

**MINUTES  
ACTON MUNICIPAL UTILITY DISTRICT**

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, April 19, 2023. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

**Regular Session**

**April 19, 2023**

**Directors Present**

R. Lewis  
D. Cleveland  
J. Featherston  
G. Rose  
V. Vernon

**Staff Present**

R. English  
C. Neal  
R. Evert

**Visitors**

C. Hay, P.E.,  
Enprotec/Hibbs & Todd  
J. Berryhill, P.E.,  
Enprotec/Hibbs & Todd  
A. Head, Jackson Walker,  
via conference call  
A. Mullins, via conference  
call

**Directors Absent**

None

**Call to Order**

Ray Lewis, Board President, called the meeting to order at 9:02 a.m.

**Invocation**

By Don Cleveland.

A. After discussion, a motion was made to accept the minutes from the Regular Meeting March 15, 2023, Special Meeting March 22, 2023 and Special Meeting April 6, 2023.

Motion:       Vernon  
Second:       Cleveland  
Vote:           All ayes

B. Open Forum. No one signed in for open forum.

C. Executive Session – The Board entered into closed executive session at 9:04 a.m. pursuant to Gov. Code 551.071 (Consultation with Attorney) to discuss the following:  
1. Cause No. DS-C202100480; Johnson County Special Utility District v. Acton Municipal Utility District, including pending proposals, mediation, settlement terms, and litigation.

Executive session adjourned at 10:22 a.m. and returned to open session at 10:24 a.m.

D. No action taken on executive session items.

E. Richard English presented the annexation of 11.376 acres situated in the James W. Moore Survey, Abstract No. 344, located in Hood County Texas, known as East Lake Phase 1, second reading. All documentation has been received; Staff recommends approval.

After discussion, a motion was made to annex 11.376 acres situated in the James W. Moore Survey, Abstract No. 344, located in Hood County, Texas, known as East Lake, Phase 1 into the Acton Municipal Utility District. (RESOL 23-04-391)

Motion: Vernon  
Second: Rose  
Vote: All ayes

F. Richard English presented the annexation of 1.394 acres situated in the James W. Moore Survey, Abstract No. 344, located in Hood County Texas, East Lake Phase 1, Pecan Plantation, known as 8409 Landings Road West, first reading.

After discussion, a motion was made to carry over for a second reading.

Motion: Vernon  
Second: Cleveland  
Vote: All ayes

G. Richard English presented the annexation of 1.500 acres situated in the James W. Moore Survey, Abstract No. 344, located in Hood County Texas, East Lake Phase 1, Pecan Plantation, known as 8401 Landings Road West, first reading.

After discussion, a motion was made to carry over for a second reading.

Motion: Rose  
Second: Featherston  
Vote: All ayes

H. Richard English presented the annexation of 1.886 acres situated in the James W. Moore Survey, Abstract No. 344, located in Hood County Texas, East Lake Phase 1, Pecan Plantation, known as 8301 Landings Road West, first reading.

After discussion, a motion was made to carry over for a second reading.

Motion: Rose  
Second: Featherston  
Vote: All ayes



3. 2022 Water Conservation Plan Annual Report – eHT prepared this report and reviewed it with Staff. The report was submitted to TWDB on 3/22/2023, in advance of the 5/1/2023.

After discussion, a motion was made to accept the Engineers Report.

Motion: Featherston  
Second: Rose  
Vote: All ayes

- J. The Operational Report was presented by Richard English. T J Riggio is at school for continued education. R. English reported unaccounted water for the month of March is 29.78%; he reported the UTGWD rate is 0.000278. R. English reported water production and sales are at a 5 year high. He reported the meter at Well No. 11 was installed this month, the well is now fully operational; at Well No. 25 we are still waiting on contractor repairs; Well No. 29 the production pump went to ground and had to be replaced which is why production was low for this month, the well has been returned to full operation. R. English also reported some wells are offline intentionally during low demand periods.

R. English reported WWTP No. 1 was at 85% of the average permitted flow for the month of March; the current permit is for 600,000 gallons per day, the future permit will be at 930,000 gallons per day; WWTP No. 2 is at 59% of the average permitted flow. Both plants met all discharge parameters.

