

BROOKSHIRE MUNICIPAL WATER DISTRICT
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

August 11, 2025

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on August 11, 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"); Melanie Garrett of Assessments of the Southwest, Inc. ("Tax Assessor/Collector" or "ASW"); Jennifer K. Wienecke, CPA, of Knox Cox & Co., L.L.P. ("Auditor"); James Weishuhn of Weishuhn Engineering, Inc. ("Engineer" or "Weishuhn"); Cathy Garland, of Quik Trip; Nick Bailey, of BGE, Inc.; Charlie Giammalva and Jack Giammalva, of Giammalva Properties, Inc.; Elliot M. Barner and Abigail C. Barnett, attorneys, of Radcliffe Adams Barner PLLC ("Attorney" or "RAB"); and 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 6:05 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 June 16, 2025 and July 7, 2025

The Board then considered approval of the minutes of June 16, 2025 and July 7, 2025 regular meetings.

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 of June 16, 2025 and July 7, 2025 regular meetings, as presented.

3. Tax Assessor-Collector's Contract

The Board then discussed its existing Agreement for Services of Tax Assessor/Collector with Assessments of the Southwest, Inc. ("ASW") and discussions the District has had with the most recently-elected Waller County Tax Assessor/Collector regarding such services, including the costs of such collection, which will be \$1.00 for each tax account within the District.

Upon a **motion** by Director Jackson, seconded by Director Barley, after full discussion and with all Directors present, voting aye, the Board voted to terminate the agreement with ASW.

Mr. Barner noted that RAB will provide a letter terminating ASW's agreement for the General Manager's execution.

4. Engagement of Auditor

Ms. Wienecke then presented the Auditor's engagement letter, 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 voted to engage the Auditor to prepare the District's annual audit for the fiscal year ending ("FYE") August 31, 2025.

5. Bookkeeper's Report

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

Mr. Haskins updated the Board on the District's budget for the FYE August 31, 2026, 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 August 19, 2025, at 5:30 p.m.

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

Director Connor entered the meeting at this time.

6. Engineer's Report

Mr. Weishuhn then presented a Capacity Report for Vida Care Clinic ("Vida"). Mr. Weishuhn explained that Vida proposes utilizing a 1,662 square foot building as a medical clinic on the property located at 606 Waller Avenue, Brookshire, Texas. Mr. Weishuhn reported that the equivalent service units ("ESUs") are less than the original ESUs, stating a capacity

recovery fee will not be assessed for this project.

Mr. Weishuhn then presented a Capacity Report for QT South LLC ("QuikTrip"). Mr. Weishuhn explained that QuikTrip has applied for water and wastewater service for a proposed location at 541 FM 1489, Brookshire, Texas. Mr. Weishuhn reported that the existing ESUs are greater than the ESUs from the proposed facility, resulting in no capacity recovery fee being assessed for the proposed facility; however, the District's usual charges and deposits will apply. Extensive discussion ensued regarding the water and wastewater capacity required to serve QuikTrip and whether QuikTrip should be assessed Impact Fees, as the ESUs required to serve QuikTrip are for a new building at such location and that the existing structures are being demolished. Mr. Barner informed the Board that he should be able to research this issue and provide a recommendation to the Board by the end of the meeting.

Mr. Weishuhn then presented a Capacity Report for Mariz Ibrahim/Janki Jeegar LLC ("Ibrahim"). Mr. Weishuhn explained that Ibrahim requests 27 ESUs on the property located at 32909 US Hwy 90, Brookshire, Texas. Extensive discussion ensued regarding the amount of water and wastewater capacity required for such development. Mr. Weishuhn reported that Ibrahim will owe an impact fee in the amount of \$160,650.00 for the water supply and wastewater discharge, in addition to the District's usual charges and deposits.

Mr. Weishuhn next presented to the Board an update on the design of improvements for the Kenney Street Lift Station Project and informed the Board that Weishuhn is ready to advertise such project to solicit bids from contractors. Mr. Weishuhn further stated the Stella Road Lift Station Project is scheduled to commence by the end of August 2025.

Mr. Weishuhn then updated the Board regarding construction of a new water well at the Velasco Street Water Plant. Mr. Weishuhn reported the application to construct such well has been submitted to the Texas Commission on Environmental Quality ("TCEQ"). Mr. Weishuhn went on to request that the Board authorize Weishuhn to advertise such project to solicit bids from contractors, subject to TCEQ's approval of such well.

