

MINUTES  
BASTROP COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

May 16, 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 16th day of May, 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 Krystal Mealy, Adam LaGesse, Nick Textor, Doug Granger, Martha Granger, and Becky Minardi, residents of the District; Terry Holland of Myrtle Cruz, Inc.; Hal Lanham and Lori Gonzales 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 Gary Stevens, a resident of the District; Bradley Loehr of Befco Engineering, Inc.; Michelle St. Clair and Mark Huff of Parliament Group; and Janet Swartz of ABHR.

PUBLIC COMMENTS

There were no comments from the public.

MINUTES

The Board considered approving the minutes of the April 1, 2022, regular meeting. Following review and discussion, Director Tullis moved to approve the minutes of the April 1, 2022, regular meeting. Director Patterson seconded the motion, which passed by unanimous vote.

REPORT ON CURRENT AND FUTURE DEVELOPMENT IN THE DISTRICT

Director Adamcik reported on development in the District.

Director Adamcik discussed a letter from the Board of Directors to Parliament Group, Inc. regarding development plans. He stated Parliament Group, Inc. has been asked to provide a drainage study related to its development plan.

Director Adamcik updated the Board on discussions with representatives of the Aqua Water Supply Corporation ("AWSC") on water capacity for the District. He stated that 167 homes are currently either under construction or occupied. Director Adamcik stated that water capacity will be needed for 65 lots for future development.

Director Adamcik discussed the preliminary values on the District's tax roll. He discussed the District's long-term plan, the services the District provides and the possibility of extending the services to include drainage facilities.

#### DISCUSS COMMUNICATIONS WITH PROPERTY OWNERS AND RESIDENTS

Director Adamcik discussed future communications with property owners and residents.

#### REPORT ON AWSC STUDY

There was no discussion on this agenda item.

#### DISCUSS AMENDMENT TO LARGE VOLUME SERVICE AGREEMENT WITH AWSC TO ACQUIRE ADDITIONAL WATER CAPACITY FOR CURRENT AND FUTURE DEVELOPMENT IN THE DISTRICT AND TAKE ANY NECESSARY ACTIONS

Ms. Garner stated that the District has not received the amendment to the Large Volume Service Agreement for the District's acquisition of additional water capacity being prepared by AWSC.

#### ENGINEERING MATTERS

Mr. Loehr reviewed the engineer's report submitted by Befco Engineering, Inc., a copy of which is attached. He stated that he submitted a request to FEMA for a one-year extension on the 2016 FEMA project.

Mr. Loehr stated that the recoating of the water pressure tank is complete. He recommended approval of Pay Estimate No. 2 and final payment in the amount of \$600.00 to CFG for the recoating of the water pressure tank.

Mr. Loehr reported on results of water pressure monitoring and testing in the District. He discussed pressure control valves and alternatives to manage water pressure in the District. The Board tabled action on this matter.

Mr. Loehr stated that he has contacted Bluebonnet Electric regarding service to new homes during the installation of grinder pumps.

Mr. Loehr discussed two alarm notification systems and annual subscriptions for monitoring services to serve the water plant and wastewater treatment plant. Discussion ensued.

After review and discussion, Director Tullis moved to (1) approve the engineer's report; (2) approve Pay Estimate No. 2 and final payment in the amount of \$600.00 to CFG for recoating of the water pressure tank, and final acceptance of the project, based upon the District engineer's recommendation; and (3) approve a proposal from Macaulay Controls Company for the installation of cattron autodialers for the water plant and wastewater treatment plant and a one year subscription for monitoring services for a cost of \$9,320 and an annual subscription for monitoring services for a cost of \$625 per plant, and direct that the proposal be filed appropriately and retained in the District's official records. 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.

#### REPORT ON EMERGENCY PREPAREDNESS PLAN

Mr. Lanham stated that AWR will file reports with the Texas Commission on Environmental Quality ("TCEQ") as necessary regarding the Emergency Preparedness Plan.

#### OPERATION OF DISTRICT FACILITIES

Mr. Lanham reviewed the operator's report, a copy of which is attached, and reviewed maintenance and repairs at the District's facilities. The report reflected 147 active connections in the District.

Mr. Lanham discussed replacing a check valve in the District on August 2, 2022, which will necessitate the issuance of a "Boil Water Notice" to the residents.

Mr. Lanham reported on the flow testing of fire hydrants.

Mr. Lanham updated the Board on the installation of meters and grinder pumps for the D. R. Horton homes.

Mr. Lanham stated that a subcontractor for D. R. Horton Homes damaged a force main, and AWR arranged for Wastewater Transport to clean up the site. He added he will present the invoice from Wastewater Transport to the Board at the next meeting.

Mr. Lanham recommended that the Board authorize AWR to change from the use of gas chlorine to liquid bleach at the wastewater treatment plant. After discussion, Director Tullis moved to authorize AWR to change from the use of gas chlorine to liquid bleach at the wastewater treatment plant. Director Patterson seconded the motion, which passed by unanimous vote.

