

BROOKSHIRE MUNICIPAL WATER DISTRICT
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

May 15, 2023

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 15th day of May, 2023, 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
Erin Jackson	Secretary
Shirley Williams	Investment Officer
<i>Vacant</i>	Director

All members of the Board were present, except Director Jackson, 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 6:03 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. 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 April 17, 2023. Upon a **motion** by Director Williams, seconded by Director Connor, after full discussion and with all Directors present voting aye, the Board approved the minutes from the regular meeting of April 17, 2023, as presented.

3. Update on Land Use Assumptions, Capital Improvements Plan and Impact Fees, Including Appoint Capital Improvements Advisory Committee (the "Committee").

Mrs. Pierre updated the Board on the status of searching for eligible candidates to serve on the Committee. Mrs. Pierre reported that she and Mr. Barner discussed several potential candidates and recommended that the Board consider appointing Messrs. Michael Foley and Hector Ramon to serve on such committee. In response to a question, Mr. Barner explained the responsibilities and duties of the Committee. Mr. Barner then reminded the Board that no less than two (2) of the five (5) members of the Committee must be comprised of members of the real estate, development

and building industries and that the Committee may be comprised of no more than three (3) Directors.

A discussion ensued regarding the potential candidates, and it was the consensus of the Board that Mrs. Pierre shall reach out to Messrs. Foley and Ramon regarding serving on the Committee.

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 reported that she recently spoke with the customer who previously requested that the District adjust the amount of her water bill due to a leak that occurred on her property. Mrs. Pierre reminded the Board that such customer was referred to the Texas Comptroller's Texas Homeowner Assistance program, which provides qualified homeowners with financial assistance toward payment of their utility bills. Mrs. Pierre reported that Director Connor offered to assist such customer in completing the application for such program. Mrs. Pierre further reported that the District arranged a payment plan with such customer, allowing her to pay \$200.00 per month toward her outstanding balance. Mrs. Pierre noted that such payment plan extends beyond the six (6) months typically offered to District customers.

Next, Mrs. Pierre reported that the sanitary sewer line running to the wastewater treatment plant ("WWTP") from underneath Interstate 10 had a blockage due to the accumulation of grease within such line. Mrs. Pierre further reported that such blockage caused a backflow of sewage into the office building at the WWTP. Mrs. Pierre stated that when the District's Operator arrived at the WWTP yesterday, he found approximately one foot (1') of sewage inside such building. Mrs. Pierre further stated that the blockage was subsequently removed from the sanitary sewer line and sewage was removed from the office building using a vactor truck. Mrs. Pierre reported that a claim for such damage will be filed with the District's insurance provider, Texas Municipal League ("TML").

5. 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.

Mrs. Pierre then noted that the Alexander Plaza shopping center is served by a master meter because the developer was not required to install separate meters for each unit within the center. Mr. Barner reminded the Board that construction of Alexander Plaza was already underway before

the District changed its policies related to individual meters for each commercial unit in multi-unit developments such as Alexander Plaza.

Upon a **motion** by Director Connor, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board approved the Rate Order amendments clarifying types of developments and metering of the same.

6. District Development Policy.

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. Mrs. Pierre explained that the deposit due to the District for new development is \$2,500.00; however, if the existing development is not changing land use, then the deposit due to the District to review the application is \$750.00.

Mr. Barner next presented to the Board proposed revisions to the Development Policy clarifying that a change in the name of the business or developer does not constitute a change in land use of the development and does not require submittal of a new service application; therefore, no additional deposit will be charged to the developer in such instance. Mr. Barner explained that the service application contained in the Development Policy will include an acknowledgement by the developer that their statements made in such application are true and correct.

In response to a question regarding the assessment of a fee to process service applications, Mr. Barner explained that such fee is included in the District's Rate Order.

Upon a **motion** by Director Connor, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board approved the revisions to the District's Development Policy.

7. Administrative/Personnel Matters.

Mrs. Pierre reported that Grant Works, Inc., the company providing services to the City of Brookshire (the "City") to obtain grant funding through the Texas Department of Agriculture's Community Development Block Grant Fund, informed her that the City approved an award to the District of grant funds, and that such funds will be available to the District following the Mayor's execution of certain documentation.

Mrs. Pierre next reported that City Councilman Jeremiah Hill reached out to her regarding the permitting of certain developments within the District. Mrs. Pierre stated that the District's Engineer can provide such information to Councilman Hill.

Mrs. Pierre then updated the Board regarding the receipt of applications for appointment of a new director to fill the vacancy on the Board. Mrs. Pierre explained that Mr. Anthony McAnelly verbally informed her that he is withdrawing his application for appointment, and Mrs. Pierre requested that he submit a written statement to the District withdrawing such application.

Next, Mrs. Pierre reported that one (1) of the District's vehicles was recently repaired, and another District vehicle is currently being repaired at a mechanic shop. Mrs. Pierre further reported that a claim for such repairs was filed with TML; however, the mechanic shop informed her that TML has not yet reached out to them regarding the vehicles. Mrs. Pierre stated that she will correspond with TML regarding the status of such claim.

Mrs. Pierre then reported that she is coordinating with TML regarding certain insurance benefits available to the District's employees and their dependents.

In response to a question by Director Connor, Mrs. Pierre explained that repairs to the District's fire hydrants are covered under the District's insurance policies with TML. Mr. Barner recommended that Mrs. Pierre always communicate with the District's Operator prior to filing a claim with TML.

8. Adjournment.

There being no further business to come before the Board, the Board meeting was adjourned at 7:12 p.m.

PASSED, APPROVED and ADOPTED this the 20th day of June, 2023.



(DISTRICT SEAL)

Secretary, Board of Directors