

BROOKSHIRE MUNICIPAL WATER DISTRICT

MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

November 18, 2019

The Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 18th day of November, 2019, 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:

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 Director Glover. Also attending were Tonya Pierre ("General Manager"); Elliot M. Barner, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("Attorney" or "RBAP"); and all persons on the attached Attendance Roster.

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 6:01 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. Mr. Anil Sharma, the developer of the Alexander Plaza Commercial Center ("Alexander Plaza"), re-introduced himself and explained that he has been contacted by several businesses, including a Chili's restaurant, who are seeking to lease commercial space in Alexander Plaza. Mr. Sharma then stated that a Whataburger restaurant has also made inquiries about another tract of land within such development.

There being no further public comments, the President directed the Board to proceed with the agenda.

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

Mrs. Pierre first requested that the Board let her know of the Directors' availability for the Linebarger Goggans Blair & Sampson, LLP ("Linebarger") Christmas party to be held on December 11, 2019, and the Waller County Economic Development Corporation (the "EDC") party to be held on December 7, 2019. Director Green stated that she planned on attending both events.

Mrs. Pierre then presented information related to the Water Environment Association of Texas' ("WEAT") Developing Environmental Solutions to Environmental Challenges Seminar to be held in Dallas, Texas on February 18, 2020. A discussion ensued

regarding attendance at such seminar. Upon a **motion** by Director Green, seconded by Director Wilkins, after full discussion and with all Directors present voting aye, the Board approved Director attendance at the WEAT seminar.

Mrs. Pierre next reported that she confirmed with John Taylor of Municipal Operations and Consulting, Inc. (the "Operator" or "MOC") that in order to more effectively investigate water line leaks prior to performing extensive excavation work, MOC will increase the depth that they dig when investigating such leaks from 18 inches to 24 inches. Mrs. Pierre further explained that if MOC finds at least three (3) repairs needed to one (1) section of line, then MOC will present the Board with a recommendation for replacement of such section. Director Alardin then clarified that an increased depth of digging was not necessarily what he desired from MOC; instead, he was requesting that MOC provide the Board with a better understanding as to how much investigation of a line leak would be conducted by MOC before they call a crew to the site of the leak for extensive excavation. A discussion ensued. Mr. Barner recommended that such discussion be carried over to the next meeting so that Mr. Taylor could more fully address the Board's concerns.

3. **Director's Reports.** Director Green reported regarding the Association of Water Board Directors' (the "AWBD") Fall Seminar regarding flood mitigation. Mr. Barner clarified that such conference included a discussion of flooding regulations proposed by the Texas Legislature.

Next, Director Alardin reported on the Texas Rural Water Association's (the "TRWA") Fall Management Conference held in Dallas, Texas on November 6th and 7th. In response to a question, Mr. Barner reminded the Board that TRWA seminar issues are often focused on issues related to Water Supply and/or Wastewater Supply Corporations ("WSC") and investor-owned utility ("IOU") systems, which are not governmental entities. Mr. Barner clarified that the rules and regulations governing WSCs and IOUs are often different than those governing political subdivisions such as the District, and that discussion on such rules and regulations should always take such difference into account when reviewing the District's policies and procedures for providing service.

4. **Attorney's Report.** Mr. Barner updated the Board regarding the status of the District's conversion to a municipal utility district ("MUD").

Regarding the status of the annexation of Texas Greentech Business Park ("Texas Greentech"), Mr. Barner reported that annexation documents have been prepared by RBAP and that such documents are being sent to Texas Greentech for execution. Mr. Barner further stated that Dr. Clay was in the process of preparing the requisite revised District boundary documents to include the Texas Greentech tract.

Next, Mr. Barner clarified for the Board the discussion related to service to Alexander Plaza that was had during the previous regular Board meeting. Mr. Barner reminded the Board that construction of Alexander Plaza was already underway before the District changed its policies related to individual meters for each commercial unit in multi-unit developments such as Alexander Plaza. Director Alardin emphasized that the District

needed to be consistent in its application of its rules on development within the District and needed to make sure that any future multi-unit commercial projects were required to be individually metered.

5. **Election Agenda.** Mr. Barner reminded the Board that a directors election is scheduled to be held on Saturday, May 2, 2020 (the "Election"), and that such election would be for Directors Penrice-Kelley, Wilkins, and Alardin's positions, since such positions' terms of office were due to expire.

Mr. Barner then discussed appointment of the District's designated agent for the Election and presented the Board with a Notice of Appointment of Designated Agent. Mr. Barner then reviewed various administrative election services that RBAP provides to the District as its designated agent for elections.

Mr. Barner next presented a Notice of Deadline to File an Application for a Place on the Ballot for the Election (the "Notice of Deadline"). Mr. Barner explained that such Notice is required to be posted in English and Spanish at the District's normal posting places for notices within the District and on the District's website by no later than December 16, 2019. Mr. Barner added that the first day on which applications can be accepted is January 15, 2020, and that the application filing deadline is 5:00 p.m. on Friday, February 14, 2020.

Upon a **motion** by Director Green, seconded by Director Alardin, after full discussion and with all Directors present voting aye, the Board voted to: 1) appoint RBAP as the District's designated agent for the Election; and 2) post the Notice of Deadline according to applicable law governing such notices.

6. **Adjournment.** There being no further business to come before the Board, the meeting was adjourned.

PASSED AND APPROVED this 6 day of January, 2019.


Secretary, Board of Directors