

BROOKSHIRE MUNICIPAL WATER DISTRICT
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

January 16, 2024

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 16th day of January, 2024, 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. Also attending were Tonya Pierre, General Manager for the District; and Elliot M. Barner, attorney, of Radcliffe Adams Barner PLLC ("Attorney" or "RAB"), via telephone.

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 December 18, 2023. Upon a **motion** by Director Jackson, seconded by Director Connor, after full discussion and with all Directors present voting aye, the Board approved the minutes from the regular meeting of December 18, 2023, as presented.

3. Update on Land Use Assumptions, Capital Improvements Plan ("CIP") and Impact Fees

Mrs. Pierre reported that the CIP Advisory Committee (the "Committee") is scheduled to meet on January 25, 2024, at 3:00 p.m., to discuss the District's CIP. Mr. Barner explained that following such meeting, the Committee and Dr. Clay may recommend changes to the District's CIP and Impact Fees. Mr. Barner further explained that in order to amend such CIP, the District must hold a public hearing to allow for public comment on the CIP and Impact Fees. Mr. Barner added that notice of the public hearing on the amended CIP must be published at least 30 days

before the date of the hearing. Mr. Barner then stated that the Board will determine whether or not the CIP and Impact Fees must be amended after such hearing is conducted.

4. **Policies Related to Reimbursement of Fees of Office Pertaining to Association of Water Board Directors ("AWBD")**

Director Williams then stated that she is unable to attend the AWBD Mid-Winter Conference later this week; however, she would like to watch the video recordings of the conference presentations when such videos become available in March 2024. Mr. Barner stated that pursuant to the District's Ethics Policy, Directors are eligible to receive fees of office for attending AWBD conferences, including in his opinion, attending such conferences virtually by watching the videos of the presentations from such conferences.

Upon a **motion** by Director Connor, seconded by Director Jackson, after full discussion and all Directors present voting aye, the Board approved Director Williams' fees of office for time spent watching the video recordings of the presentations from the AWBD Mid-Winter Conference.

5. **Authorize Filing of Financial and Tax-Related Information with the Texas Comptroller ("Comptroller") pursuant to Texas Local Government Code, Sections 203.062 and 403.0241 for the Special Purpose District Public Information Database ("SPDPID")**

Mr. Barner then reported that Texas Local Government Code, Sections 203.062 and 403.0241, requires the annual filing of certain financial and tax-related information by all special purpose districts in the Comptroller's SPDPID. Mr. Barner noted that such information must be filed with the Comptroller annually by April 1st or a fine will be incurred. Upon a **motion** by Director Connor, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board authorized the Attorney to file the required financial and tax-related information with the Comptroller by April 1, 2024.

6. **Election Report**

Mr. Barner then reminded the Board that a directors election is scheduled to be held on Saturday, May 4, 2024 ("Directors Election"), and that such election will be for Position Nos. 4 and 5 held by Directors Connor and Williams, respectively, and for Position No. 3, which is vacant. Mr. Barner stated that candidate applications are available and hard copies will be provided to the incumbent directors. Mr. Barner further stated that the first (1st) day on which applications can be accepted is January 17, 2024, and that the application filing deadline is 5:00 p.m. on Friday, February 16, 2024.

Mr. Barner next reminded the Board that a proposed special election is also scheduled to be held on Saturday, May 4, 2024 (the "Defined Area Election").

Mr. Barner then reported that Waller County (the "County") confirmed that the District will be able to hold the Directors Election and Defined Area Election jointly with the County. Mr. Barner stated that the County has not yet provided an Election Services Agreement or Joint Election Agreement for RAB's review. Mr. Barner further stated that the County has not yet provided RAB with the estimated cost for the County's conducting of the joint election.

7. **General Manager's Report**

Mrs. Pierre then presented to the Board the General Manager's Report, a copy of which is available upon request.

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

8. **Administrative/Personnel Matters**

Mrs. Pierre next reported that a staff development day was held on January 10, 2024, as scheduled, for members of the District's office staff.

Mrs. Pierre then discussed with the Board the rate of compensation for new employees of the District's office staff and field staff.

Director Green then reported that comments were made by the City of Brookshire's (the "City") Administrator at the most recent meeting of the City Council regarding the District's collection of payments from customer on behalf of the City for solid waste collection services. An extensive discussion ensued regarding allegations that the District did not charge customers the correct amount for such collection services. Mr. Barner clarified that the City is responsible for setting the rate billed to customers for solid waste collection services and notifying the District of such rate. Mr. Barner then stated that he was previously informed by the City's General Counsel that the City requests a meeting with the District to discuss potentially outstanding amounts due from the District to the City for solid waste collection services. Mr. Barner further stated that he requested additional information from the City's General Counsel regarding the City's concerns; however, he has not received a response to date. The Board requested that RAB send a letter to the City addressing the comments made at the City Council meeting regarding the District's collection of payments from customers on behalf of the City for solid waste collection services.

9. **Executive Session**

Pursuant to Chapter 551 of the Texas Government Code, specifically Section 551.074 relating to personnel matters, the President called the Executive Session to order at 6:50 p.m. Present for the executive session were all members of the Board present, Mrs. Pierre, and Mr. Barner.

The President then reconvened the meeting in open session at 8:09 p.m.

Upon a **motion** by Director Connor, seconded by Director Jackson, the District authorized RAB to coordinate with Mrs. Pierre to develop a corrective action plan pursuant to the terms discussed in executive session.

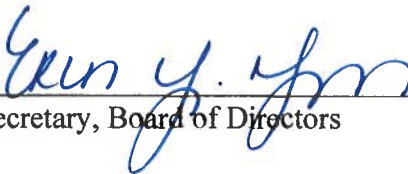
10. **Adjournment**

There being no further business to come before the Board, the Board meeting was adjourned at 8:10 p.m.

PASSED, APPROVED and ADOPTED this the 20th day of February, 2024.



(DISTRICT SEAL)


Secretary, Board of Directors