

BROOKSHIRE MUNICIPAL WATER DISTRICT
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

January 4, 2021

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 4th day of January, 2021, at 6:00 p.m., in the meeting room of the District, 4004 6th Street, Brookshire, Texas and via telephone conference call pursuant to Texas Government Code, Section 551.125, as amended, and as modified by the temporary suspension of various provisions thereof effective March 16, 2020, by the Governor of Texas (the "Governor") in accordance with the Texas Disaster Act of 1975, all as related to the Governor's proclamation on March 13, 2020, certifying that the COVID-19 pandemic ("COVID-19") poses an imminent threat of disaster and declaring a state of disaster for all counties in Texas; whereupon the roll was called of the members of the Board, to-wit:

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

All members of the Board were present, with Director Glover attending via telephone conference call, thus constituting a quorum. Also attending were Linda Guevara, employee of the District; Monica A. Garza, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("Attorney" or "RBAP"); and all persons on the attached Attendance Roster. Also attending via telephone conference call were: Tonya Pierre ("General Manager"); Steve Haskins of Protocol Bookkeeping, Inc. ("Bookkeeper"); John Taylor of Municipal Operations and Consulting, Inc. ("Operator" or "MOC"); and James Weishuhn of Weishuhn Engineering, Inc. ("Weishuhn").

The meeting was audio recorded by RBAP in compliance with requirements of the Texas Open Meetings Act.

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 6:02 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 regular meetings of November 2, 2020 and December 7, 2020, and the special meeting of November 30, 2020. 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 meetings of November 2, 2020 and December 7, 2020, and the special meeting of November 30, 2020.

3. Bookkeeper's Report.

Mr. Haskins then presented the Bookkeeper's Report, a copy of which is available upon request. Mr. Haskins noted that the majority of the over budget year-to-date items were due to maintenance and repairs that had been required in the field.

Mr. Haskins reported that he sent the invoices included in the Bookkeeper's Report to the Directors shortly before today's meeting. In response to a question from Director Green, Mr. Haskins explained that he was delayed in receiving the invoices that were incurred between Christmas and New Year's Day, which caused him to be delayed in providing such invoices to the Directors for review. Mr. Haskins then stated that he will be sending electronic signature cards to the newly elected Directors for the District's accounts held at Allegiance Bank. Director Green requested that all consultants provide their reports to the Board at least one (1) week prior to the meeting.

In response to a question from Director Whitaker regarding the amount of Check No. 4322 payable to Link Staffing Services ("Link"), Mrs. Pierre explained that Link's current invoice is higher than normal because five (5) temporary employees were used to staff the District's office in the past month. Mrs. Pierre then stated that one (1) such temporary employee was hired as a permanent full-time employee.

It was the consensus of the Board to table approval of the Bookkeeper's Report in order to allow the Board to review the invoices from the past month.

4. Texas Water Development Board ("TWDB") Projects.

Mr. Weishuhn next updated the Board on 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 a pre-construction conference was held with Texas Pride Utilities, LLC ("Texas Pride") and the TWDB on December 23, 2020, and that all necessary documentation was submitted to the TWDB on the same day. Mr. Weishuhn reported that Weishuhn received the executed construction contract from Texas Pride. Mr. Weishuhn then reported that once the TWDB has reviewed and approved the documentation submitted by Weishuhn, it will authorize issuance of the Notice to Proceed to Texas Pride.

5. Operator's Report.

Mr. Taylor presented the Operator's Report, a copy of which is available upon request.

Mr. Taylor then reported that the Texas Commission on Environmental Quality (the "TCEQ") responded to the District's request regarding the Sanitary Sewer Overflow ("SSO") Initiative program. Mr. Taylor further reported that the TCEQ's letter outlines the annual deadlines by which the District must address certain deficiencies in its wastewater collection systems. Mr. Taylor noted the TCEQ is requiring that the District conduct smoke testing on 138,500 linear

feet of sewer lines, as well as perform inspections and/or repairs of various manholes, by September 1, 2021. Mr. Taylor stated that he will obtain pricing for such work and present it to the Board at the regular meeting to be held on February 1, 2021. Mr. Taylor then reported that the seven (7) manholes discussed at last month's meeting have been cleaned in preparation of MOC's repairs, but that repairs to such manholes will not begin until next week.

Mr. Taylor then updated the Board regarding ongoing repairs to fire hydrants within the District, noting that only one (1) repair remains to be completed. Mr. Taylor stated that MOC cannot insert a shut-off valve to isolate the damaged hydrant due to the length of the water line, and therefore must turn off the water to such line in order to repair such hydrant. Mr. Taylor then reported that the total estimated cost to repair such hydrant is \$7,500, which was previously approved by the Board.

Mr. Taylor then updated the Board regarding necessary repairs to two (2) eight-inch (8") valves located on Cooper Street. Mr. Taylor stated the total estimated cost to repair the two (2) valves is \$17,335 (\$10,800 to repair an eight-inch (8") valve at Cooper Street and Depot Street and \$6,500 to repair an eight-inch (8") valve at Cooper Street and US Highway 90). Mr. Taylor explained that the water will need to be shut off during repairs to the eight-inch (8") valves and the remaining fire hydrant, which will require the District to hang door tags in order to provide notice to customers whose service will be interrupted. Additionally, following the completion of such repairs, the District will need to issue a 24-hour boil water notice for the area affected by the water being temporarily without service.

Regarding the twelve-inch (12") main line on Koomey Road, Mr. Taylor reported that a break in such line had been previously repaired, but such line is now broken in another area. Mr. Taylor noted that MOC was able to isolate the damaged line so that no customers are without water service. Mr. Taylor reported such line is part of the Water Line Project that Weishuhn is working on and will be repaired during the course of such project at no additional cost.

