

MINUTES OF REGULAR MEETING  
OF  
SOUTH BUDA WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

STATE OF TEXAS           §  
  §  
COUNTY OF HAYS         §

A regular meeting of the Board of Directors of South Buda WCID No. 1 was held at 12:00 noon on March 17, 2021 by remote access only in accordance with the March 16, 2020 Order by Governor Abbott temporarily suspending certain requirements of the Texas Open Meetings Act to advance the goal of limiting face-to-face meetings to slow the spread of COVID-19. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act and as modified by the Governor's Order.

1. CALL TO ORDER

The meeting was called to order.

2. ROLL CALL OF DIRECTORS

A roll call of the Directors was taken. The Directors present were:

Sean Denton – Vice President  
Dante Angelini – Secretary  
Jeff Barton – Assistant Secretary  
John Fowler – Assistant Secretary

thus constituting a quorum. President Marvin Morgan was absent.

Also, present at the meeting were Bill Flickinger and Jeniffer Concienne with Willatt & Flickinger, PLLC, David Gray and Herb Edmonson with Gray Engineering, Inc., David Berrier with Berrier & Company, P.C. and Grant Gist with The Meadows at Buda, Melanie Hronek with Gehan Homes, Lisa Torres with Crossroads Utility Services, LLC, resident Patrick Moore and Brett Lanham.

3. PUBLIC COMMENTS

Resident Patrick Moore who lives in the Meadows at Buda wished to make a public comment. He recently spoke with Manager Lisa Torres on some comments on the neighborhood website on possible chemical exposure to a dog at the park around the pond. Mr. Moore wanted to make the Board aware of potential exposure in that area. Engineer David Gray discussed the signage in the pond area whereby it indicates, do not drink the water. Manager Lisa Torres advised that the residents were concerned about soil testing in that area. Mr. Gray stated that the District is not undertaking any soil testing as that area is a detention pond. Mr. Moore is only aware of this one exposure issue and agrees it does not justify a huge expense, however he wanted the Board

of Directors to be aware of this accusation. The HOA may want to inform the members of this issue.

4. MINUTES OF PRIOR MEETINGS

Vice President Sean Denton entertained a motion for approval of the Minutes. Motion was made by John Fowler and seconded by Jeff Barton to approve the February 17, 2021 meeting Minutes as presented. The motion carried unanimously.

5. DEVELOPER'S REPORT ON STATUS OF CONSTRUCTION WITHIN THE DISTRICT, DEVELOPMENT ENTITLEMENTS, PROVISION OF WATER, WASTEWATER AND DRAINAGE SERVICE WITHIN THE DISTRICT, SALES OF LOTS TO BUILDERS, HOMEBUILDING WITHIN THE DISTRICT, STATUS OF DEVELOPMENT LOANS AND ACTIONS OF THIRD PARTIES OPPOSING OR SUPPORTING DEVELOPMENT WITHIN THE DISTRICT

Melanie Hronek updated the Board on the townhome project. To date, 30 units have been sold. There are 19 units in the closing process. Phase 1 only has 35 units remaining. Phase 2 has five units under construction. The City of Buda submitted comments on the amenity center. It is hoped that the amenity center will be open in April or May.

Grant Gist discussed the culvert issues at the end of Robert S. Light Boulevard, intersecting IH-35. He is working with Hays County, City of Buda and TxDOT on this issue, but has not gotten very far. The culvert needs to be cleaned out. The County and City agreed to share the responsibility, however they have not responded to the request. Engineer David Gray reminded the Board that Grant Gist spent approximately \$600,000 on that the culvert. If the culvert is not cleaned out, it will not function as intended and could cause flooding issues. There was discussion of getting Attorney Bill Flickinger involved in this matter. Mr. Gist and Mr. Gray will forward information to Mr. Flickinger for review.

6. BOOKKEEPER'S REPORT ON THE FINANCIAL AFFAIRS OF THE DISTRICT, INCLUDING AUTHORIZATION OF PAYMENT OF INVOICES AND TRANSFER OF FUNDS

Bookkeeper David Berrier discussed the financials with the Board. Mr. Berrier stated that the Board might want to consider closing the construction account since it is no longer used. After discussion of the financials, motion was made by Vice President Sean Denton and seconded by John Fowler to approve the financials as presented and authorize the closing of the construction account as discussed. The motion carried unanimously.

Motion was then made by Dante Angelini and seconded by John Fowler to approve the invoices, per diems tax collection fee as submitted. The motion carried unanimously.

Motion was also made by John Fowler and seconded by Dante Angelini to authorize the transfer of funds as presented. The motion carried unanimously.

7. ENGINEER'S REPORT ON STATUS OF CONSTRUCTION WITHIN THE DISTRICT, DEVELOPMENT ENTITLEMENTS, PROVISION OF WATER, WASTEWATER AND DRAINAGE SERVICES WITHIN THE DISTRICT, SALES OF LOTS TO BUILDERS, HOMEBUILDING WITHIN THE DISTRICT AND PAST, PRESENT AND FUTURE BOND ISSUES

Engineer David Gray discussed his report as included in the agenda package.