Upon a **motion** by Director Jackson, seconded by Director Barley, after full discussion and with all Directors present voting aye, the Board approved Weishuhn to advertise for solicitation of bids for the: 1) Kenny Street Lift Station Project; and 2) new water well, subject to the approval of the TCEQ.

Mr. Weishuhn went on to update the Board on his preparation of the requisite Bond Application Report (the "BAR") for the issuance of bonds by the District for certain improvements to the District's water and wastewater facilities. A discussion ensued regarding the process and timeframe for issuing such bonds. It was the consensus of the Board to schedule a special meeting to review the process for reviewing projects to include in the BAR and the timeframe for same.

Mr. Weishuhn then explained that the District must obtain what is known as a buffer zone easement in order to expand the Wastewater Treatment Plant ("WWTP"). A discussion ensued; and in response to a question, Mr. Barner noted that he needs to review this matter further with Mr. Weishuhn and further explain past negotiations for such easement from the property owner

adjacent to the WWTP.

Mr. Barner then updated the Board on the Riverway Farms Subdivision Development Project ("Riverway Farms"). Mr. Barner stated certain offsite easements have been drafted for such project, but that he was uncertain if the Engineer had any comments to the legal descriptions provided by Riverway Farms. A brief discussion ensued. Mr. Barner stated that he would forward such descriptions for the Engineer's review so that the Board could approve such easements at the Septbmer 2, 2025 meeting.

7. Guidelines for Developer Packets

The Board then reviewed the Developer Packet and guidelines for same. A discussion ensued which Mrs. Pierre recommended guidelines be revised to indicate current actions required before Developer obtains approval for projects and the timeline such approval is granted.

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 19,957,000 gallons of water were pumped from the District's water wells from May 15, 2025 through June 16, 2025.

Mr. Taylor then reported that the District's WWTP operated at 45% of its permitted capacity during the period of May 25, 2025 to June 25, 2025. Mr. Taylor noted that a total of 1,297,900 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 432,633 gallons per day ("gpd") and the peak daily flow was 106,900 gpd.

Mr. Taylor next updated the Board regarding the status of street repairs and fire hydrant repairs within the District. Mr. Taylor stated MOC is waiting on costs estimates associated with the sewer rehabilitation/clean out project and will update the Board.

Mr. Taylor next updated the Board regarding lighting improvements at WWTP. A discussion ensued.

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

9. Sanitary Sewer Overflow Initiative Program ("SSO Program")

Mr. Taylor then reminded the Board that as part of the District's participation in the TCEQ SSO Program, the District is required to address certain deficiencies in its wastewater collection systems. Mr. Taylor further reminded the Board that by September 1, 2025, the District is required to televise and repair certain portions of the District's wastewater lines. Mr. Taylor reminded the Board that the reporting requirements have been met for this year and will provide a copy for the Board at the next meeting.

10. Amended Solid Waste Collection Agreement ("Solid Waste Agreement")

In response to a question from the Board, Ms. Pierre and Mr. Barner explained that they recently reviewed the Solid Waste Agreement with Director Green and that Ms. Pierre and Director Green believed that the section related to billing found in such agreement should be simplified to indicate that the District is billing the City an amount of \$1.25 for each residential customer of the District that is also within the City. A brief discussion ensued.

Upon a **motion** by Director Connor, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board approved the Solid Waste Agreement, as presented.

11. Administration/Personnel Report

Mrs. Pierre updated various administrative matters and discussed with the Board staffing issues. A discussion ensued.

12. Attorney's Report

Mr. Barner updated the Board regarding the proposed election for road bond authority for Defined Area No. 1. and reminded the Board that it will need to adopt an order calling such election at the next Board meeting.

Mr. Barner then noted that the agenda item regarding Federal Tax Law changes will be emailed to them for their review and that he will review it further with Ms. Pierre.

13. 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 7:25 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, Mr. Weishuhn, Mr. Barner and Ms. Barnett.

Reconvened in Open Session as of 7:47 p.m., the President declared the Executive Session was ended and open session was resumed.

14. Engineer's Report (con't).

Mr. Barner then explained after reviewing the applicable provisions of the law regarding assessment of Impact Fees that QuickTrip is creating new development, as it is constructing a new building and that according to such law, Impact Fees should be assessed on new development even though it is occurring on a tract of land that had previously been developed before such fees were assessed by the District.

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

15. Adjournment

There being no further business before the Board, the meeting was adjourned at 7:49 p.m.

PASSED, APPROVED and ADOPTED this the 2nd day of September, 2025.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)

