

**BROOKSHIRE MUNICIPAL WATER DISTRICT**  
**MINUTES OF BOARD OF DIRECTORS REGULAR MEETING**

**April 17, 2023**

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 17<sup>th</sup> day of April, 2023, 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
Erin Jackson	Secretary
Shirley Williams	Investment Officer
<i>Vacant</i>	Director

All members of the Board were present, except Director Williams, thus constituting a quorum. Also attending were Tonya Pierre, General Manager of the District; Elliot M. Barner and Meredith C. King, attorneys, of Radcliffe Adams Barner PLLC ("Attorney" or "RAB"); and all persons on the attached attendance roster.

The President, after finding that 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 6:10 p.m. and declared it open for such business as may regularly come before it.

**1. Public Comment.**

The President first opened the meeting to public comment. Mr. Barner introduced Ms. King, an associate attorney with RAB, and explained that Ms. King will be working with Mr. Barner on the District's legal work.

There being no further 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 March 20, 2023. Upon a **motion** by Director Connor, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board approved the minutes from the regular meeting of March 20, 2023, as presented.

**3. Discuss Denim and Diamonds Fundraiser.**

Mrs. Pierre then presented a letter from the Royal Independent School District Education Foundation ("Royal ISD") regarding an upcoming fundraising event and requesting a donation

from the District. A discussion ensued, and it was the consensus of the Board to take no action on Royal ISD's request.

#### **4. 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 briefly discussed the summary of the District's finances for the past month and the status of various active residential and commercial developments within the District.

Mrs. Pierre then reminded the Board that last month, a customer requested an adjustment to her water bill due to a leak that occurred on her property. Mrs. Pierre further reminded the Board that it informed such customer about the Texas Comptroller's Texas Homeowner Assistance program, which provides qualified homeowners with financial assistance toward payment of their utility bills. Mrs. Pierre went on to remind the Board that it approved a 12-month payment plan for such customer, but agreed that such customer could delay payment toward her outstanding balance until a determination of eligibility was made by the Texas Homeowner Assistance program. Mrs. Pierre then reported that such customer was determined to be ineligible for such program and subsequently entered into a payment plan with the District for her outstanding balance.

Mrs. Pierre next reported that one (1) of the District's temporary employees fraudulently used a customer's credit card information to purchase food for herself. Mrs. Pierre explained that while it is not the District's policy to accept customers' payments over the telephone, as a courtesy to a certain customer who is blind, the District accepts such customer's payment via telephone. Mrs. Pierre stated that the incident was reported to the staffing agency through which the District hired such employee and added that she is in the process of ensuring that no other District funds or customer funds were stolen.

Mrs. Pierre then reported that an individual was hired from the staffing agency to be a part of the District's field staff, and that such individual previously obtained certain operational licensure valid in the state of Oklahoma. Mrs. Pierre further reported that another individual was hired as a member of the District's field staff and will start working in a few weeks. In response to a question from Director Green regarding the District's budget related to the hiring of office staff, Mrs. Pierre reported that she coordinated with the Bookkeeper, who confirmed that the hiring of such temporary employees was within the District's budget.

In response to a question from Director Connor regarding the gate at the Lakeside Lift Station being left unlocked over the weekend, Mrs. Pierre explained that such lift station was being repaired by MOC.

Next, Mrs. Pierre reported that she obtained a proposal from U.S. Water Services Corporation ("U.S. Water") for the repair of certain District manholes at a cost of \$250 per manhole. Mrs. Pierre noted that the cost of repairs could increase based upon the severity of deterioration of such manholes. Mr. Barner reminded the Board that the District has already entered into a contract with MOC for the maintenance and repair of District facilities, and that if

the Board desires to hire U.S. Water to perform such manhole repairs, the District will need to enter into a contract with U.S. Water.

**5. Annual Review of Rate Order.**

Mr. Barner next reminded the Board that the District's Engineer previously noted inconsistencies in the District's Rate Order regarding defining different types of developments. Mrs. Pierre then reminded the Board that the District's Engineer further noted that the Rate Order provides for individual metering of new developments within the District; however, such type of metering is not possible for multi-family residential developments without approval from the Board. Mr. Barner then presented to the Board proposed amendments to the District's Rate Order to resolve the previously noted inconsistencies.

Director Green and Mrs. Pierre then discussed the District's Development Policy and confusion related to the amount of fees charged for a new development versus those charged for the change in land use of a development. Director Green explained that the deposit due to the District for new development is \$2,500.00; however, if the existing development is not changing use, then the deposit due to the District to review the application is in the amount of \$750.00. Director Green requested that the Development Policy be revised to clarify what constitutes a change in land use of a development. Mrs. Pierre then suggested that developers be permitted to sign an affidavit confirming that a new development will not require more water than the previous development, and therefore, the new development does not constitute a change in land use.

**6. Update on Applications for Appointment of a New Director to Fill Vacancy.**

Mrs. Pierre next reminded the Board that the deadline by which to submit an Application for Appointment to the Board was April 17<sup>th</sup>. Mrs. Pierre then updated the Board regarding the receipt of such applications.


**7. Adjournment.**

There being no further business to come before the Board, the Board meeting was adjourned at 6:54 p.m.

PASSED, APPROVED and ADOPTED this the 15<sup>th</sup> day of May, 2023.



(DISTRICT SEAL)

  
Secretary, Board of Directors