Mr. Lanham discussed AWR's responses to calls on grinder pumps.

Mr. Lanham reported on water loss in the District.

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.

APPROVE CONSUMER CONFIDENCE REPORT AND AUTHORIZE OPERATOR TO DELIVER CONSUMER CONFIDENCE REPORT AND FILE CERTIFICATE OF DELIVERY WITH THE TCEQ

Mr. Lanham stated that AWR is preparing the Consumer Confidence Report. The Board tabled action on this agenda item.

REPORT ON BASTROP COUNTY FEMA HAZARD MITIGATION ACTION PLAN

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

REPORT ON THE DISTRICT WEBSITE

Director Sevier stated she did not have a report on the District website.

REPORT FROM TAX ADVISOR

There was no report from the tax advisor.

2022 DIRECTORS ELECTION

Ms. Garner discussed the May 7, 2022, Directors Election. The Board thanked Director Roberts for her many years of service to the District.

ORDER CANVASSING RETURNS AND DECLARING RESULTS OF DIRECTORS ELECTION

The Board reviewed the certified returns from Bastrop County for the District's May 7, 2022, Directors Election. Ms. Garner presented an Order Canvassing Returns and Declaring Results of Directors Election, reflecting the following results, as indicated in the certified returns:

<u>Candidate Name</u>	<u>Votes</u>
Krystal Mealy	49
Jerry Patterson	64
Jane Sevier	71
Linda Fay Roberts	30

Director Adamcik, President of the Board, noted the completion of the canvass of the returns of the election pursuant to Section 67.004(g), Texas Election Code. After review and discussion, Director Tullis moved to adopt the Order Canvassing Returns and Declaring Results of Directors Election, reflecting that Krystal Mealy, Jerry Patterson, and Jane Sevier have been elected to the Board of Directors each to serve a four-year term, 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.

CERTIFICATE OF ELECTION

The Board considered approving a Certificate of Election, reflecting the election of Krystal Mealy, Jerry Patterson and Jane Sevier to the Board of Directors of the District each for a four-year term. After review and discussion, Director Tullis moved to approve the Certificate of Election and the distribution of same to Directors Mealy, Patterson and Sevier, and direct that the Certificate of Election be filed appropriately and retained in the District's official records. Director Patterson seconded the motion, which passed by unanimous vote.

DIRECTORS' SWORN STATEMENTS, OFFICIAL BOND, AND OATHS OF OFFICE

Ms. Garner reviewed the Sworn Statement, Oath of Office, and Official Bond for Director Mealy. She reviewed the Sworn Statements and Oaths of Office for Directors Patterson and Sevier. After review and discussion, Director Tullis moved to approve the Sworn Statement, Oath of Office, and Official Bond for Director Mealy and the Sworn Statements and Oaths of Office for Directors Patterson and Sevier, and direct that the documents be filed appropriately and retained in the District's official records, and that the Oaths of Office be filed with the Secretary of State, as required by law. Director Patterson seconded the motion, which passed by unanimous vote.

## REORGANIZE BOARD AND ELECT OFFICERS

The Board tabled reorganizing the Board of Directors.

## AUTHORIZE FILING OF THE DISTRICT REGISTRATION FORM WITH THE TCEQ

The Board considered authorizing filing of an updated District Registration Form with the TCEQ, reflecting the terms of the newly elected directors. Following review and discussion, Director Tullis moved to authorize filing of the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director Patterson seconded the motion, which passed by unanimous vote.

## OPEN MEETINGS ACT AND PUBLIC INFORMATION ACT TRAINING REQUIREMENTS

Ms. Garner reviewed a Memorandum from ABHR regarding the Texas Open Meetings Act requirements. She noted that Director Mealy, as an elected public official, is required to complete the course on training responsibilities of the governmental body and its members under the Texas Government Code, Chapter 551, within 90 days of taking the Oath of Office.

## CONFLICT OF INTEREST DISCLOSURE REQUIRED UNDER CHAPTER 176 OF THE TEXAS LOCAL GOVERNMENT CODE, INCLUDING REVIEW OF DISCLOSURE FORMS ADOPTED BY THE TEXAS ETHICS COMMISSION AND LIST OF LOCAL GOVERNMENT OFFICERS

Ms. Garner reviewed a Memorandum from ABHR regarding conflict of interest disclosure required under Chapter 176 of the Texas Local Government Code and disclosure forms adopted by the Texas Ethics Commission and asked Director Mealy to submit any required disclosures to the District's attorney. She stated that pursuant to Chapter 176 of the Texas Local Government Code, the District maintains a List of Local Government Officers. Ms. Garner reviewed the List of Local Government Officers. After review and discussion, Director Tullis moved to approve and authorize execution of the List of Local Government Officers and direct that the List be filed appropriately and retained in the District's official records. 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.

NEXT MEETING DATE

The Board agreed to hold the next meeting on June 3, 2022, or an alternative date in June following a poll of the Board members to determine a date when a quorum could attend, 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.



  
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Secretary, Board of Directors

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