

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

**May 6, 2024**

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 6<sup>th</sup> day of May, 2024, 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, thus constituting a quorum. Attending were Tonya Pierre, General Manager of the District; Willis Holmes, District Field Staff Supervisor; John Taylor of Municipal Operations and Consulting, Inc. ("Operator" or "MOC"); Steve Haskins of Protocol Bookkeeping, Inc. ("Bookkeeper"); Dr. Herman Clay, PhD of Clay & Leyendecker, Inc. ("Engineer"), via telephone; James Weishuhn of Weishuhn Engineering, Inc. ("Weishuhn"); Elliot M. Barner, attorney, of Radcliffe Adams Barner PLLC ("Attorney" or "RAB"); and Rhonda Rushton of Assessments of the Southwest, Inc. ("ASW" or "Tax Assessor/Collector").

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 6:00 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 Meetings**

The Board then considered approval of the minutes from the special meetings of July 27, 2022, August 3, 2022, August 22, 2023, August 29, 2023, January 25, 2024 and March 27, 2024, and the regular meetings of March 4, 2024 and March 18, 2024. Upon a **motion** by Director Jackson, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board approved the minutes from the special meetings of July 27, 2022, August 3, 2022, August 22, 2023, August 29, 2023, January 25, 2024 and March 27, 2024, and the regular meetings of March 4, 2024 and March 18, 2024, as presented.

### **3. Bookkeeper's Report**

Mr. Haskins then presented the Bookkeeper's Report, a copy of which is available upon request. Mr. Haskins reviewed the District's budget for the Fiscal Year Ending August 31, 2024, and the year to-date expenses incurred by the District.

Upon a **motion** by Director Connor, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board approved the Bookkeeper's Report, as presented.

### **4. Tax Assessment and Collection Matters**

Ms. Rushton then reviewed the Tax Assessor/Collector's Report for the month of April 2024.

Upon a **motion** by Director Jackson, seconded by Director Connor, after full discussion and with all Directors present voting aye, the Board approved the Tax Assessor/Collector's Report, as presented.

### **5. Texas Water Development Board ("TWDB") Project**

Regarding the water line replacement project that will replace asbestos clay water lines along Texas Farm-to-Market ("FM") 1489 and in a residential area north of U.S. Highway 90 and east of FM 362 (Project Information Form No. 62829) (the "Water Line Project"), Mr. Weishuhn reported that the Water Line Project is approximately 99% complete.

Mr. Weishuhn reported that Weishuhn was able to isolate the asbestos clay water line east of FM 362, between Stella Street and Depot Street, which will allow Texas Pride Utilities, LLC ("Texas Pride") to abandon the old water line on Second Street and connect the new water line to the District's water distribution system. Mr. Weishuhn reported that such work will require an interruption in water service of approximately six (6) hours and stated that he will coordinate with the District's office regarding when to perform such work and providing advance notice to affected customers.

Mr. Weishuhn next reported that the District's office provided Weishuhn with a punch list of items to be addressed before the Water Line Project is complete, particularly damaged or missing fire hydrants. Mr. Weishuhn noted that one of the District fire hydrants that is identified as damaged was not affected by the Water Line Project. Mr. Weishuhn then reported that Texas Pride removed a District fire hydrant with antiquated fittings that could not be connected to the new water lines; however, such fire hydrant is now missing. Mr. Weishuhn stated that the remaining punch list items will be addressed when the new water line on Second Street is connected to the District's water distribution system. Mr. Weishuhn went on to state that once all the old water lines are abandoned and the new water line connections are completed, Texas Pride will replace the soil in certain ditches that were excavated during the Water Line Project. Mr. Weishuhn reported that Texas Pride still needs to remove the temporary connection at The Brookwood Community and reinstall the air relief valve in such location.

Mr. Weishuhn then stated that the remaining cost to complete the Water Line Project is approximately \$11,000.00; however, only \$9,559.00 remains in the budget for such project. Mr. Weishuhn further reported that the District is holding \$95,581.05 in retainage, which will not be released until the project is complete. Mr. Weishuhn stated that such project should be completed by May 31, 2024.

A discussion then ensued regarding when to perform certain point repairs on the District's water distribution system so that the necessary disruption in water service is least inconvenient to customers. It was determined that such work would commence at 9:00 a.m. on Monday, May 20, 2024.

Upon a **motion** by Director Connor, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board accepted the TWDB Project Report, as presented.

#### **6. Engineer's Report**

Dr. Clay then presented the Engineer's Report.

Dr. Clay explained that he has no update for the Board regarding RQ Homes South Street Apartments ("RQ Homes") and stated that he recalled that the Capacity Report was approved by the Board at a previous meeting. A brief discussion then ensued regarding RQ Homes' proposed development, which will consist of a 149-unit apartment complex on 4.91 acres of land located within the District. Dr. Clay reported that he has not received an update from RQ Homes regarding the options for increasing wastewater capacity that were outlined in the Capacity Report.

