

BROOKSHIRE MUNICIPAL WATER DISTRICT
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

September 19, 2022

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 19th day of September, 2022, 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
Michael Whitaker, Jr.	Assistant Secretary
Shirley Williams	Investment Officer

All members of the Board were present, thus constituting a quorum. Also attending were Tonya Pierre, General Manager of the District; Linda Guevara, employee of the District; Elliot M. Barner, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("Attorney" or "RBAP"); and Tony McAnelly, 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 6:01 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 Meetings.

The Board then considered approval of the minutes from the special meeting of May 23, 2022 and the minutes from the regular meeting of August 15, 2022. It was the consensus of the Board to table approval of the minutes from the special meeting of May 23, 2022 until the Board has an opportunity to review RBAP's comments to Mrs. Pierre's draft of such minutes. Upon a **motion** by Director Jackson, seconded by Director Whitaker, after full discussion and with all Directors present voting aye, the Board approved the minutes from the regular meeting of August 15, 2022, as presented.

3. Adopt Resolution Concerning Tax Collection Procedures (the "Resolution").

Mr. Barner then presented to and reviewed with the Board the Resolution, a copy of which is available upon request, which rejects certain tax collection procedures that permit the District to refrain from sending a tax bill to property owners for less than \$15.00, allows for a split payment option as set forth in Texas Tax Code 31.31, and allows discounts for early payment. Upon a

motion by Director Williams, seconded by Director Whitaker, after full discussion and with all Directors present voting aye, the Board adopted the Resolution, as presented.

Director Connor entered the meeting at time.

Director Whitaker exited the meeting at this time

4. Update on Status of Brookwood Community Project (the "Brookwood Project"), Including Accept Pipe Bursting Project.

Mr. Barner reminded the Board that the Brookwood Project consists of two (2) separate construction contracts: 1) a contract for construction of the force main and the pipe bursting work, and 2) a contract for the lift station improvements. Mr. Barner then clarified that the force main and pipe bursting portion (the "Force Main and Pipe Bursting Project") contract is complete. Mr. Barner recommended that the Board formally accept such project as complete and emphasized that such acceptance does not mean that the Board is accepting the contract for lift station improvements as complete until the Engineer recommends doing so. Upon a **motion** by Director Whitaker, seconded by Director Jackson, after full discussion and with all Directors present voting aye, the Board accepted the completion of the Force Main and Pipe Bursting Project.

5. Update on Land Use Assumptions, Capital Improvements Plan and Impact Fees, Including Appoint Capital Improvements Advisory Committee.

Director Green then recommended that the Board postpone discussion regarding the process of revising the District's Capital Improvements Plan and impact fees.

Director Whitaker re-entered the meeting at this time.

6. General Manager's Report.

Mrs. Pierre next reviewed with the Board the General Manager's Report, a copy of which is available upon request. Mrs. Pierre briefly discussed the summary of the District's finances for the past month and the status of various active residential and commercial developments within the District.

Mrs. Pierre then reminded the Board that Mr. McAnelly attended the August 15th Board meeting to discuss the removal of the irrigation meter on his property and to request that the Board waive the assessment of a meter tampering fee. Mrs. Pierre further reminded the Board that Mr. McAnelly's property previously had two (2) water meters installed: one (1) meter for the residence and another meter for irrigation. Mrs. Pierre went on to remind the Board that when Mr. McAnelly set up an account with the District for water service, only the residential meter was included in his account. Mrs. Pierre then explained that the District locked such irrigation meter in March after Mr. McAnelly's neighbor turned on the irrigation meter. Mrs. Pierre further explained that such lock was later cut, causing the District to remove the irrigation meter from Mr. McAnelly's property in July. Mrs. Pierre stated that Mr. McAnelly is agreeable to paying the cost of any water that was used from the irrigation meter but is requesting the Board waive the penalties that have been assessed against his account. Mr. McAnelly stated that when he opened the account with the District, the District should have been aware and made him aware that such

account did not include both the irrigation meter and residential meter. Mr. McAnelly further stated that the previous property owner was elderly and was assisted by a neighbor who would turn her irrigation meter on and off on a seasonal basis. Mr. McAnelly went on to state that he was unaware that such neighbor was tampering with the irrigation meter.

Upon a **motion** by Director Whitaker, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board: 1) approved the General Manager's Report, as presented; and 2) waived one-half (1/2) of the meter tampering fee assessed against Mr. McAnelly.


7. **Adjournment.**

There being no further business to come before the Board, the Board meeting was adjourned at 6:37 p.m.

PASSED, APPROVED and ADOPTED this the 17 day of October, 2022.

(DISTRICT SEAL)




Secretary, Board of Directors