Mr. Gray reiterated that the lift station/force main project is complete. However, the City of Buda called regarding a problem with one of the doors used to access the valve vault. The contractor made the repair under the warranty. Mr. Gray's office has accepted the repair.

Mr. Gray reported that they were made aware by Crossroads that the new encoders have been ordered by Badger Meter and should be delivered by the end of the month.

The surplus bond funds application was submitted to the TCEQ last week and was declared administratively complete. This will allow the District to reimburse the operating account with \$241,930 it advanced to fund the lift station project.

Mr. Gray then discussed the detention pond maintenance schedule and related memorandum. The maintenance will begin with the Stonefield Section 1 pond. This pond is a sand bed. Three bids were received for this project. The low bidder was Kuts and Kleans, Inc. at \$33,800. After discussion, Vice President Sean Denton entertained a motion. Motion was made by Jeff Barton and seconded by John Fowler to award the Stonefield Section 1 pond maintenance project to Kuts and Kleans, Inc. The motion carried unanimously.

There was discussion of the District's next bond issue. Financial Advisor Dan Wegmiller is looking into the feasibility.

8. REQUESTS FOR "PASS-THRU" WASTEWATER SERVICE FROM OUT-OF-DISTRICT CUSTOMERS

This item was not discussed.

9. APPROVAL OF CONSTRUCTION PLANS AND PAY ESTIMATES, CHANGE ORDERS AND ACCEPTANCES OF COMPLETION WITH RESPECT TO CONSTRUCTION CONTRACTS

This item was discussed under the Engineer's Report.

10. ADVERTISEMENT FOR BIDS AND APPROVAL, AWARD, RECOMMENDATION AND ADMINISTRATION OF CONSTRUCTION CONTRACTS

This item was not discussed.

11. MANAGER'S REPORT ON WATER AND WASTEWATER SERVICE WITHIN THE DISTRICT, INCLUDING NUMBER OF CONNECTIONS, DELINQUENT ACCOUNTS AND MATTERS PERTAINING TO THE AGREEMENT FOR WATER SERVICE WITH MONARCH UTILITIES I, L.P. AND THE AGREEMENT FOR WASTEWATER SERVICE IN THE CONSENT AND DEVELOPMENT AGREEMENT WITH THE CITY OF BUDA; DISTRICT'S BILLING CYCLE AND EXCHANGE OF METER READINGS WITH MONARCH; SYSTEM MAINTENANCE REPAIRS, UPGRADES TO FACILITIES, MAINTENANCE OF PONDS AND RELATED PROPOSALS; METERS BURIED AT GEHAN TOWNHOME SITE

Manager Lisa Torres discussed the Manager's Report with the Board.

The District had a 18.63% water loss. Ms. Torres reported that in about three weeks, the transponders should be installed, and they can get ahold of the water loss. Sean Denton asked that Crossroads continue to work with Badger to get this resolved as soon as possible.

Ms. Torres reported on debris being dumped at the dry pond located in Stonefield. She is working on getting No Dumping signage installed. There are visible ruts from the vehicles. Engineer Herb Edmonson advised that there are pipes underground around the ponds and those could be damaged as well. There was discussion of the possibility of installing fencing/gates around the area. Dante Angelini discussed the idea of installing limestone boulders around the ponds. Engineer David Gray will obtain some estimates for fence installation. Sean Denton advised that barriers will probably make clean up hard to do. After discussion, Sean Denton recommended signage first and then see if the problem continues.

A leak was located causing a main to be isolated. The repair was made, and the water was restored. However, boil water notices had to be delivered.

Ms. Torres discussed a couple of write-offs totaling \$1,868.41, after the deposits were applied. Attorney Bill Flickinger advised that delinquent accounts are not sent to collections.

Jeff Barton wanted to discuss the public comment from earlier in more detail. He wanted to be sure that he understands what the resident was saying. The resident reported that it was rumored that the dog was ill due to the runoff/drainage at the Meadows of Buda pond. The complaint was about the soil contamination. Mr. Gray advised that the City of Buda effluent discharge point is adjacent to the pond. There was discussion of the rat traps that line the resident fences, around the pond. Those traps were set years ago when the residents complained about the rodents.


12. BADGER SOFTWARE LICENSE AGREEMENT

Attorney Bill Flickinger discussed the Master Agreement between Badger Meter and the District. Previously the District entered into a starter agreement for only four months. It is now time to finalize the Master Agreement. The connection fee is \$0.87 per meter. After discussion, Vice President Sean Denton entertained a motion. Motion was made by John Fowler and seconded


by Jeff Barton to approve the Badger Meter Beacon AMA Managed Solution Master Agreement was presented. The motion carried unanimously.

13. ADJOURN

Vice President Sean Denton adjourned the meeting.

  
\_\_\_\_\_  
Marvin B. Morgan, President  
South Buda WCID No. 1

ATTEST:

  
\_\_\_\_\_  
Dante Angelini, Secretary  
South Buda WCID No. 1

[SEAL]