

BROOKSHIRE MUNICIPAL WATER DISTRICT

MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

March 29, 2022

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 29th day of March, 2022, at 6:00 p.m., in the meeting room of the District, 4004 6th Street, Brookshire, Texas, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code, whereupon the roll was called of the members of the Board, to-wit:

Stephanie Green	President
LaKethia Connor	Vice President
Shirley Williams	Secretary
Havanaugh Glover	Assistant Secretary
Michael Whitaker, Jr.	Investment Officer

All members of the Board were present, except Director Glover, thus constituting a quorum. Also attending were Tonya Pierre ("General Manager"); Elliot M. Barner, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("Attorney" or "RBAP"); and all persons on the attached attendance roster.

The President, after finding that the notice of the meeting was posted as required by law and determining that a quorum of the Board was present, called the meeting to order at 6:00 p.m. and declared it open for such business as may regularly come before it.

1. Public Comment.

The President then opened the meeting to public comment. There being no public comments, the President directed the Board to proceed with the agenda.

2. Approve Minutes of Prior Meeting.

The Board then considered approval of the minutes from the regular meeting of February 22, 2022. Upon a motion by Director Connor, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board approved the minutes from the regular meeting of February 22, 2022, as presented.

3. Attorney's Report.

Mr. Barner then reminded the Board that RBAP is preparing the development and financing agreement between the District and Riverway Properties for the Riverwood Farms development. Mr. Barner stated that he expects to distribute a draft next week for review.

Director Whitaker entered the meeting at this time.

Regarding the proposed 2.8841 acre townhome development known as the Brookvista Townhomes and the proposed 10.342 acre townhome development known as the Brookview Townhomes, Mr. Barner reported that RBAP has drafted agreements regarding access to water meters and ownership and maintenance of the water and sewer lines within such developments, but that the necessary exhibits have not been provided by the developer. Mr. Barner went on to explain that such exhibits includes the site layouts for the proposed developments and that such layouts are necessary because they identify where the master meter and other facilities referenced in the agreements are located. A discussion ensued and it was the consensus of the Board to postpone action on these agreements until the exhibits have been provided.

4. Election Report.

Mr. Barner then reminded the Board that a directors election is scheduled to be held on Saturday, May 7, 2022 (the "Election"), and that such election will be for the Position 1, currently held by Director Glover, since such position's term of office is due to expire and the District had two (2) applications for place on ballot for such position. Mr. Barner further reminded the Board the Director Green, who holds Position 2, submitted an application for such position, and is running unopposed.

Mr. Barner then reminded the Board that Waller County (the "County") confirmed that the District will be able to hold the Election jointly with the County. Mr. Barner stated that the County has prepared a Joint Election Agreement and Contract for Election Services and that RBAP reviewed such agreement and provided it to Mrs. Pierre to coordinate execution by the Board. Mr. Barner further stated that the County has not yet provided the estimated cost for the County's conducting of the joint election.

Upon a **motion** by Director Connor, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board: 1) approved the Joint Election Agreement and Contract for Election Services; and 2) authorized payment of a deposit to the County for conducting the joint election, subject to receipt of election costs from the County.

5. Discuss Funding for Generator Upgrade and New Generator at Love's Travel Stop.

It was the consensus of the Board to table discussion of funding for new generators until the next regular Board meeting on April 4th.

6. Discuss Scheduling Fire Hydrant Repairs.

Mrs. Pierre reminded the Board that the District's Operator ("MOC") previously presented a proposal in the amount of \$51,929.00 for the repair of five (5) of the District's fire hydrants and installation of isolation valves on the fire lines. Mrs. Pierre reminded the Board that most of those fire hydrants do not have isolation valves, which requires MOC to turn off the water to the entire District in order to repair such hydrants. Mrs. Pierre recommended that such work be performed overnight to minimize customers' service disruption. Extensive discussion ensued regarding budgeting for the costs associated with such repairs.

The Board and Mrs. Pierre then discussed the various locations of the hydrants requiring repairs. Mrs. Pierre stated that she will identify the locations of hydrants most in need of immediate repairs and the locations at which isolation valves can be installed.

