

**BROOKSHIRE MUNICIPAL WATER DISTRICT**  
**MINUTES OF MEETING OF CANVASSING AUTHORITY**  
**AND BOARD OF DIRECTORS REGULAR MEETING**

**May 16, 2022**

The Canvassing Authority (the "Canvassing Authority") of the Board of Directors (the "Board" or "Directors") of Brookshire Municipal Water District (the "District") met in regular session on the 16<sup>th</sup> day of May, 2022, at 6:00 p.m., in the meeting room of the District, 4004 6<sup>th</sup> 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/Presiding Officer
LaKethia Connor	Vice President/Officer
Shirley Williams	Secretary/Officer
Havanaugh Glover	Assistant Secretary/Officer
Michael Whitaker, Jr.	Investment Officer/Officer

All members of the Canvassing Authority and the Board of the District were present, except Director/Officer Glover, thus constituting a quorum. Also attending were Tonya Pierre ("General Manager"); Monica A. Garza, attorney, of Radcliffe Bobbitt Adams Polley PLLC ("Attorney" or "RBAP"); Michael Foley and Brian Gerard of Riverway Properties ("Riverway"); and Erin Jackson, Director-Elect.

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 6:03 p.m. and declared it open for such business as may regularly come before it.

**1. Election Report.**

Ms. Garza stated that four (4) Canvassing Authority Officers are present, thus constituting a quorum, and that such meeting is for the purpose of canvassing the May 7, 2022 Directors Election (the "Election") returns and declaring such returns to be official. Ms. Garza went on to explain that the biennial Election had been held by the District jointly with Waller County (the "County") on Saturday, May, 7, 2022, for the purpose of electing two (2) Directors to the Board.

Ms. Garza next reviewed the Election returns with the Canvassing Authority, a copy of which is attached hereto, and reported that the candidates for Director received the following votes for the following positions:

<u>Candidate for Position 1</u>	<u>Votes</u>
Erin Y. Jackson	188
Albert Wilkins	180
<u>Candidate for Position 2</u>	<u>Votes</u>
Stephanie Harris-Green	297

Ms. Garza explained that, based on the Election returns and upon approval of the Order Canvassing Returns and Declaring Results of the 2022 Directors Election ("Order Canvassing Directors Election"), Mses. Green and Jackson shall be deemed elected to the Board to serve four (4) year terms of office to expire in May 2026.

Ms. Garza then reviewed the Order Canvassing Directors Election with the Canvassing Authority. Ms. Garza next explained the issuance of Certificates of Election. Upon a **motion** by Officer Williams, seconded by Officer Whitaker, after full discussion and the question being put to the Canvassing Authority, the Canvassing Authority voted unanimously to adopt the Order Canvassing Directors Election, a copy of which is attached hereto, thereby declaring Mses. Green and Jackson as duly elected members of the Board.

The Canvassing Authority then concluded the canvassing meeting, and the Board convened the regular Board meeting, of which there was a quorum of the Board present.

Ms. Garza then presented the Statements of Elected Officer, Affidavits of Directors and Oaths of Office to Directors Green and Jackson.

The Board next considered electing officers for the Board. Upon a **motion** by Director Connor, seconded by Director Whitaker, after full discussion and the question being put to the Board, the Board voted unanimously to elect the following duly constituted officers and members of the Board:

Stephanie Green	President
LaKethia Connor	Vice President
Erin Jackson	Secretary
Michael Whitaker, Jr.	Assistant Secretary
Shirley Williams	Investment Officer

Ms. Garza then stated that the County has not yet provided RBAP with the cost for the County's conducting of the joint Election. Upon a **motion** by Director Connor, seconded by Director Whitaker, after full discussion and with all Directors present voting aye, the Board authorized payment to the County for conducting the joint Election, subject to receipt of an invoice from the County for such Election costs.

**2. Public Comment.**

The President then opened the meeting to public comment. There being no public comments, the President directed the Board to proceed with the agenda.

