sr Client Services Manager with GrantWorks is in attendance. She is the GrantWorks representative supporting the CAPCOG Region. GrantWorks is privately owned and operated since 1979, headquarters are in Austin, TX.

GrantWorks specializes in full-service management of State and Federal Grants (FEMA, US Treasury, US Economic, TX General Land Office, TCEQ, TDOT, TX Water Board, etc) She discussed various types of grants, and how they work with cities to assist in qualifying and managing grants.

Mayor Bohm returns to the Agenda order.

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.

7) Approval of Minutes from January 21, 2025 Commissioners Meeting.

Mayor Bohm approves the January 21, 2025 minutes with one correction #9B capitalize Judge Jim Powers name (correct “powers to Powers”). Commissioner Brushwood seconds and motion passes unanimously.

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

Council has an open discussion. No action required.

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 2/18/2025 VOBC Commissioners meeting in the Annex.**
- b. Approve payment to JL Powers & Associates LLC \$3,300.00 retainer for consulting services regarding development of Lang Family Ranch 39.13 acre track Lot 8, Silver Spur Ranchettes, Hays County. Invoice #11061 dated 2/1/2025.**

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

10) New Business

A) GrantWorks representative, Margaret Hardin to talk about what they do to assist small communities in the CAPCOG region.

Discussed earlier in the meeting.

B) Discussion and possible action regarding Prosperity Bank CD accounts. Including but not limited to renewals.

Council has a general discussion regarding CD #0639 3/4/2025 maturity date.

Commissioner Brackenridge makes a motion to roll forward half of the money in CD#0639 account to a new CD and move the other half to VOBC

Savings/Money Market Acct. Commissioner Brushwood suggests the amount rolled to a new CD is not half but is \$80,000.00 and the remaining amount moved to VOBC Savings/Money Market Acct. Commissioner Brackenridge amends his motion to roll forward \$80,000.00 into a new 7-month CD with rate 3.5% or greater. And the remaining funds moved to VOBC Savings/Money Market Account.

Commissioner Brushwood seconds. Motion is approved unanimously.

C) Discussion and possible action for an Ordinance of the Village of Ber Creek, Texas, Amending Subdivision Ordinance No. 231121.001, To Correct A Scrivener's Error.

Mayor Bohm was reviewing VOBC Subdivision ORD No 231121.001 and found that in the first paragraph the ORD No is missing a digit. (The Subdivision Ordinance and an Subdivision Amendment merged into one; ORD number referenced 204109, when it should have been 220419. (left off a 2) He notified our legal counsel of the error; they recommended fixing via a Scriveners Ordinance. Legal counsel provided the Scrivener Ordinance, it's a two-page document that allows the subdivision ordinance to be updated and doesn't change the effect date of the ordinance. It basically corrects the error. Mayor Bohm makes a motion to approve Ordinance number 231121.001 which is correcting a Scriveners error on our Subdivision Ordinance. Commissioner Brushwood seconds. Motion is approved unanimously.

D) Discussion and possible action regarding lawsuit, Cause No.23-1625, Lipkowski v. Village of Bear Creek. (Bohm)

Mayor Bohm states the lawsuit Cause NO. 23-1625 Lipkowski v Village of Bear Creek is resolved and dismissed.

11) 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 and scheduled 2025 VOBC/TDS Trash Collection Day.

Council has a general discussion regarding the 10 Year VOBC-TDS Trash Collection Services contract. Our legal counsel reviewed and the last sentence on top of page 14

says the contractor shall furnish the city with calculations (legal counsel added) the calculation shall show the basis for any such adjustment at least 60 days before implementation. TDS to mail information about bulky pickups along with billing invoices. Regarding the performance cancelation our older contracts had talked about. If TDS isn't doing things correctly, the city can call them on it. We'd have a hearing, if they don't correct it, then the city can terminate the agreement with no penalties. That whole cancel with no penalties was missing. We got them to put it back in. A cancelation cost would not be for cause. Let's say the city's decision to cancel the 10-year contract, we don't want language that enables them to assign a penalty equal to a sum of 25% of the remaining contract. We had that changed to 25% of gross receipts for a 12-month contract. Likely if we'd terminate the contract, it would be due to under performance. Legal counsel made the changes and TDS approved. Mayor Bohm makes a motion to approve the VOBC – TDS 10 Year Trash Collection Services Contract effective March 1, 2025. Commissioner Brushwood seconds. Motion is approved unanimously.

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 Crockett Canyon Estates Condominiums proposed development of 1-acre single family homes on "Lang Family Ranch" 39.13 acre track Lot 8, Silver Spur Ranchettes, Hays County.

Mayor Bohm said not much of an update; Judge Powers asked for copies of Subdivision Ordinance. He pointed him not only to the ordinance, but pulled the specific area dealing with exterior roads, accessing village streets. Powers indicated he highlight that and shared that with the Hays County Commissioners Court that they understood what our restrictions are. Said Hays County Commissioners Court may require VOBC road connection just for fire access. Our Ordinance doesn't allow an exception for fire access, it clearly states no access permitted if not a driveway to a single-family residence. The Agenda item on Hays County Commissioner Court meeting pushed to the 25th; and could pushed to a later date.

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

Mayor Bohm got a call from PEC and they said the line upgrade will not affect VOBC, the

line upgrade is only occurring off 1826 east. They are surveying our area to collect data. But don't believe we will see any upgrades here. Suggested council members reach out to Diane Gonzales PEC representative with any questions. Commissioner Brackenridge mentions the new poles being installed on FM1826 are for ariel fiber.

- e. 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.**

VOBC recently received the City Engineers flood and rainwater runoff study. The study is 100+ page report. Council authorizes city secretary to print 5 copies. One for each council member, City Secretary and Glen Ragan Driveway/Culvert authority.

- f. 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.

- g. 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 Brushwood spoke to Johnny with TX Road Repair, he's available and will look at the roads once Commissioner Brackenridge has marked them. Mayor Bohm hasn't heard from the guy that's queued up to do the no outlet signs in the cul-de-sacs and will reach out to him.

- h. Discussion and possible action regarding traffic safety along the FM 1826 corridor.**

Commissioner Brushwood received information from Bill Brock that CAMPO is developing a new plan for Central Texas highways, and includes FM1826. Their current plan is not to widen the Hays County section of 1826 until 2035 or later and start the Travis County section of FM 1826 within the next few years. Hays County residents are being encouraged to contact CAMPO and have them swap the schedules; complete FM1826 in Hays County over the next few years and the FM1826 Travis County section in 2035 or later. City Secretary will push this information to BCOPOA, and encourage residents to voice their opinion on the matter as

soon as possible.

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

No action. Table

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

12) Announcements

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

b. The VOBC/TDS Annual Trash Collection Day is Saturday, April 5, 2025. 9:00 AM to 1:00 PM at Niles Cove and Madrone Circle.

13) Adjournment

The meeting adjourned at 8:51 PM

Submitted on April 13, 2025 by Kathryn Rosenbluth

Approved on ____4/15/2025_____

By *Kathryn Rosenbluth*

Kathryn Rosenbluth, City Secretary