

BROOKSHIRE MUNICIPAL WATER DISTRICT

MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

February 3, 2025

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 3rd day of February, 2025, 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
NaKeshia Barley	Assistant Secretary

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"); James Weishuhn of Weishuhn Engineering, Inc. ("Engineer" or "Weishuhn") (via telephone); Meredith King of Radcliffe Adams Barner PLLC ("Attorney" or "RAB"); Eric Green, City of Brookshire Alderman; Reginald Smith of LJA Engineering, Inc.; and Orlando Salas, a member of the public.

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 6:06 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. Minutes of Prior Meeting

The Board then considered approval of the minutes from the regular meeting of January 6, 2025. Upon a **motion** by Director Jackson, seconded by Director Barley, after full discussion and with all Directors present voting aye, the Board approved the minutes from the regular meeting of January 6, 2025, as presented.

3. Bookkeeper's Report

Mr. Haskins then presented the Bookkeeper's Report, a copy of which is available upon request.

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

4. Texas Water Development Board ("TWDB") Project Engineer's Report, including status of application for funding of water and wastewater facilities

Mr. Weishuhn discussed with the Board a new application for funding through the TWDB. A discussion ensued. In response to a question, Mr. Weishuhn stated that the deadline for filing the application is March 7, 2025. Mr. Weishuhn inquired if the District would like for him to submit a Project Information Form ("PIF") through the TWDB for drinking water. A discussion ensued and it was the consensus of the Board that Mr. Weishuhn move forward with developing a PIF for drinking water. A brief discussion then ensued regarding the process for completing the application.

5. Engineer's Report

Mr. Weishuhn discussed with the Board the Capacity Report from Jefferson Triangle Marine, LLC, which was previously approved by the Board. Mr. Weishuhn stated that the developer for the property has not yet determined what the use of the property will be. Mr. Weishuhn then stated that a revised Capacity Report will be prepared once the use of the property has been determined.

Mr. Weishuhn reported that he has not received additional information from the engineers for the development of the Riverway Farms Subdivision ("Riverway"). Mr. Weishuhn stated that he will reach out to Riverway's engineer for an update.

Mr. Weishuhn then presented a Capacity Report for the proposed development by IDV Development Services, LLC ("IDV"). Mr. Weishuhn explained that IDV will consist of a 651 single-family residential home subdivision, 18.5 acres of commercial and retail development and 97.7 acres of industrial development. An extensive discussion ensued regarding the capacity of water and wastewater required to serve such development and options for providing such service. Mr. Weishuhn reported that IDV will owe an Impact Fee in the amount of \$6,982,212.78. Mrs. King reminded the Board that Mr. Barner and Mr. Weishuhn had participated in conference calls with IDV at their request and that Mr. Barner had presented creation of a defined area as an option for development of their property, which would provide for the financing and development of such property and its inclusion into the District. Mrs. King stated that IDV was not interested in creating a defined area.

Mr. Weishuhn then presented a Capacity Report for Mappa Prop – Lakshmi Land LLC ("Mappa"). Mr. Weishuhn explained that Mappa will consist of a 7,500 square-foot building to be constructed on a vacant lot. Mr. Weishuhn reported that Mappa will owe an Impact Fee in the amount of \$6,898.79. The Board expressed their concerns regarding the possibility of widening the road and the size of the trucks driving on such road. In response to a question, Mr. Weishuhn stated, that if the road was widened, water lines would likely have to be relocated. It was the consensus of the Board that this item be tabled until it is determined which lines, if any, would be affected by this project.

Mr. Weishuhn then presented a Capacity Report for Mr. Orlando Salas ("Mr. Salas"). Mr. Weishuhn explained that Mr. Salas will utilize the 1,600 square foot building as his personal office. Mr. Weishuhn reported that based on the intended use of the building as office space, Mr. Salas will owe an Impact Fee in the amount of \$4,317.60. A discussion ensued regarding if any Impact Fees were previously paid for development at this property. It was the consensus of the Board that Mrs. Pierre research the history of the property and discuss the Capacity Report with the Board further at the February 18, 2025 Board meeting.

