

BROOKSHIRE MUNICIPAL WATER DISTRICT
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

August 7, 2023

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 7th day of August, 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, thus constituting a quorum. Attending were Tonya Pierre ("General Manager"); 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"); Fei Xie of Walter P. Moore Engineering; 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 6:09 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 July 6, 2023. 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 regular meeting of July 6, 2023, 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 ("FYE") August 31, 2023, and the year to-date expenses incurred by the District.

Mr. Haskins next presented to the Board the Quarterly Investment Report for the third (3rd) quarter of the FYE August 31, 2023.

Upon a **motion** by Director Williams, seconded by Director Connor, after full discussion and with all Directors present voting aye, the Board approved: 1) the Bookkeeper's Report, as presented; and 2) the Quarterly Investment Report for the third (3rd) quarter of the FYE August 31, 2023.

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

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 96% complete.

Mr. Weishuhn next reported that the blow off valves were removed from the new water line along FM 1489 south of Interstate 10 so that such line can be placed into service this week. Mr. Weishuhn further reported that several old water lines were isolated and disconnected from the District's water distribution system. Mr. Weishuhn went on to report that Texas Pride Utilities, LLC ("Texas Pride") made several connections of the new water lines to certain areas of the District's water distribution system.

Mr. Weishuhn then reported that Texas Pride continues to attempt to locate hidden valves through an excavation process called potholing.

Mr. Weishuhn next reminded the Board that the substantial completion date for the Water Line Project is September 30, 2023. Mr. Weishuhn explained that the remaining work to be completed on such project involves connecting certain segments of recently constructed water lines to the District's existing water system and connecting certain service lines to such water lines. Mr. Weishuhn stated that Texas Pride will coordinate with the District regarding mobilization dates so that the District can provide customers with sufficient notice of potential service interruptions.

Mr. Weishuhn then reported that Weishuhn is updating the District's as-built drawings to reflect the locations of the new water line connections and the previously hidden valves.

5. Review and Approve Grinder Pump Station for 4431 Garvie Lane.

Dr. Clay explained that a new single-family residence was recently constructed at 4431 Garvie Lane. Dr. Clay further explained that an additional small structure is located on such property, which already receives water service from the District. Dr. Clay stated that such structure utilizes a private septic system. Dr. Clay reported that the District received an application from the property owner requesting water and sanitary sewer service to the new residence and seeking to extend the sanitary sewer line to the smaller structure. Dr. Clay noted that a separate water meter will be required for each building located on the property. Dr. Clay reported that the District has a sanitary sewer force main located on Garvie Lane; however, any new customer who intends to utilize such line will need to install a sanitary sewer pump station because a gravity sewer line

is not possible in such location. Dr. Clay stated that Garvie Lane is owned by Waller County (the "County"); therefore, the applicant will need to obtain a permit from the County to extend their sanitary sewer line across Garvie Lane to connect to the District's force main. Dr. Clay stated that the drawings provided by the applicant do not provide the requisite amount of detail regarding such residence. Dr. Clay further stated that the applicant is proposing to install a non-grinder pump station rather than a grinder pump station; however, he recommends that that District require such applicant to install a grinder pump station. Dr. Clay then explained that installation of the pump station is the responsibility of the applicant. Dr. Clay further explained that the pump station will be owned and maintained by the applicant. Mr. Barner recommended that Mrs. Pierre and Dr. Clay hold a meeting with such applicant regarding the plans for the proposed pump station.

6. Engineer's Report.

Dr. Clay then presented the Engineer's Report.

Dr. Clay first updated the Board regarding the status of the lift station improvements for the Brookwood Community Project. Dr. Clay reminded the Board that construction of such improvements are being delayed until certain electrical equipment is delivered to the contractor.

Dr. Clay next presented the Capacity Report for service to a one (1)-story development located at 803 Cooper Street. Dr. Clay reported that the property was recently sold to Imperial Consulting, LLC ("Imperial"), and the land use of such development will change from retail to office space. Dr. Clay then stated that an impact fee in the amount of \$5,801.62 will be owed by Imperial. Extensive discussion then ensued regarding the Capacity Report for 803 Cooper Street.

Dr. Clay then reminded the Board that last month, plans were submitted by a developer for service to a five (5)-story building; however, the developer did not include an estimate of the water or wastewater usage by the development. Dr. Clay requested that Mrs. Pierre coordinate with such developer to obtain more information about the development so that the District can evaluate the water and wastewater needs of such development.

7. Update on Riverwood Farms Residential Development Project ("Riverwood Farms").

Mr. Barner then reminded the Board that Riverwood Farms is located outside the boundaries of the District and will need to be annexed prior to receiving service from the District. Mr. Barner reported that RAB submitted an application to the City of Brookshire (the "City") for consent to the annexation of such property. Mr. Barner then updated the Board on his discussion with the City's attorney regarding the City's consent to such annexation and the District potentially calling a special election in November 2023 for the creation of a defined area.

