

MINUTES  
BASTROP COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

January 7, 2022

The Board of Directors (the "Board") of Bastrop County Municipal Utility District No. 1 (the "District") met in regular session, open to the public, on the 7th day of January, 2022, at the First National Bank, 489 Highway 71 West, Bastrop, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Steve Adamcik	President
Linda Roberts	Vice President
William Tullis	Secretary
Jerry B. Patterson	Assistant Vice President
Jane T. Sevier	Assistant Secretary

and all of the above were present thus constituting a quorum.

Also present at the meeting were Winfred Frasier, a resident of the District; Terry Holland of Myrtle Cruz, Inc.; Tammy Hargett of AWR Services, Inc. ("AWR"); and Kathryn Garner of Allen Boone Humphries Robinson LLP ("ABHR").

Due to the COVID-19 virus epidemic emergency and the high threat level warnings issued by various governments and agencies, the District established a telephone option for members of the public to listen to the meeting and to address the Board.

Also attending by telephone were Nick Textor and Mark Huff, residents of the District; Hal Lanham of AWR; Bradley Loehr of Befco Engineering, Inc.; Ashlee Martin of McCall Gibson Swedlund Barfoot PLLC; and Janet Swartz of ABHR.

PUBLIC COMMENTS

There were no comments from the public.

MINUTES

The Board considered approving the minutes of the November 20, 2021, special meeting and December 3, 2021, regular meeting. Following review and discussion, Director Tullis moved to approve the minutes of the November 20, 2021, special meeting and December 3, 2021, regular meeting. Director Patterson seconded the motion, which passed by unanimous vote.

FINANCIAL AND BOOKKEEPING MATTERS AND TAX REPORT

Mr. Holland reviewed the bookkeeper's report, including the bills submitted for approval, transfers, investment report, energy report, and year-to-date budget, a copy of which is attached.

After review and discussion, Director Tullis moved to approve the bookkeeper's report, investment report, and checks presented for payment. Director Patterson seconded the motion, which passed by unanimous vote.

#### ANNUAL DISCLOSURE STATEMENTS

The Board tabled action on this agenda item.

#### APPROVE AUDIT FOR FISCAL YEAR END SEPTEMBER 30, 2021

Ms. Martin reviewed the District's audit for the fiscal year end September 30, 2021. After review and discussion, Director Tullis moved to approve the audit, authorize filing of the audit with the Texas Commission on Environmental Quality, contingent upon ABHR review and revisions requested by the Board, and direct that the audit be filed appropriately and retained in the District's official records. Director Patterson seconded the motion, which passed by unanimous vote.

#### REPORT FROM TAX ADVISOR

There was no report on tax matters.

#### RESOLUTION ESTABLISHING ADDRESSES AND METHODS FOR TEXAS PUBLIC INFORMATION ACT REQUESTS

Ms. Garner reviewed with the Board a memorandum regarding designating addresses and methods for receipts of requests for public information under the Texas Public Information Act ("TPIA Requests"), a copy of which is attached. The Board considered designating a mailing address and an email address and approving other methods for receipts of TPIA Requests, pursuant to Section 552.234 of the Texas Government Code. After review and discussion, Director Tullis moved to (1) adopt a Resolution Establishing Addresses and Methods for Texas Public Information Act Requests ("Resolution") to (a) designate the address of the District's official office as the mailing address and [bas001@txdistricts.info](mailto:bas001@txdistricts.info) as the email address for receipt of TPIA Requests to the District and (b) direct that the designated addresses and methods be printed on the sign displayed by the District under Section 552.205, Texas Government Code in the District's office, and be posted continuously on the District's Internet website; and (2) direct that the Resolution be filed appropriately and retained in the District's official records. Director Sevier seconded the motion, which passed by unanimous vote.

## ANNUAL REPORT REGARDING POST-ISSUANCE COMPLIANCE POLICY

Ms. Garner reported on the District's compliance activities during the prior calendar year related to bond financings. She stated that no corrective action is required at this time. After discussion, Director Tullis moved to accept the annual report regarding the District's post-issuance compliance policy. Director Patterson seconded the motion, which passed by unanimous vote.

## OPERATION OF DISTRICT FACILITIES

Ms. Hargett reviewed the operator's report, a copy of which is attached, and reviewed maintenance and repairs at the District's facilities. The report reflected 131 active connections in the District.

Director Adamcik discussed the irrigation system leak on the golf course near hole no. 16.

Ms. Hargett reported on the storage of spare parts at the wastewater treatment plant.

The operator's report did not reflect any delinquent accounts.