Mr. Weishuhn then presented a Capacity Report for Tellhaus Roofing ("Tellhaus"). Mr. Weishuhn explained that Tellhaus will consist of a 2,100 square foot business inside of an existing strip mall. Mr. Weishuhn reported that Tellhaus will owe an Impact Fee in the amount of \$2,681.32. Upon a **motion** by Director Jackson, seconded by Director Barley, after full discussion and with all Directors present voting aye, the Board approved the Capacity Report for Tellhaus.

Mr. Weishuhn next presented to and reviewed with the Board a draft Wastewater Collection, Lift Station, and Wastewater Treatment Plant ("WWTP") Asset Management Plan (the "WWTP Asset Management Plan"). An extensive discussion ensued regarding the life expectancy of the facilities described in such plan and the overall condition of facilities within the District. Mr. Weishuhn stated that these documents will need to be updated annually. Upon a **motion** by Director Jackson, seconded by Director Connor, after full discussion and with all Directors present voting aye, the Board adopted the WWTP Asset Management Plan.

Mr. Weishuhn then discussed with the Board upgrades to the clarifier at the WWTP. Mr. Weishuhn reported that the new handrails, walkways and clarifier drive have been installed and that Mr. Taylor inspected the same. Mr. Taylor then presented to the Board an estimate from Preventative Services to sandblast and coat the clarifier in the amount of \$14,800. Mr. Weishuhn noted that \$1,050 should be deducted from the estimate due to Dr. Clay previously oversizing the clarifier drives and gearbox. Upon a **motion** by Director Jackson, seconded by Director Connor, after full discussion and with all Directors present voting aye, the Board authorized the sandblasting and coating of the clarifier.

Mr. Weishuhn and the Board next discussed participating in the CFO to Go Program through the TWDB. Upon a **motion** by Director Williams, seconded by Director Connor, after full discussion and with all Directors present voting aye, the Board approved beginning the TWDB CFO to Go Program once the audit is finalized, subject to review of the TWDB Memorandum of Agreement for such program by RAB.

Mr. Weishuhn discussed with the Board the possibility of constructing a new water well. Mr. Weishuhn stated that a set of plans will need to be prepared and, once those plans are completed, the Texas Commission on Environmental Quality would then need to approve the plans. Mr. Weishuhn further stated that the location for the new water well would need to be determined prior to the plans being prepared. Mr. Weishuhn noted that the water well would need to be located on the south side of the District. Mr. Taylor noted that MOC will begin looking for a piece of property to obtain. Mr. Weishuhn further noted that the property would need to be approximately two (2) acres in size in order to construct a well in compliance with the State's regulations on same.

Mr. Weishuhn then discussed potential upgrades to the District's lift stations. Mr. Weishuhn stated that the specifications for the upgrades to the Lakeside and Stella Lift Stations have not yet been started. Mr. Weishuhn requested that the Board authorize Weishuhn to begin assessing the upgrades. Mr. Weishuhn noted that the Lakeside Lift Station should take priority for upgrades, then the Kenney Street Lift Station, followed by the Stella Lift Station. Mr. Weishuhn further noted that there is approximately \$394,000 in the budget for lift station repairs. Upon a **motion** by Director Connor, seconded by Director Barley, after full discussion and with all Directors present voting aye, the Board authorized Weishuhn to prepare design plans for the upgrades to the Lakeside Lift Station.

Mr. Weishuhn discussed with the Board that the Kenney Street Lift Station Force Main currently runs diagonally under an undeveloped piece of land, located in Waller County Municipal Utility District No. 19's boundaries, and the developer would like for the District to move the pipe to the west side of the property at the developer's expense. Mr. Weishuhn noted that he informed the developer that they would need to submit an application for the Board to review their request.