Dr. Clay next reported that no development inquiries were received within the past month.

Upon a **motion** by Director Williams, seconded by Director Connor, after full discussion and with all Directors present voting aye, the Board approved the Engineer's Report, as presented.

#### **7. Operator's Report**

Mr. Taylor presented the Operator's Report, a copy of which is available upon request. Mr. Taylor reported that a total of 18,171,000 gallons of water was pumped from the District's wells from February 16, 2024 through March 15, 2024.

Mr. Taylor then reported that the District's wastewater treatment plant ("WWTP") operated at 40% capacity during the month of March. Mr. Taylor further reported that 11,615,400 gallons of influent was treated at the WWTP during the previous month. Mr. Taylor went on to report that last month, the District's average daily flow was 387,180 gallons per day ("gpd") and the peak daily flow was 1,477,400 gpd.

Mr. Taylor next reminded the Board that a sanitary sewer line is damaged at the South Street Lift Station and needs to be repaired. Mr. Taylor stated that MOC is unable to isolate the sanitary sewer line to cease flow from the lift station due to the poor condition of the piping and pumps at such lift station. Mr. Taylor estimated a cost of approximately \$50,000 to repair the

sanitary sewer line and lift station, which would include installation of two (2) new pumps, reconnection of a new line and putting the lift station on bypass.

Mr. Taylor then reminded the Board that the small clarifier at the WWTP is not functioning properly. Mr. Taylor further reminded the Board that he previously received a proposal from AUC Group in the amount of \$130,000 to rehabilitate such clarifier. Mr. Taylor stated that Dr. Clay will need to provide the design specifications for a new clarifier.

Mr. Taylor next updated the Board regarding the status of street repairs and fire hydrant repairs within the District.

Mr. Taylor then reminded the Board that pursuant to the U.S. Environmental Protection Agency's ("EPA") updated Lead and Copper Rule, the District must prepare an inventory of all water lines within the District, both public and privately owned, by October 2024. Mr. Taylor stated that MOC is coordinating with Mrs. Pierre and the District's field staff to perform such inventory.

Next, Mr. Taylor reported that he is obtaining proposals for new water meters.

Upon a **motion** by Director Jackson, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board approved the Operator's Report, as presented.

#### **8. Sanitary Sewer Overflow ("SSO") Initiative Program**

Mr. Taylor then reminded the Board that as part of the District's participation in the Texas Commission on Environmental Quality's ("TCEQ") SSO Program, the District is required to address certain deficiencies in its wastewater collection systems. Mr. Taylor further reminded the Board that by September 1, 2024, the District is required to televise and repair certain portions of the District's wastewater lines.

#### **9. Approve Distribution of 2023 Drinking Water Quality Report**

Mr. Taylor next presented the 2023 Drinking Water Quality Report, formerly the Consumer Confidence Report (the "CCR"), a copy of which is available upon request. Mr. Barner explained the process for distributing the CCR to customers pursuant to the requirements of the EPA and the TCEQ. Mr. Barner stated that a direct URL link to such CCR must be included in customers' water bills in order to comply with such requirements. Upon a **motion** by Director Connor, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board authorized preparation and distribution of the CCR, subject to the General Manager and Attorney's review of the same.

#### **10. Waller County (the "County") Hazard Mitigation Assistance Grants**

Director Green then reminded the Board that she previously attended a meeting hosted by the County regarding the availability of hazard mitigation assistance grants. Director Green further reminded that Board that she asked Dr. Clay and MOC to provide the Board with recommendations regarding items that can be utilized to mitigate potential hazards related to the District's facilities. Director Green next reported that an application was prepared by Weishuhn and submitted to the

County on behalf of the District for an award of grant funds. In response to a question from Director Connor regarding why Weishuhn was needed to complete such application, Mr. Taylor explained MOC could not complete such application by the submission deadline and that Dr. Clay did not respond to MOC's requests for assistance with such application.

**11. Administration/Personnel**

Mrs. Pierre then reported that she is maintaining a calendar of District deadlines and reviewed such calendar with the Board for the months of May and June.

**12. Attorney's Report**

Discussion ensued regarding the request made by the City of Brookshire (the "City") for certain information necessary to bill residents of the City for solid waste collection services.

Next, Mrs. Pierre reported that a temporary employee was hired last week through Snelling Personnel; therefore, the District now has a sufficient number of office staff. Mrs. Pierre further reported that she will focus on hiring additional field staff.

**13. Adjournment**

There being no further business to come before the Board, the Board meeting was adjourned.

PASSED, APPROVED and ADOPTED this the 3<sup>rd</sup> day of June, 2024.

(DISTRICT SEAL)



*Erin Z. Yfm*  
Secretary, Board of Directors