

BROOKSHIRE MUNICIPAL WATER DISTRICT
MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

June 15, 2020

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 15th day June, 2020, at 6:00 p.m., in the meeting room of the District, 4004 6th Street, Brookshire, Texas, and via telephone conference call pursuant to Texas Government Code, Section 551.125, as amended, and as modified by the temporary suspension of various provisions thereof effective March 16, 2020, by the Governor of Texas (the "Governor") in accordance with the Texas Disaster Act of 1975, all as related to the Governor's proclamation on March 13, 2020, certifying that the COVID-19 pandemic ("COVID-19") poses an imminent threat of disaster and declaring a state of disaster for all counties in Texas; whereupon the roll was called of the members of the Board, to-wit:

Edith Penrice-Kelley	President
Albert Wilkins	Vice President
Stephanie Green	Investment Officer
Havanaugh Glover	Secretary
Victor Alardin	Assistant Secretary

All members of the Board were present, except for Directors Wilkins, thus constituting a quorum. Also attending were Tonya Pierre ("General Manager"); and Linda Guevara, employee of the District; Elliot M. Barner, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("Attorney" or "RBAP"); and all the persons identified in the telephone conference call.

The President, after finding that the 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 6:10 p.m. and declared it open for such business as may regularly come before it.

1. Public Comment.

Mr. Barner first opened the meeting to public comment. There being no public comments, the President directed the Board to proceed with the agenda.

2. Update Regarding Backflow Prevention Requirements, Including Status of Letters to Customers.

Mrs. Pierre then updated the Board regarding the status of letters sent to commercial customers informing them of the District's backflow prevention policies and the requirement that they inform the District they are compliant with such policies. Mrs. Pierre reported that the District's staff mails a certain number of such letters to customers each week, and that they are still in the process of mailing such letters to all of the District's commercial customers. Mrs. Pierre further reported that several such customers have had backflow inspections performed and provided such reports to the District. Mrs. Pierre stated that the District recently started mailing second (2nd) notices to those customers from whom the District has not received a response to its initial letter regarding backflow prevention requirements. Mrs. Pierre then

requested direction from the Board regarding whether to include language in such second notices regarding termination of service for customers' failure to comply with the District's backflow prevention requirements. In response to a question from Director Glover regarding whether the commercial customers who had not responded to the District's initial letter were operating businesses that were closed due to COVID-19, Mrs. Pierre stated that she did not know whether such businesses were open or closed, but noted that the commercial customers who have already received letters from the District were considered to be high-priority accounts according to the list of customers provided by the District's Operator. Director Glover then reminded the Board that it had agreed at the February 13, 2020 special Board meeting to include language in such letters indicating that customers have 45 days to comply with the District's backflow prevention requirements. Director Glover further reminded that Board that it authorized that such customers be provided notice of disconnection for failure to comply with such requirements, via a door tag, five (5) days prior to disconnection. Director Green reminded the Board that she did not agree with the Board's decision regarding termination of such accounts, and stated her opinion that the District should not resume termination of service to any customers at this time. Based upon the action taken by the Board at the February 13, 2020 special Board meeting, Director Penrice-Kelley then instructed Mrs. Pierre to proceed with providing a notice of termination of service to those customers who have not submitted proof of compliance with the District's backflow prevention requirements.

3. Approve Minutes of Prior Meetings.

The Board then considered approval of the minutes from the regular meeting of May 18, 2020. Upon a **motion** by Director Glover, seconded by Director Alardin, after full discussion and with all Directors present voting aye, the Board approved the minutes from regular meeting of May 18, 2020, as presented.

4. Set Meeting to Review Policies and Procedures for Development within the District.

Discussion then ensued regarding scheduling a meeting to review the policies and procedures for development within the District. In response to a question by Mrs. Pierre, Mr. Barner confirmed that RBAP would attend such meeting. It was the consensus of the Board to hold a workshop to review such policies and procedures on June 25, 2020, at 5:00 p.m.