Mr. Weishuhn then reported that the Texas Department of Transportation ("TxDOT") has reached out and informed Weishuhn that TxDOT is planning to widen F.M. 359 and Hwy. 90 but noted that TxDOT may need to survey the lift station located on F.M. 359 because the expansion may affect the District's property around such lift station.

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

Mr. Smith exited the meeting at this time.

6. **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 22,829,000 gallons of water was pumped from the District's wells from November 15, 2024 through December 16, 2024.

Mr. Taylor then reported that the District's WWTP operated at 65% capacity during the month of December. Mr. Taylor further reported that 19,574,000 gallons of influent were treated last month at the WWTP. Mr. Taylor went on to report that last month, the District's average daily discharge from the WWTP was 631,419 gallons per day ("gpd") and the peak daily flow was 1,493,600 gpd.

Mr. Taylor reported that as previously discussed with the Board, certain commercial meters were sent to Accurate Meter & Supply last week for testing.

The Board informed Mr. Taylor that a recent repair to a water line located on Robins Street performed by MOC continues to leak water.

Mr. Taylor then reported that the large clarifier will need to be upgraded in the next three (3) to five (5) years.

Mrs. Pierre stated that the District apparently has an interconnect with the City of Pattison that no one was aware of. Mr. Taylor stated that he will have to open such interconnect to

determine if such interconnect may be used in the future. It was the consensus of the Board that the District review its records to determine if there is any additional background information regarding this matter. Mr. Taylor recommended that the interconnect be closed and inspected on an annual basis.

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

7. Administration/Personnel Report

Mrs. Pierre updated the Board on various administrative matters.

8. Attorney's Report

Mrs. King discussed with the Board the Interlocal Agreement with the City of Brookshire (the "City") regarding billing and collections of fees for solid waste collection services provided by the City. Mr. Green explained that the City does not have an efficient way to bill for the solid waste collection services and noted that customers of the District that reside within the City are looking forward to having the solid waste collection fee included in their water bill, as opposed to receiving another bill from the City.

Upon a **motion** by Director Connor, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board approved the Interlocal Agreement for solid waste collection services with the City, as presented.

Mrs. King then discussed the Interlocal Agreement with the City for the Use of Equipment. A brief discussion ensued. It was the consensus of the Board that RAB revise such agreement between the City and the District so the parties may mutually assist one another in not only the use of equipment for public works project, but also in the use of necessary personnel required to operate such machinery.

9. Election Report

Next, Mrs. King discussed with the Board the Road Bond Election for Defined Area No. 1 (the "Road Bond Election") and the proposed election for bond authority in the District as a whole, both to be held on Saturday, May 3, 2025. Mrs. King then first presented the Order Calling Road Bond Election for Defined Area No. 1 ("Order Calling Road Bond Election").

The Board then discussed the Order Calling Bond Election for authorizing bond authority for water and wastewater improvements projected to be needed over the next 20 + years. An extensive discussion ensued regarding the bond authorization amount and the process for issuing bonds from the authority authorized by voters. Mr. Weishuhn reminded the Board that based on the WWTP Asset Management Plan and anticipated capital improvements for the District, the bond authority requested by the District to the voters within the District could be approximately \$35,000,000.

Mrs. King then explained that RAB has not yet received the Election Services Agreement and Contract for Election Service (the "Agreement") from Waller County (the "County").

Mrs. King then reminded the Board that the last elections conducted for the District by the County were on Saturday, May 4, 2024. Mrs. King then stated that the County has still not yet provided an invoice to the District for the remaining cost of conducting such election.

Upon a **motion** by Director Connor, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board: 1) approved the Order Calling Road Bond Election; 2) approved the Order Calling Bond Election, subject to finalization of same; 3) authorized payment to the County for conducting the joint election, subject to receipt of election costs from the County; and 4) approved the Agreement, subject to receipt and review of same.

10. Adjournment

There being no further business to come before the Board, the Board meeting was adjourned at 8:14 p.m.

PASSED, APPROVED and ADOPTED this the 3rd day of March, 2025.

(DISTRICT SEAL)




Secretary, Board of Directors