

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, June 21, 2023. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

June 21, 2023

Directors Present

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

Staff Present

R. English
C. Neal
R. Ewart
T. Riggio

Visitors

J. Berryhill, P.E.,
Enprotec/Hibbs & Todd
C. Pearson, Intern with
Enprotec/Hibbs & Todd
K. Kindle, P. E.,
Enprotec/Hibbs & Todd
M. McLiney, SAMCO
Capital Markets, Inc.
A. Head, Jackson Walker,
via conference call

Directors Absent

V. Vernon

Call to Order

Ray Lewis, Board President, called the meeting to order at 9:00 a.m.

Invocation

By Gary Rose.

A. After discussion, a motion was made to accept the minutes from the Regular Meeting May 17, 2023.

Motion: Cleveland
Second: Featherston
Vote: All ayes

Absent: Vernon

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

C. Executive Session – The Board entered into closed executive session at 9:02 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.
2. Gov. Code 551.072: Deliberation regarding real property in the purchase, exchange, lease or value.

Executive session adjourned at 9:49 a.m. and returned to open session at 9:53 a.m.

After discussion, a motion was made to annex 2.332 acres situated in part of the John McCoy Survey, Abstract No. 381, located in Hood County Texas, known as 3261 Fall Creek Highway into the Acton Municipal Utility District. (RESOL 23-06-399)

Motion: Cleveland
Second: Featherston
Vote: All ayes Absent: Vernon

- I. Richard English presented the annexation of 155 acres situated in parts of the Joshua Minett Survey, Abstract No. 351 and the J. Campbell Survey, Abstract No. 123, located in Hood County Texas, known as Legacy Ranch Subdivision, first reading. Representatives from Brown, Hampton and Brown (BHB) were present to answer any questions. Development is anticipated to be split into 4 phases with the first phase starting in approximately 6 months; anticipate constructing one phase each year. BHB submitted plans for Phase 1 to AMUD and the preliminary plat for the subdivision has been submitted to the City of Granbury.

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

Motion: Featherston
Second: Cleveland
Vote: All ayes Absent: Vernon

- J. Richard English presented a memorandum dated June 15, 2023 regarding a proposal from Enprotec/Hibbs & Todd (eHT) for engineering services for the design and construction of Waterline Improvements Project in the Acton area. As stated in the memo, the Acton Loop Extension is included in our Capital Improvements Plan (CIP) to support future development in the Acton area. The trigger for this project is the proposed Legacy Ranch Development.

After discussion, a motion was made to approve the proposal for engineering services from eHT for the design and construction of Waterline Improvements Project in the Acton area.

Motion: Cleveland
Second: Featherston
Vote: All ayes Absent: Vernon

- K. Joshua Berryhill, P. E. of eHT presented a request for Board consideration for Change Order No. 1 at the WWTP No. 2 Improvements Project. The change order includes the addition of a swing gate for the lower driveway and a gate for the front entrance, adjustment of stainless-steel aeration piping, reimbursement (true-up) for water usage bills BAR has paid and revision to TnT's scope from one master control panel to 4 remote panels. The total changes sum is \$114,416.07; of this amount, \$100,000.00 will be accounted for from the Owner's Allowance and the remaining \$14,416.07 will be accounted for via a change in the contract price.

After discussion, a motion was made to approve Change Order No. 1 for the WWTP No. 2 Improvements Project with a net increase in the total contract price of \$14,416.07.

Motion: Featherston

Second: Cleveland

Vote: All ayes

Absent: Vernon

L. The Engineer's Report was presented by Keith Kindle, P.E. of eHT. He reported on the following:

- WWTP #1 Improvements – TraC-n-trol is still waiting on the remaining communications modules, though it is completed remaining SCADA tasks outside of the module's installations. The plant is fully operational, and at this time, Crossland is working on punch list items to prepare for Substantial Completion of the project. Construction Status Meeting (CSM) #29 was held April 20th; CSM #30 was held on June 15th.
- WWTP #2 Improvements – Bar Constructors has begun hydraulic leak testing of the SBR basins, with leak testing to continue into June due to leakage that needs to be corrected to meet ACI 350 requirements for watertight testing. Completion of the transformer relocation at the plant by Oncor was completed in February which allowed Bar to begin working on the new Control Building and Dewatering Building in March and continue into May and June. Bar Constructors is also continuing to install piping in the SBR Support Building to prepare for mechanical equipment installation following erection of the SBR Support Building. CSM #9 was held April 18th; the next CSM is anticipated for June 20th.
- Lift Station 11 Improvements – Bid opening was February 14th; no bids were submitted; eHT is standing by to re-advertise the project at a time to be determined later.
- Hood County CDBG First Time Sewer Service Project in Port Ridglea East – The project was advertised for re-bid on June 10th with a bid opening date set for June 26th. It is anticipated a special call meeting will be held by AMUD June 26th to issue a recommendation for award to be considered at the June 27th County Commissioners meeting. To meet TDA deadlines from the extension, construction award documentation must be submitted by June 30th. This date should be met under the current effort, pending receipt of acceptable bids.
- Greenleaves Low Pressure Sewer System Improvements – The project was awarded to Day Services, LLC at the May Board Meeting. Contracts have been executed and eHT is working to schedule a pre-construction conference to kick-off the construction phase of the project.
- Pecan Plantation Elevated Storage Tank Improvements – eHT is continuing to work on plans and specifications for this project for submittal to TCEQ for approval. A design review meeting was held with Staff June 8th and plans are being modified to reflect comments. Anticipate TCEQ submittal will occur in

early July; typically takes at least 60 days for review and approval. The project can be advertised for bids upon receipt of TCEQ approval.