**3. Approve Minutes of Prior Meeting.**

The Board then considered approval of the minutes from the regular meeting of April 18, 2022, and the special meeting of April 26, 2022. Upon a **motion** by Director Connor, seconded by Director Williams, after full discussion and with all Directors present voting aye, the Board approved the minutes from the regular meeting of April 18, 2022, and the special meeting of April 26, 2022, as presented.

**4. 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 then explained that the General Manager's Report contains a summary of the District's finances for the past month, which will be included in such report going forward.

Mrs. Pierre next reported that the gate on the perimeter fence at the District's Wastewater Treatment Plant ("WWTP") was damaged by a vehicle. Mrs. Pierre further reported that she obtained a proposal from the District's Operator ("MOC") to repair such gate and will obtain one (1) additional proposal to present to the Board. Mrs. Pierre stated that a police report was filed regarding such damaged gate. Mrs. Pierre further stated that she will file a claim with the District's insurance provider for such damage once the final police report is received.

Mrs. Pierre then reported that while working on the Brookwood Community Project, T Construction, LLC ("T Construction") cut a customer's power line causing such customer's home to be without electricity for several days during a time when such customer was out of town. Mrs. Pierre further reported that she is scheduled to meet with T Construction on May 20<sup>th</sup> regarding reimbursement to such customer for damage caused by such power outage.

In response to a question from Director Connor regarding a customer whose account was delinquent, Mrs. Pierre reported that such customer has since paid her outstanding balance.

**5. Determine a Date for Rate order and Budget Workshop.**

The Board then discussed scheduling a special meeting at which to discuss the District's Rate Order and budget for the fiscal year ending August 31, 2023. It was the consensus of the Board to schedule a workshop meeting on Monday, May 23<sup>rd</sup> at 6:00 p.m.

**6. Attorney's Report.**

Ms. Garza then reported that RBAP provided the Board and the developer, Riverway Properties ("Riverway"), with a draft of the development and financing agreement ("Agreement") between the District and Riverway for the Riverwood Farms development and added that Riverway provided RBAP with non-substantive revisions. Mrs. Pierre reminded the Board that Riverway's proposed development includes approximately 300 single-family units, but pursuant to Dr. Herman Clay's Capacity Report for the Riverwood Farms development, the District only has wastewater capacity to serve 150 such units. In response to a question from Mrs. Pierre regarding whether Riverway is considering constructing a new WWTP to serve the remaining units, Mr. Foley confirmed that Riverway intends to construct a WWTP and added that Riverway's engineer is reviewing options for the same. In response to a question from Director Green regarding why the Agreement only includes reference to serving 150 units within Riverwood Farms and does not include options for serving the additional units, Mr. Foley explained that the Capacity Report for Riverwood only contemplates service to 150 units. Director Green requested that the District's Engineer coordinate with Riverway's engineer to address options for service to the remaining units and to include same in the Capacity Report for Riverwood Farms.

7. **Directors' Reports.**

Director Green reported that a resident reached out to her soliciting a donation from the District for an upcoming event to be held by such resident's church. A brief discussion ensued, and it was the consensus of the Board to donate bottled water for such event.

Mrs. Pierre next reported that the District's contract for electricity services expires on May 30<sup>th</sup>. Mrs. Pierre reminded the Board that Acclaim Energy Advisors ("Acclaim") compares the market prices of electricity from various providers and makes recommendations to the District regarding such providers. Mrs. Pierre stated that she will invite a representative of Acclaim to attend the special meeting to be held on May 23<sup>rd</sup> to provide the Board with electricity rates.

8. **Adjournment.**

There being no further business to come before the Board, the Board meeting was adjourned at 6:44 p.m.

PASSED, APPROVED and ADOPTED this the 27<sup>th</sup> day of JUNE, 2022.

*Shirley Williams*  
Secretary, Board of Directors

(DISTRICT SEAL)

