

MINUTES  
BASTROP COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

December 2, 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 2nd day of December, 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
William Tullis	Vice President
Jerry B. Patterson	Assistant Vice President
Jane T. Sevier	Secretary
Krystal Mealy	Assistant Secretary

and all of the above were present, except Director Mealy, thus constituting a quorum.

Also present at the meeting were Martha Granger and Adam Lagesse, residents of the District; Tammy Hargett of AWR Services, Inc. ("AWR"); and Kathryn Garner and Janet Swartz of Allen Boone Humphries Robinson LLP ("ABHR").

Also attending by telephone were Bradley Loehr of Befco Engineering, Inc. ("Befco"); Hal Lanham of AWR; and Terry Holland of Myrtle Cruz, Inc.

PUBLIC COMMENTS

Ms. Granger requested information on the District's actions regarding the possible development of an aggregate processing plant on land adjacent to the District. Director Adamcik stated that the Board of Directors sent a letter to the Texas Commission on Environmental Quality regarding concerns about the possible plant and the District's engineer has prepared a diagram on the proposed location of the plant.

MINUTES

The Board considered approving the minutes of the October 10, 2022, special meeting and November 4, 2022, regular meeting. Following review and discussion, Director Tullis moved to approve the minutes of the October 10, 2022, special meeting and November 4, 2022 regular meeting. Director Patterson seconded the motion, which passed by unanimous vote.

REPORT ON CURRENT AND FUTURE DEVELOPMENT IN THE DISTRICT

Director Adamcik discussed development in the District and updated the Board on the construction of new homes in the District.

## DISCUSS COMMUNICATIONS WITH PROPERTY OWNERS AND RESIDENTS

Director Adamcik stated that a letter has been sent to the property owners and residents of the District.

## ENGINEERING MATTERS

Mr. Loehr reviewed the engineer's report submitted by Befco, a copy of which is attached.

Mr. Loehr updated the Board on the contract for the relocation of a 4-inch wastewater line to the wastewater treatment plant ("WWTP") and stated that a pre-construction meeting was held on November 18, 2022. He stated that AWR has been potholing to locate cut-off valves in the 4-inch wastewater line. Mr. Loehr stated that a temporary insertion valve can be installed on the wastewater line if valves are not located. The Board discussed additional potholing to locate the wastewater line near the construction site. After discussion, Director Tullis moved to (1) authorize the engineer to arrange for potholing to locate the wastewater line near the construction site; and (2) authorize Director Adamcik to approve the installation of an insertion valve for a cost not to exceed \$10,000, pursuant to the Resolution Regarding Delegation of Authority Related to Emergency Action or Urgent Action. Director Patterson seconded the motion, which passed by unanimous vote.

Mr. Loehr reported on communications with Mr. Textor on the renewal of the FEMA System for Award Management (SAM) Registration.

After review and discussion, Director Tullis moved to approve the engineer's report. Director Sevier 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.

Ms. Hargett updated the Board on D.R. Horton Homes connections to the District's system. She stated that two remaining invoices will be sent to D.R. Horton Homes for post-closing inspection of irrigation systems and for risers.

Mr. Lanham stated that the flush valve at the end of Oak Court and Pine Street is being excavated to determine if the water line ends or is looped.

Ms. Hargett discussed the cost to purchase a small metal building or a storage container. She stated that the current cost for the rental of the storage container to store grinder pumps and spare parts for the repair of facilities is \$215.00 a month. The Board discussed continuing to rent the storage container and discuss the rental cost annually each December.

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

After review and discussion, Director Sevier moved to approve the operator's report and continued rental of the storage container. Director Tullis seconded the motion, which passed by unanimous vote.

CONSIDER COMMUNICATION WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND OTHER GOVERNMENTAL ENTITIES REGARDING AN APPLICATION FOR A WASTEWATER DISCHARGE PERMIT INTO THE COLORADO RIVER FILED BY GAPPED BASS LLC

Director Adamcik stated that Gapped Bass LLC filed an application for a wastewater discharge permit with the Texas Commission on Environmental Quality that could possibly impact the District. After discussion, Director Adamcik moved to approve a letter from the Board to the Texas Commission on Environmental Quality requesting that the District be added to the mailing list to be notified of the status of Gapped Bass' application. Director Sevier 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.

REVIEW AND DISCUSS DROUGHT CONTINGENCY PLAN AND TAKE ACTION RELATED TO SAME, IF NECESSARY

This agenda item was tabled.

REPORT ON BASTROP COUNTY FEMA HAZARD MITIGATION ACTION PLAN

Director Sevier stated that documents regarding the Bastrop County FEMA Hazard Mitigation Plan have been posted on the District's website. She discussed the possibility of engaging a grant writer in the future.

REPORT ON DISTRICT WEBSITE

There was no report on the District's website.

REVIEW AND UPDATE EMINENT DOMAIN REPORT TO TEXAS COMPTROLLER

Ms. Garner reported that ABHR will file the District's Eminent Domain Authority Annual Report with the Comptroller of the State of Texas stating that the District had not used its eminent domain authority in 2022.

REPORT FROM TAX ADVISOR

There was no report from the tax advisor.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO SEEK ADVICE OF ITS ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION OR TO SEEK AND RECEIVE LEGAL ADVICE BY THE DISTRICT'S ATTORNEY

The Board convened in executive session at 11:38 a.m. pursuant to Section 551.071 Texas Government Code, to seek advice of its attorney regarding pending or contemplated litigation or to seek and receive legal advice by the District's attorney.

RECONVENE IN OPEN SESSION AND AUTHORIZE APPROPRIATE ACTION REGARDING PENDING OR CONTEMPLATED LITIGATION OR THE LEGAL ADVICE BY THE DISTRICT'S ATTORNEY

The Board reconvened in open session at 12:32 a.m. After discussion, Director Tullis moved to (1) authorize a committee of Director Adamcik and Director Sevier to negotiate a proposal for public relations services on an "as needed" basis for presentation to the Board at the next meeting; and (2) authorize ABHR and Director Adamcik to negotiate engagement letters with an attorney specializing in environmental matters and an attorney specializing in Texas Commission on Environmental Quality matters for presentation to the Board at the next meeting. Director Patterson seconded the motion, which passed by unanimous vote.

CONSIDER AND DISCUSS THE IMPACT OF POSSIBLE DEVELOPMENT OF AGGREGATE PROCESSING PLANT ON LAND ADJACENT TO THE DISTRICT

Director Adamcik updated the Board on his communications regarding the proposed aggregate processing plant with State Senator Schwertner's staff, Bastrop County officials, the neighboring municipal utility districts, and the neighboring property owner's associations. After review and discussion, Director Tullis moved to approve a letter from the Board to State Senator Schwertner and his staff expressing the Board's appreciation for their tour of the District. Director Patterson seconded the motion, which passed by unanimous vote.

PUBLIC COMMENTS CONTINUED

Ms. Granger requested information on the District's expenditures in connection with the possible development of an aggregate processing plant. Ms. Garner stated that the Board's actions to date have been taken to protect the District's facilities. Ms. Granger stated that she is concerned about the amount of funds the District may expend on the possible development of an aggregate processing plant. Ms. Granger requested that the

phone number for the Board meeting be placed on the agenda. Mr. Lagesse commented on the possibility of the District sharing costs with area property owner associations.

NEXT MEETING DATE

The Board agreed to hold the next meeting on January 6, 2023, 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.



*Jane Sevier*  
Secretary, Board of Directors

ATTACHMENTS TO THE MINUTES

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