

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 April 21, 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:

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

thus constituting a quorum. All directors were present.

Also, present at the meeting were Bill Flickinger, Matt McPhail 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, Lisa Torres with Crossroads Utility Services, LLC, resident Patrick Moore and Brett Lanham.

3. PUBLIC COMMENTS

No public comments were made.

4. MINUTES OF PRIOR MEETINGS

President Marvin Morgan entertained a motion for approval of the Minutes. Motion was made by Jeff Barton and seconded by Dante Angelini to approve the March 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

a. Status of Robert S. Light Boulevard culvert clean up

Engineer David Gray provided the developer's report for Grant Gist. Ms. Gist had surgery on his jaw and could not speak.

Mr. Gray discussed the status of the culvert clean-up on Robert S. Light Boulevard. There have been no substantial responses from any party. There is an interested buyer on the 4-acre tract. Once the culvert issues have been taken care of, it will improve the ability to sell that tract.

Gray Engineering is reviewing the utility plans for the commercial development in front of Stonefield.

The Gehan townhome project is almost complete. Gehan will also be extending the townhome project on the Epley tract. This will be a pass-thru service request for wastewater as that tract is outside of the District boundary.

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

a. Quarterly Investment Report

Bookkeeper David Berrier discussed the financials with the Board, along with the Quarterly Investment Report.

After discussion of the financials, motion was made by Jeff Barton and seconded by Sean Denton to approve the financials as presented. The motion carried unanimously.

Motion was then made by Sean Denton and seconded by John Fowler to approve the Quarterly Investment Report as presented. The motion carried unanimously.

Motion was also made by Sean Denton and seconded by Dante Angelini to pay the invoices and per diems as submitted. 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

a. Engineering Services Proposal for next bond application

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

Mr. Gray reported that as of April 6th, the master meters are registering all data to the “dashboard” being utilized by Crossroads Utility Services.

As previously reported, the surplus bond funds application was submitted to the TCEQ and was declared administratively complete on March 15th. The TCEQ is probably 90 days out from issuing the order. Mr. Gray was made aware that the TCEQ is still working remotely, causing slow responses. Mr. Gray will reach out to TCEQ staff to check on the status.

Mr. Gray then discussed the detention pond maintenance. The agenda package includes an invoice and change order for the work. The change order is due to the contractor’s removing and replacing the filler sand and some damaged clean-out piping that was discovered during the maintenance work. Kuts and Kleans also submitted an invoice for \$38,000 for the original project. After discussion, President Marvin Morgan entertained a motion. Motion was made by Sean Denton and seconded by Jeff Barton to approve Change Order No. 1 from Kuts and Kleans in the amount of \$10,000 as presented. The motion carried unanimously. Motion was then made by Sean Denton and seconded by John Fowler to approve the invoice from Kuts and Kleans as presented. The motion carried unanimously.

As the Board will recall, last month, Mr. Gray there was discussion of fencing around the Stonefield pond. Mr. Gray discussed the estimates are included in the agenda package. The Board agreed that 4’ black vinyl fencing would be the preference. After further discussion, Mr. Gray will solicit three bids for the fencing estimate and bring them back to the May board meeting for consideration. Manager Lisa Torres advised that signs were made but have not yet been installed. John Fowler and Attorney Bill Flickinger discussed the District’s potential liability.

Mr. Gray discussed the District’s next bond issue with the Board. The draft Summary of Cost was included in the agenda package. The consultants are still reviewing it to be sure of the appropriate bond issue amount. This will most likely be the District’s last bond issue. The District’s Financial Advisor stated that due to the District’s assessed value, the bond issue could be up to \$5,000,000. After discussion, President Marvin Morgan entertained a motion. Motion was made by John Fowler and seconded by Jeff Barton to approve the Engineering Services Proposal for the District’s next bond application as presented. The motion carried unanimously.

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

- a. Signs/Fencing/Barriers around pond areas
- b. TCEQ Notice of Violation; Chlorine Level Reporting

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

The District has 615 connections.

Ms. Torres reported the District had a 5.99% water loss.

Ms. Torres reported that another round of debris needed to be picked up around the dry pond in Stonefield.

There was discussion of a probable lab error that resulted in a Notice of Violation from the TCEQ. All required chlorine residuals were taken and submitted.

Ms. Torres discussed a write-off in the amount of \$429.75. President Marvin Morgan entertained a motion. Motion was made by Sean Denton and seconded by John Fowler to write-off the delinquent account as presented. The motion carried unanimously.

Ms. Torres reported that chains and locks are begin placed around the pond and that signage will go up soon.

As stated earlier, Badger successfully resolved the tamper issues at the EST and Robert S. Light facilities.

12. BLX CONTRACT ADDENDUM FOR 2020 UNLIMITED TAX BONDS REVIEW

Attorney Bill Flickinger discussed the BLX contract addendum to add the District's 2020 bond issue for review at the appropriate time. After discussion, motion was made by Dante Angelini and seconded by Sean Denton to approve the BLX contract addendum as presented. The motion carried unanimously.

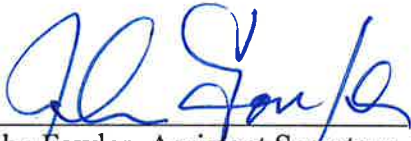
13. ADJOURN

President Marvin Morgan adjourned the meeting.



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

ATTEST:



John Fowler, Assistant Secretary
South Buda WCID No. 1

[SEAL]