R. English stated we received approval from TCEQ for the Emergency Preparedness Plan (EPP) submitted. C. Hay gave an overview of the EPP.

After discussion, a motion was made to accept the Operational Report for March, 2023.

Motion: Cleveland  
Second: Featherston  
Vote: All ayes

- K. Bob Evart presented a memorandum dated April 19, 2023 requesting Board approval to dispose of fixed assets (asset description listed on memo). The items listed have been fully depreciated. As stated in the memo, the assets have been replaced or will be replaced.

After discussion, a motion was made to approve disposal of the fixed assets as listed.

Motion: Featherston  
Second: Cleveland  
Vote: All ayes

- L. Bob Evert presented the Quarterly Investment Report, 2<sup>nd</sup> quarter fiscal year, 1<sup>st</sup> quarter 2023.

After discussion, a motion was made to accept the Quarterly Investment Report, 2<sup>nd</sup> quarter fiscal year, 1<sup>st</sup> quarter 2023.

Motion: Rose  
Second: Cleveland  
Vote: All ayes

- M. Bob Evert presented a request for Board consideration to write off the net uncollectible accounts in the amount of \$1,039.76 for the month of March, 2023.

After discussion, a motion was made to write off the net uncollectible accounts in the amount of \$1,039.76 for the month of March, 2023.

Motion: Rose  
Second: Vernon  
Vote: All ayes

- N. Bob Evert presented the Financial Report for March, 2023. He reviewed the revenues and changes for overall water and sewer, water revenues from customers, wholesale water, sewer revenues from customers, other sewer revenues and impact fees. He reported expenditure totals for all departments for the month and reported the totals for revenues and expenditures are all within budget.

After discussion, a motion was made to accept the Financial Report for March, 2023.

Motion: Vernon  
Second: Rose  
Vote: All ayes

- O. The General Manager's Report was presented by Richard English. He reported on the following items:
1. The Regular Meeting for May is scheduled for 9:00 a.m., Wednesday, May 17, 2023. Committee meetings are scheduled for Thursday, May 11<sup>th</sup>.
  2. Monthly Brazos Regional Public Utility Agency meeting – Wednesday, April 26<sup>th</sup> at the AMUD Office.
  3. Temporary assignment of a portion of AMUD's raw water reserves – Informed Board several customers have contacted him requesting a temporary assignment for portions of our raw water reserve; they are needing water as soon as possible. R. English is working with BRA to get agreements executed.
  4. Articles – "Legislative News" regarding proposed Bills – Senate Bill 1446 and House Bill 1446 being tracked by the Texas County and District Retirement System, if passed, SB 1446 would have a negative impact to the cost of our retirement system for the District; "U.S. Drought Monitor March 28, 2023"

posted by the Texas Water Development Board; “Construction Industry Has Work, Needs More Workers” from <https://www.wsj.com/articles/construction-industry...>; “Commissioners vote 3-2 in bid to shift septic maintenance to homeowners” from Hood County News.

Open Items –

- a) SWATS Plant Update – Presented water quality reports; source, raw and finished water for the month of March, 2023 and the beginning of April 2023. Chloride levels are staying reasonably low.
- b) Port Ridglea East – CDBG First Time Sewer Service Project. Discussed under Engineer’s Report.

After discussion, a motion was made to accept the Managers Report.

Motion: Cleveland  
Second: Vernon  
Vote: All ayes

P. Items from Board Members:

Rose:

- 1. G. Rose said he was glad that he attended the Texas Water 2023 Conference and passed on some information to Chris Hay that he found of interest.

Cleveland:

None

Lewis:

- 1. Thanked Josh Berryhill for sending him to engineer firms during the conference to talk to, and thanked eHT for taking them out to dinner(s).

Featherston:

None

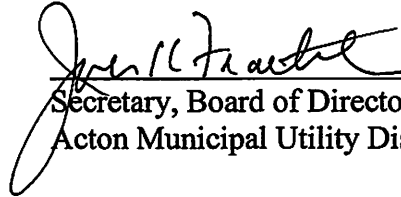
Vernon:

None

Adjournment

A motion was made to adjourn at 11:22 a.m.

Motion: Cleveland  
Second: Vernon  
Vote: All ayes



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Secretary, Board of Directors  
Acton Municipal Utility District