

**BROOKSHIRE MUNICIPAL WATER DISTRICT**

**MINUTES OF BOARD OF DIRECTORS REGULAR MEETING**

**September 20, 2021**

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 20<sup>th</sup> day of September, 2021, at 6:00 p.m., in the meeting room of the District, 4004 6<sup>th</sup> 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"); and Elliot M. Barner, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("Attorney" or "RBAP").

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 6:01 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. Update on Status of Report on Conversion of the District into a Municipal Utility District ("MUD").**

Mr. Barner then stated that a draft of the Engineer's Report regarding the conversion of the District from a water control and improvement district to a MUD ("Conversion") was provided to Mrs. Pierre and the District's Financial Advisor for review. Mr. Barner further stated that Dr. Clay informed him that the Financial Advisor provided comments to such report, and a revised report will be provided to RBAP for review tomorrow. Mr. Barner then reminded the Board that after it reviews the final report, the District must hold a public hearing regarding Conversion prior to submitting an application for Conversion to the Texas Commission on Environmental Quality.

**3. Approve Minutes of Prior Meetings.**

The Board then considered approval of the minutes from the regular meeting of August 16, 2021. 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 August 16, 2021.

**4. Update on Smoke Testing of District's Sewer Lines.**

Mrs. Pierre then reported that Magna Flow Environmental ("Magna Flow") completed smoke testing of the District's sanitary sewer lines and added that the District's Engineer and Operator ("MOC") will review the reports provided by Magna Flow related to such testing once such reports are completed.

**5. General Manager's Report.**

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

Mrs. Pierre then discussed the status of various development projects within the District, including Twin Lakes. Mrs. Pierre stated that the number of active development projects contained in this month's General Manager's Report is reduced because developments for which no activity has occurred for an extended period of time were removed from such report.

Next, the Board and Mrs. Pierre discussed certain other development projects contained in the General Manager's Report. Mrs. Pierre reported that Ms. Mildred Smith's residential development is now complete. Discussion then ensued regarding the status of Mr. Anil Sharma's commercial development and certain incorrect statements made publicly in social media about the reason for the delay of such development.

In response to a question from Director Connor, Mrs. Pierre then reported that no meter reading errors occurred during past month. Mrs. Pierre further reported that the number of service terminations to delinquent accounts decreased this month as compared to the previous month. Mrs. Pierre went on to report that fewer service orders were received from customers within the past month as compared to the previous month.

Discussion next ensued regarding after-hours service calls received by the District. Mrs. Pierre explained that MOC provides her with email updates regarding services performed on behalf of the District after-hours and on weekends. The Board then requested that Mrs. Pierre convert such emails into service orders and report on them as such. Discussion then ensued regarding the need to document all service requests received by the District and the resolution of such requests.

Regarding leaks reported within the District, the Board discussed several water lines that were damaged by Texas Pride Utilities, LLC ("Texas Pride") during the ongoing water line replacement project, including three (3) lines located on Kenney Street and one (1) located on Third Street. In response to a comment regarding the hiring of Texas Pride, Mr. Barner reminded the Board that Weishuhn Engineering advertised such project last year and presented the received bids to the Board, and the Board then voted to award such project to Texas Pride. Extensive discussion then ensued regarding the process of bidding District projects and awarding contracts for such projects. Further discussion ensued regarding the need for vigilance in reviewing contractors' bids and the importance of documenting such review. It was reported that a gas line was damaged by Texas Pride, which interrupted businesses in the area of such damaged line. Mrs. Pierre reported that MOC repaired the water lines damaged by Texas Pride and is keeping a record of all invoices for such repairs in order to seek reimbursement from Texas Pride.

Next, Mrs. Pierre reminded the Board that the District currently has only one (1) operational District vehicle and needs to purchase at least one (1) additional vehicle for use by the field staff. Mrs. Pierre then discussed several quotes that she obtained for the purchase of District vehicles. Mrs. Pierre then explained that when purchasing a new vehicle, the estimated delivery time is four (4) to six (6) months; however, dealerships cannot guarantee delivery of the vehicle within such timeframe. Mrs. Pierre then advised the Board against renting or leasing a District vehicle. Mrs. Pierre reported that of the vehicles for sale locally at this time, the purchase of a 2,500-ton GMC truck would be in the best interest of the District.

Upon a **motion** by Director Connor, seconded by Director Whitaker, after full discussion and with all Directors present voting aye, the Board authorized Mrs. Pierre to purchase the 2,500-ton GMC truck at a price not to exceed \$30,000.00, or subject to the approval of Directors Green and Whitaker.

**6. Review Administration/Personnel Matters.**

Discussion then ensued regarding the amount of work performed by the District's field staff versus MOC and the operational licensure that must be obtained by such field staff in order to perform additional work for the District. Mrs. Pierre next reported that a new employee was hired as a member of the District's field staff.

**7. Review Compliance Guidelines for the District's Website.**

Mr. Barner next discussed the requirements for posting certain public information on the District's website pursuant to House Bill 1154 and Texas Tax Code § 26.18. Mrs. Pierre then presented an email provided to her by RBAP containing a list of documents and information that must be posted on the District's website pursuant to such law.

**8. Approval of Training, Conferences, or Committee Meetings.**

Discussion then ensued regarding the Directors' attendance at the Association of Water Board Directors' ("AWBD") 2021 Fall Seminar to be held on October 28, 2021. Mr. Barner reminded the Board that pursuant to the District's ethics policy, attendance at conferences and meetings held by the AWBD, Texas Rural Water Association, and West I-10 Chamber of Commerce are automatically approved for Directors desiring to attend without the need for the Board to make such motion.

**9. Directors' Reports.**

The Board next discussed several positive comments that were deposited by customers into the Customer Comment Box located at the District's office.

Director Williams reported that she has driven around the District on multiple occasions looking for suspicious activity.

Director Whitaker then discussed the District's after-hours telephone line and a message received on such line regarding a customer reporting water in certain meter boxes. Discussion then ensued regarding how MOC determines whether or not a call is an emergency and if such caller's concern should be addressed on an emergency basis.

10. **Adjournment.**

There being no further business to come before the Board, the Board meeting was adjourned at 7:07 p.m.

PASSED, APPROVED and ADOPTED this the 18<sup>th</sup> day of October, 2021.

*Shirley Williams*  
Secretary, Board of Directors

(DISTRICT SEAL)