After review and discussion, Director Tullis moved to approve the operator's report. Director Patterson seconded the motion, which passed by unanimous vote

## ENGINEERING MATTERS

Mr. Loehr reviewed the engineer's report submitted by Befco Engineering, Inc., a copy of which is attached. After review and discussion, Director Tullis moved to approve the engineer's report. Director Patterson seconded the motion, which passed by unanimous vote.

## REPORT ON AQUA WATER STUDY

Director Adamcik stated that the development committee is reviewing the Feasibility Study received in late December, 2021, from Aqua Water Supply Corporation.

## AUTHORIZE PREPARATION OF EMERGENCY PREPAREDNESS PLAN AND IMPLEMENTATION TIMELINE FOR SUBMITTAL TO TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Garner reviewed a memorandum regarding requirements enacted by the Texas Legislature to address emergency operations of certain utilities during extended power outages, a copy of which is attached. She stated that retail and wholesale water suppliers with residential customers located in a county other than Harris and Fort Bend

counties must prepare and submit to the Texas Commission on Environmental Quality ("TCEQ") an emergency preparedness plan demonstrating the ability to operate their water system at a certain water pressure during an extended power outage, along with a timeline for implementing the plan. Ms. Garner added that the plan must be submitted for TCEQ approval by March 1, 2022 and implemented by July 1, 2022. After review and discussion, Director Tullis moved to authorize Befco Engineering, Inc., to prepare and submit the District's emergency preparedness plan to the TCEQ. Director Patterson seconded the motion, which passed by unanimous vote.

#### AMENDED RATE ORDER

Ms. Garner discussed recently enacted legislation prohibiting certain retail water or sewer providers from imposing late fees or terminating service for nonpayment of water bills that become due during an "extreme emergency event," defined as a period when the previous day's highest temperature and the predicted temperature for the next 24 hours is not higher than 28 degrees Fahrenheit. She presented a proposed Amended Rate Order incorporating such provisions. After review and discussion, Director Tullis moved to adopt the Amended Rate Order and direct that the Order be filed appropriately and retained in the District's official records. Director Patterson seconded the motion, which passed by unanimous vote.

#### REPORT ON AQUA WATER STUDY

There was no further discussion on this agenda item.

#### REPORT ON BASTROP COUNTY FEMA HAZARD MITIGATION ACTION PLAN

Director Sevier and Mr. Textor reported on the Bastrop County Hazardous Mitigation Plan matters.

#### REPORT ON THE DISTRICT WEBSITE

Director Sevier reported on the District website.

#### DISCUSS COMMUNICATIONS WITH PROPERTY OWNERS AND RESIDENTS

Director Adamcik discussed communications with property owners.

#### REPORT ON CURRENT AND FUTURE DEVELOPMENT IN THE DISTRICT

Director Adamcik reported on development in the District. He stated he is meeting with Mr. Loehr to discuss drainage matters.

Director Adamcik discussed communicating with the Bastrop Central Appraisal District on agricultural exemptions filed for land in the District. After discussion, Director

Tullis moved to authorize Assessments of the Southwest, Inc. and ABHR to discuss the agricultural exemptions filed for land in the District and possible reversal of certain exemptions with representatives of the Bastrop Central Appraisal District. Director Patterson seconded the motion, which passed by unanimous vote.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY

The Board did not convene in Executive Session.

2022 DIRECTORS ELECTION

Ms. Garner discussed procedures related to the 2022 Directors Election. She reviewed a Resolution Designating an Agent of the Secretary of the Board of Directors During the 2022 Directors Election Period. Following review and discussion, Director Tullis moved to adopt a Resolution Designating an Agent of the Secretary of the Board of Directors During the 2022 Directors Election Period appointing Janet Swartz as the agent of the Secretary of the Board of Directors to perform the duties of the District's Directors Election, authorize the agent to post the related notice as required, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Patterson seconded the motion, which passed by unanimous vote.

Ms. Garner reported on requirements to post a Notice of Deadline to File Applications for Place on the Ballot for the 2022 Directors Election. Following discussion, Director Tullis moved to authorize the Secretary's agent to post the notice as required. Director Patterson seconded the motion, which passed by unanimous vote.

The Board tabled approval of a contract with Bastrop County to conduct the District's 2022 Directors Election.

NEXT MEETING DATE

The Board agreed to hold the next meeting on February 4, 2022, at 10:00 a.m. at the First National Bank, 489 Highway 71 West, Bastrop, Texas.

After discussion, the Board concurred to adjourn the meeting.

*Gene Lewis*  
Assistant Secretary, Board of Directors

(SEAL)



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