Upon a **motion** by Director Connor, seconded by Director Whitaker, after full discussion and with all Directors present voting aye, the Board: 1) authorized Mrs. Pierre, the District's Field Supervisor and Director Whitaker to coordinate to prioritize the fire hydrant repairs; and 2) approved MOC to make such repairs on a Friday or Saturday overnight.

7. **Request for a Capacity Report Variance for CR Pallets at 34205 IH-10.**

Mrs. Pierre then reminded the Board that in November 2020, Dr. Clay presented a Capacity Report for water and sanitary sewer service to CR Pallets' proposed development project at 34205 Katy Freeway. Mrs. Pierre further reminded the Board that service was requested to two (2) existing buildings that were previously served by a single tap; however, the Board required such development to install a separate meter in each building. Mrs. Pierre then reported that CR Pallets informed her that one (1) such building will be used as a warehouse and will have no water or plumbing. Mrs. Pierre further reported that CR Pallets is now requesting that the Board waive the requirement to install a separate meter in such building. Director Green then requested that CR Pallets provide the Board with a written statement confirming that one (1) building will not receive water service from the District. Mrs. Pierre then reported that CR Pallets has a water tank on-site, but she is unsure as to the source of water. Mr. Barner requested that Mrs. Pierre coordinate with CR Pallets to confirm that CR Pallets' private water system will be abandoned upon receipt of water service from the District. Mr. Barner then recommended that Dr. Clay revise the capacity report prepared for CR Pallets and present such revised report to the Board for approval.

8. **General Manager's Report.**

Mrs. Pierre next reviewed with the Board the General Manager's Report, a copy of which is available upon request.

A brief discussion then ensued regarding retention and disposal of District records.

Next, Mrs. Pierre reported that a District customer disagreed with the increased amount of usage reflected in her water bill; however, payment was made by the contractor who was performing work at such customer's home. Mrs. Pierre further reported that she spoke with such customer to explain the method of calculating such water bill. Mrs. Pierre went on to report that such customer continued to disagree with the water usage contained in such bill; however, such customer is not requesting an adjustment.

In response to a question from Director Green regarding the status of Mrs. Pierre's report on the District's collection of impact fees, Mrs. Pierre stated that presentation of such report will be included with the monthly Bookkeeper's Reports.

Mrs. Pierre then discussed the status of various active residential and commercial developments within the District. Mrs. Pierre reported that she continues to reach out to certain

developers in order to determine the status of developments for which no activity has occurred recently.

Mrs. Pierre next reminded the Board that the District has historically paid the fees associated with customers' payment for service via credit card payments. Mrs. Pierre explained that the District pays \$3.00 per credit card payment made by each customer. Mrs. Pierre then stated that the company processing such credit card payments is increasing its fee to \$3.24 per transaction for credit card payments made online and by telephone.

Upon a **motion** by Director Connor, seconded by Director Whitaker, the Board: 1) approved the General Manager's Report, as presented; and 2) authorized the assessment of a fee to customers in the amount of \$3.75 for each credit card payment made to the District.

9. Review Rate Order.

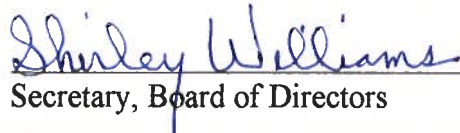
Director Green suggested that the Board consider amending the District's Rate Order to include the above-approved authorization that recovers 100% of the amount of credit card processing fees paid by the District. Mrs. Pierre then recommended that the Board consider reviewing certain other fees contained in the Rate Order. Director Green stated that, at a later date, the Board will schedule a special meeting at which to discuss amending the Rate Order.

10. Directors' Reports.

Director Connor then stated that she was happy to report about certain positive comments made by customers regarding the District, including a letter received by the District from Brookshire First United Methodist Church thanking Mr. Willis Holmes, a member of the District's field staff, for his assistance in turning off water to such church's parsonage building while repairs were being performed at such building.

There being no further business to come before the Board, the Board meeting was adjourned at 6:59 p.m.

PASSED, APPROVED and ADOPTED this the 18 day of APRIL 2022.


Secretary, Board of Directors

(DISTRICT SEAL)