8. Annexation of Off Lease Only, LLC ("OLO") Development.

Mr. Barner next reminded the Board that the 21.379-acre tract of land being developed by OLO is located outside the boundaries of the District and will need to be annexed prior to receiving service from the District. Mr. Barner then reminded the Board that RAB previously submitted an application to the City for consent to the annexation of such property.

9. **Operator's Report.**

Mr. Taylor then presented the Operator's Report, a copy of which is available upon request. Mr. Taylor reported that a total of 23,611,000 gallons of water was pumped from the District's wells from May 15, 2023 through June 16, 2023.

Mr. Taylor next reported that the District's wastewater treatment plant ("WWTP") operated at 45% capacity during the month of June. Mr. Taylor further reported that 9,820,800 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 327,360 gallons per day ("gpd") and the peak daily flow was 478,500 gpd.

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

Next, Mr. Taylor stated that moderate drought conditions are occurring throughout the County. Discussion ensued regarding the District's Emergency Preparedness Plan and Drought Contingency Plan ("DCP"). Upon a **motion** by Director Connor, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board authorized implementation of Stage Two (2) of the District's DCP, referred to in such DCP as Moderate Water Shortage Conditions.

Mr. Taylor next reminded the Board that as part of the District's participation in the Texas Commission on Environmental Quality's ("TCEQ") Sanitary Sewer Overflow ("SSO") Initiative Program, the TCEQ requires that the District address certain deficiencies in its wastewater collection systems by certain annual deadlines. Mr. Taylor reported that by September 1, 2023, the District is required to complete a televised evaluation of certain portions of such system and to complete 30% of the repairs needed to such portions. Mr. Taylor further reported that by such date, the District is also required to begin a televised evaluation of certain other portions of such system and to repair ten (10) of the District's manholes.

Mr. Taylor then reported that he is preparing the District's Asset Management Plan as required by the TWDB when applying for grant funds. Mr. Taylor further reported that such plan must be submitted to the TWDB by August. A brief discussion ensued regarding the development of such plan. Director Green stated that she will coordinate with Mrs. Pierre regarding the completion of such plan.

Mr. Taylor next reminded the Board that pursuant to the U.S. Environmental Protection Agency's 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.

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

10. Compliance with SSO Initiative Program.

Mr. Taylor next reiterated that as part of the District's participation in the TCEQ's SSO Initiative Program, the TCEQ requires that the District address certain deficiencies in its wastewater collection systems by certain annual deadlines. Mrs. Pierre then reminded the Board that the District previously conducted smoke testing on its wastewater lines in order to address certain deficiencies in its wastewater collection systems, and it was determined that damaged cleanout caps are the primary source of infiltration into such system. Mrs. Pierre further reported that she is coordinating with RAB and the smoke testing contractor, Magna Flow Environmental ("Magna Flow"), regarding the incorrect addresses of customers with damaged cleanout caps as were provided by Magna Flow. Mrs. Pierre reported that once the correct addresses are identified, letters will be sent notifying such customers that if their cleanout caps are not replaced within 30 days, such customers' service will be subsequently terminated. Mrs. Pierre reported that Mr. Willis Holmes, a member of the District's field staff, is attempting to obtain the correct addresses of the customers with damaged cleanout caps.

11. Discuss Community Service Request.

Mrs. Pierre next stated that an individual who owns a tree trimming company offered to trim the trees at the District's office at no charge to the District. Mrs. Pierre explained that such individual was previously convicted of a felony and is now required to perform a certain number of hours of community service. Mr. Barner discussed with the Board the potential liability issues and stated that if the Board so desired to hire such individual to trim the trees at the District's office, a written agreement will need to be prepared in order to set forth the terms of the work performed, and the hours of community service performed.

12. Matters Involving Administration/Personnel.

Mrs. Pierre then reported that a temporary employee was recently hired as a member of the District's office staff.

13. Directors' Reports.

Director Green announced that she has officially retired from the City after 25 years of employment. Everyone thanked Director Green for her service to the City.

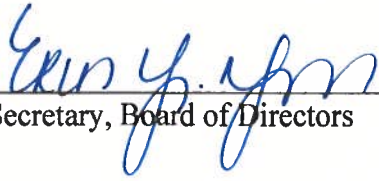
14. Adjournment.

There being no further business to come before the Board, the Board meeting was adjourned at 7:23 p.m.

PASSED, APPROVED and ADOPTED this the 11th day of September, 2023.



(DISTRICT SEAL)


Secretary, Board of Directors