

BROOKSHIRE MUNICIPAL WATER DISTRICT

MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

June 2, 2025

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 2nd day of June, 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, Field Staff Supervisor for the District; 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"); W.A. (Butch) Callegari, Jr. of Callegari Law Firm; Elliot M. Barner of Radcliffe Adams Barner PLLC ("Attorney" or "RAB"); and all members of the public listed on the 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 6:00 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. **Minutes of Prior Meeting**

The Board then considered approval of the minutes of the May 5, 2025 regular meeting and May 22, 2025 special meeting.

Upon a **motion** by Director Connor, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board approved the minutes of the May 5, 2025 regular meeting and the May 22, 2025 special meeting, as presented.

3. Bookkeeper's Report

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

Mr. Haskins updated the District's budget for the fiscal year ending ("FYE") August 31, 2025, and the year-to-date expenses incurred by the District. It was the consensus of the Board to schedule a workshop to review the draft budget for the FYE August 31, 2026 on June 24, 2025, at 5:30 p.m.

Mr. Haskins then discussed the Texas Unclaimed Property Report and explained that such report is required to be filed with the State Comptroller's office ("Comptroller") annually regarding customer funds that remain unclaimed. Mr. Haskins reported that he will file such report with the Comptroller and added that his office will prepare a check for such unclaimed property for the Board's approval upon confirmation of the amount to be escheated to the State. Mr. Haskins stated that following such confirmation and the Board's approval of the check, such check will be sent to the Comptroller.

Upon a **motion** by Director Jackson, seconded by Director Williams after full discussion and with all Directors present voting aye, the Board approved: 1) the Bookkeeper's Report, as presented; and 2) authorized filing of the Texas Unclaimed Property Report.

4. ASW Contract

It was the consensus of the Board to postpone discussion on this item.

5. Engineer's Report

Mr. Weishuhn presented to the Board his recommendations for the rehabilitation of one (1) of the District's lift stations.

Upon a **motion** by Director Jackson, seconded by Director Barley, after full discussion and with five (5) Directors present voting aye, the Board approved the Engineer's Report.

6. Riverwood Farms Development Project (Phase I and II)

Mr. Weishuhn then reviewed with the Board the third (3rd) version of the Capacity Report for the Riverwood Farms Subdivision Development Project ("Riverwood Farms").

Mr. Weishuhn stated that such revised report based is based on the developer's proposal to send all of the project's wastewater to the District's existing Wastewater Treatment Plant ("WWTP"). A discussion ensued.

Upon a **motion** by Director Jackson, seconded by Director Barley, after full discussion and with all Directors present voting aye, the Board approved the revised Capacity Report for Riverwood Farms, Phase I.

Mr. Weishuhn went on to review with the Board the draft Capacity Report for Phase II of Riverwood Farms, which is for approximately 350 single-family homes. A discussion ensued regarding such phase and the requisite capacity.

Upon a **motion** by Director Barley, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board approved the Capacity Report for Riverwood Farms, Phase II.

7. IDV Development Project

Mr. Barner reminded the Board that the draft of the Facilities and Operating Costs Reimbursement Agreement ("Reimbursement Agreement") with D.R. Horton-Texas, Ltd., ("DRH"), which outlines the terms for the development of water, wastewater and road facilities needed to serve a 66 single-family home residential subdivision, including designation of the approximate 15.5 acres on which such subdivision shall be developed as a defined area within the District, had been previously approved in a special meeting, subject to review by the District's Engineer.

A lengthy discussion ensued amongst the Directors. Messrs. Weishuhn and Barner answered various questions. In response to a question, the Board then discussed a letter from LJA Engineers ("LJA"), the engineer developing the project for DRH, regarding the availability of wastewater capacity for the portion of DRH's development that is planned adjacent to the District. Mr. Weishuhn further explained such letter and options for the District's response.

Upon a **motion** by Director Jackson, seconded by Director Williams, after full discussion and with all directors present voting aye, the Board voted to authorize the Engineer to submit a response to the letter from LJA regarding wastewater treatment capacity.

Upon a **motion** by Director Jackson, seconded by Director Barley, after full discussion and with all directors present voting aye, the Board voted to continue review of such agreement further before finally approving and executing same.

8. 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 24,042,000 gallons of water were pumped from the District's water wells from March 15, 2025 through April 16, 2025.

Mr. Taylor then reported that the District's WWTP operated at 57% of its permitted capacity during the period of March 25, 2025 to April 25, 2025. Mr. Taylor noted that a total of 1,654,000 gallons of influent was treated last month at the WWTP. Mr. Taylor went on to report that last month, the District's average daily discharge of effluent from the WWTP was 551,333 gallons per day ("gpd") and the peak daily flow was 247,700 gpd.

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

Mr. Taylor next updated the Board on the lighting improvements at the WWTP.

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

9. Director's Report

Director Williams stated she attended the staff meeting and updated the Board. An extensive discussion ensued.

10. Attorney's Report

Mr. Barner updated the Board relating to the Agreement for Intergovernmental Cooperation.

Mr. Barner next explained that Mr. Callegari is an attorney representing HW Investments, and that Mr. Callegari has certain questions related to the assessment of impact fees within the District.

Mr. Callegari reminded the Board that his client, HW Investments, is the owner of a warehouse facility within the District.

Mr. Callegari went on to explain that his client had been trying to obtain a certificate of occupancy from the City of Brookshire ("City") for a unit within the warehouse and that the City would not issue such certificate without the District's written acknowledgment that the use of such unit had been approved for water service and that the District's requirements for such service had been met.

Mr. Callegari went on to explain that the warehouse facility was constructed more than thirty (30) years ago and has been occupied by various tenants since that time. Mr. Callegari further stated it seems unusual to now assess capital recovery fees for structures that have been in place and in use for such a long time, and/or to charge these capital recovery fees when no new capital expenses are being incurred by the City or the District to serve this entity. An extensive discussion ensued and it was the consensus of the Board that the General Manager and Engineer coordinate further to determine if any such fees should be assessed in this particular situation.

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

11. Executive Session

Pursuant to Section 551.071 of the Texas Government Code, Subchapter D, of the Open Meetings Act, the President then called the executive session to order at 7:42 p.m. to discuss matters of attorney-client privilege, real estate, security, and litigation.

Present for all portions of the Executive Session were the Board of Directors and Mr. Barner.

Reconvened In Open Session

As of 8:03 p.m., the President declared the Executive Session was ended and open session was resumed.

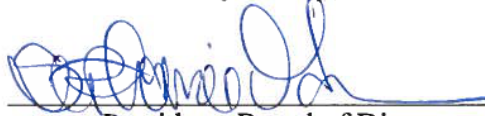
12. Adjournment

There being no further business to come before the Board, and upon a **motion** by Director Barley, seconded by Director Connor, after full discussion and with all Directors present voting aye, the Board approved the Board meeting was adjourned at 8:03 p.m.

PASSED, APPROVED and ADOPTED this the 7th day of July, 2025.

ATTEST:


Secretary, Board of Directors


President, Board of Directors

(DISTRICT SEAL)