5. Update on Request from Virat Crossing for Removal/Relocation of Certain Easements.

Mrs. Pierre then reminded the Board that Mr. Anil Sharma previously submitted a request to the District to remove or relocate certain utility lines and easements located on the property of Virat Crossing. Mrs. Pierre then reported that Mr. Sharma subsequently sent email correspondence to the District stating that Whataburger is no longer pursuing development of a restaurant on such property and claimed that delays caused by the District were the reason for such decision.

6. Review Request for Refund of Certain Tap Fee Charges Paid For Alexander Plaza.

Mrs. Pierre next discussed Mr. Sharma's request that the Board refund a portion of the water tap fee charged for service to Alexander Plaza, particularly the charges for traffic control

costs associated with the project. Mrs. Pierre then reminded the Board that in January 2020, Mr. Sharma requested that the Board reconsider such tap fee due to a change in the location of the tap connection. Mrs. Pierre reported that the District's Operator reduced the amount of the tap fee charged to Alexander Plaza by \$2,000.

7. General Manager's Report.

Mrs. Pierre next presented the General Manager's Report, a copy of which is available upon request. Mrs. Pierre explained that such report contains information regarding the active development projects within the District.

Mrs. Pierre reported no complaints from District customers within the past month regarding high water usage.

Director Glover requested that approval of the General Manager's Report be tabled to allow time for the Directors to review such report. Director Penrice-Kelley instructed Mrs. Pierre to include an item regarding approval of such report to the agenda of the Board's special meeting to be held on June 25, 2020.

Regarding the status of the agreement for payment of Mrs. Pierre's accrued and unused Compensatory Time, Vacation Time and Sick Time, Director Penrice-Kelley requested that discussion regarding such agreement be added to the agenda of the Board's June 25, 2020 special meeting.

Mrs. Pierre next discussed resuming the assessment of late fees, penalties, and termination of service to delinquent accounts pursuant to the Board's authorization of the same at its May 4, 2020 Board meeting.

8. Approval of Training, Conferences, or Committee Meetings.

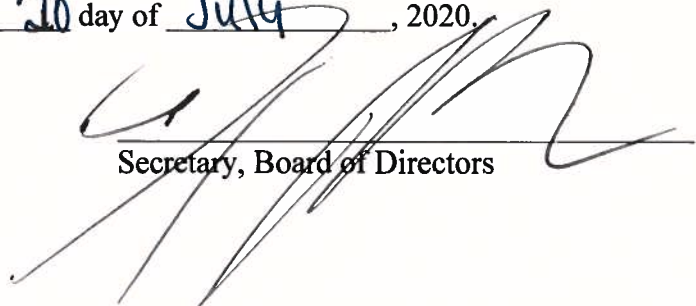
Mrs. Pierre reported that the Association of Water Board Directors' annual Spring breakfast event has been postponed until July 24, 2020, and the San Antonio Association for Financial Professional's TEXPO 2020 Conference has been rescheduled to September 2-4, 2020. Mrs. Pierre further reported that the Texas Association of Assessing Officers' and the Industry Council for Tangible Assets' joint 2020 Annual Conference will still be held in Grapevine, Texas from August 30, 2020 through September 2, 2020, and that attendance at such conference was approved by the Board at its March 16, 2020 regular Board meeting. Mrs. Pierre next reported that the Texas Alliance of Groundwater Districts' 2020 Texas Groundwater Summit is scheduled to proceed in San Antonio from September 1, 2020 through September 2, 2020, and that attendance at such summit was approved by the Board at its January 21, 2020 regular Board meeting.

Upon a **motion** by Director Glover, seconded by Director Green, after full discussion and with all Directors present voting aye, the Board authorized Director attendance at such trainings and conferences.

9. **Adjournment.**

There being no further business to come before the Board, the meeting was adjourned at 6:57 p.m.

PASSED AND APPROVED this 20 day of July, 2020.



Secretary, Board of Directors