Mr. Taylor then discussed a complaint from Mr. Lance Lofton, a customer of the District, regarding a manhole located in front of his home that recently overflowed. Mr. Taylor explained that such manhole, which is located near the Lift Station on FM 359 North, used to frequently overflow during rain events until the connecting sewer line was repaired by MOC five (5) years ago. Mr. Taylor reported that upon receiving Mr. Lofton's complaint, MOC televised the portion of the sewer line connected to the manhole and discovered an obstruction in such line as well as damage to the pipe itself. Mr. Taylor reported that the sewer line can either be repaired through pipe bursting or by excavating the line and making a point repair. Mr. Taylor stated that the estimated cost is \$33,000 to conduct pipe bursting of the line from the point of the defective manhole to the next manhole, which is approximately 200 feet away. Mr. Taylor stated that if the Board prefers that MOC excavate the line and make a point repair at the site of the damaged line, the Board could request funds from the TWDB for future rehabilitation of the entire pipeline. Mr. Weishuhn explained that while he is not certain that there are emergency funds available from the District's TWDB loan, even if such funds were available, it would take approximately 18 months to secure such funding for this project. Mr. Taylor stated that it is his recommendation that the Board authorize MOC to proceed with pipe bursting of the 200 feet of sewer line between manholes. Mr. Taylor noted that one (1) fire hydrant connected to the water line is currently out of service and inquired as to whether the Board wanted to authorize the repair of such hydrant concurrent with the pipe bursting of the sewer line.

Upon a **motion** by Director Williams, seconded by Director Connor, after full discussion and four (4) Directors present voting aye, and Director Glover abstaining, the Board authorized MOC to: 1) repair the damaged portion of the sewer line on FM 359 North by pipe bursting such line at a cost not to exceed \$33,000; 2) repair the eight-inch (8") valve at Cooper Street and Depot Street at a cost not to exceed \$10,835; and 3) repair the eight-inch (8") valve at Cooper Street and US Highway 90 at a cost not to exceed \$6,500.

6. Review Emergency Response Procedures.

Mrs. Pierre reminded the Board that it previously approved the District office's emergency response procedures through January 2021. Mrs. Pierre then stated that she will coordinate with the Attorney regarding establishing a protocol to be followed in the event that a District employee contracts COVID-19. Mrs. Pierre recommended that if an employee tests positive for COVID-19, or is exposed to an individual with COVID-19, then such employee be required to provide the District with proof of a negative test before returning to work. Director Green then reminded the Board of the COVID-19-related policies that have been approved by the Board, including the authorization of additional compensation to the District's full-time employees, closure of the District office to the public, and required use of masks and gloves by the District's office staff.

Discussion then ensued regarding sick time available to District employees who test positive for COVID-19 or who are exposed to someone who tested positive for COVID-19.

Director Glover exited the meeting at this time.

Next, extensive discussion ensued regarding extension of the previously authorized additional compensation to the District's full-time employees. Mrs. Pierre requested that the Board increase the amount of such compensation. Upon a **motion** by Director Connor, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board authorized payment of additional compensation of \$2.00 per hour to the District's full-time employees through the end of March 2021 due to COVID-19, and review an extension of the policy in April 2021.

7. Review Illegal Connection Letter.

Next, the Board discussed the proposed letter to be sent to customers making illegal connections to the District's water lines. Upon a **motion** by Director Williams, seconded by Director Whitaker, after full discussion and with all Directors present voting aye, the Board approved such letter.

Mrs. Pierre stated that Ms. Guevara assembled a list of five (5) customers who are suspected of illegally tapping into the District's water lines. Mrs. Pierre further stated that a field technician confirmed that three (3) of such connections are likely illegal/non-customer connections. Discussion then ensued regarding the process by which to enforce penalties against illegal connections.

Upon a **motion** by Director Connor, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board authorized the District's office staff to send by

certified mail the letter regarding illegal connections to the five (5) customers suspected of illegally tapping into the District's water lines.

Discussion next ensued regarding the time frame by which to require customers to rectify an illegal connection before such customer's service is terminated. Ms. Garza recommended that the Board allow such customers seven (7) days from the date that the letter was received by certified mail by which to notify the District that the illegal connection has been fixed and to pay all fines assessed for such illegal connection.

8. Schedule Workshops for Review of District's Rate Order and Personnel Policy.

Next, the Board discussed dates on which to hold a workshop to review the District's Rate Order and Personnel Policy. It was the consensus of the Board to tentatively schedule a workshop to review the District's Personnel Policy on January 25, 2021, and a workshop to review the District's Rate Order on January 26, 2021. Director Green requested that the Directors coordinate with Mrs. Pierre to determine that a quorum of Directors are available to attend such workshops.

It was the consensus of the Board to postpone the date of its second January meeting to January 19, 2021, due to the Martin Luther King Jr. holiday.

9. Directors' Reports.

Director Whitaker then reported that Toy Shedz does not have a water meter on its property. Director Whitaker explained that the driveway used by Toy Shedz is owned by Curt Construction ("Curt"), the adjacent business, and the water meter located on such driveway belongs to Curt.

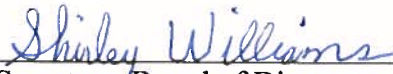
10. Bookkeeper Report, Continued.

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

11. Adjournment.

There being no further business to come before the Board, the meeting was adjourned at 7:45 pm.

PASSED AND APPROVED on this 1 day of February, 2021.


Secretary, Board of Directors