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

Motion: Cleveland
Second: Rose
Vote: All ayes Absent: Vernon

M. The Operational Report was presented by T J Riggio. Under wastewater, T. Riggio informed the Board that he is in receipt of the smoke testing report for Pecan Plantation. He reported issues with Lift Station (LS) No. 11 and No. 4 in DCBE; LS11 is having pumping and SCADA issues, the pump needs to be rebuilt; LS4 has issues with the control panel. T. Riggio reported WWTP No. 1 was at 72% of the average permitted flow for the month of May, under the future 930K permit this would be 46%. WWTP No. 2 is at 54% of the average permitted flow, under the future 820K permit this would be 32%. Both plants met all discharge permit parameters for the month of May. WWTP No. 2 exceeded E.coli single grab; the plant was backed up on solids due to belt press issues.

T. Riggio reported unaccounted water for the month of May is 9.90%; he reported the UTGWD rate is 0.000145. T. Riggio reported water production and sales are at a 5 year high. He reported on wells; at Well No. 25 pretty sure we have a secured contractor, the tank will likely need to be coated; Well No's. 1 & 2 are having transmitter issues; Well No. 16 the booster pump is down, waiting on parts. T. Riggio reported there were no positive bacteriological samples for the month of May. He reported approximately 1,570 endpoints have been changed out, approximately 40 are remaining. He informed Board there were approximately 360 rereads in DCBE, these meters are old Orion meters and need to be changed out.

T. Riggio informed Board he has hired an inspector; currently we are 2 employees short in the field. Reported he met with the PP Fire Department to go over testing procedures on fire hydrants and also donated paint for hydrants. He also informed Board he has received plans to review for Legacy Ranch, Landings East and Pirate Village (Highway 4 next to Willow Ridge).

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

Motion: Featherston
Second: Cleveland
Vote: All ayes Absent: Vernon

N. Richard English presented a memorandum dated June 16, 2023 and an Order of the Acton Municipal Utility District updating certain charges and fees of the District for Board consideration. As stated in the memo, the cost to AMUD for grinder pump assemblies has increased significantly and the amount charged to the customer no

longer covers the cost to the District. Staff recommends approval to increase the grinder pump assembly charge to \$4,800.00.

After discussion, a motion was made to amend the charge of the grinder pump units to \$4,800.00 to cover the cost of the units, effective July 1, 2023.

(RESOL 23-06-400)

Motion: Rose
Second: Cleveland
Vote: All ayes Absent: Vernon

- O. Bob Evert presented a memorandum dated June 21, 2023 regarding AMUD representatives at First National Bank (FNB). FNB requires Board authorization to add/change/remove representatives. Currently, for example, Wayne Matzen is listed and needs to be removed.

After discussion, a motion was made to authorize updating the AMUD Representatives for FNB.

Motion: Rose
Second: Featherston
Vote: All ayes Absent: Vernon

- P. Bob Evert presented a request for Board consideration to write off the net uncollectible accounts in the amount of \$1,421.43 for the month of May, 2023.
B. Evert noted a page is added to the report to include year to date write offs.

After discussion, a motion was made to write off the net uncollectible accounts in the amount of \$1,421.43 for the month of May, 2023.

Motion: Rose
Second: Cleveland
Vote: All ayes Absent: Vernon

- Q. Bob Evert presented the Financial Report for May, 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 May, 2023.

Motion: Cleveland
Second: Rose
Vote: All ayes Absent: Vernon

- R. The General Manager’s Report was presented by Richard English. He reported on the following items:
1. The Regular Meeting for July is scheduled for 9:00 a.m., Wednesday, July 19, 2023. Committee meetings are scheduled for Thursday, July 13th.
 2. Monthly Brazos Regional Public Utility Agency meeting – There is not a need to hold a meeting this month; recommend pushing the meeting to July.
 3. Special Meeting Monday, June 26th regarding a recommendation to Hood County for award of bid for the Port Ridglea East First Time Sewer Service. If available, R. English suggest meeting at 3:00 p.m. R. English stated we have been informed that if Texas Department of Agriculture (TDA) doesn’t receive an award of bid by July 1st the funding for the project goes away.
 4. AMUD Office will be closed July 4th in observance of Independence Day. R. English request consensus of the Board to close the office July 3rd as well. There were no objections.
 5. 2022 annual Drinking Water Report (Consumer Confidence Report).
 6. Articles – “Boom to Busted” from Quench; “Regional collaboration ensures reliable water supply for three small Texas towns” , and “Water + Weather for May 2023” posted from Texas Water Development Board.

Open Items –

- a) SWATS Plant Update – Presented water quality reports; source, raw and finished water for the month of May, 2023 and the beginning of June 2023. Chloride levels are staying reasonably low.
- b) Port Ridglea East – CDBG First Time Sewer Service Project. Discussed under No. 3 on Manager’s Report.

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

Motion:	Rose		
Second:	Cleveland		
Vote:	All ayes	Absent:	Vernon

S. Items from Board Members:

Rose:

1. Remarked that the Hood County News articles highlighting water with Richard English and Stephan Dollins were very nice.

Cleveland:

None

Featherston:

None

Lewis:

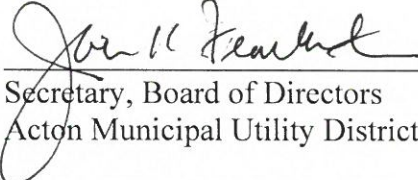
1. Thanked everyone for “holding down the fort” while he was out of the country.

Adjournment

A motion was made to adjourn at 11:25 a.m.

Motion: Featherston
Second: Rose
Vote: All ayes

Absent: Vernon



Secretary, Board of Directors
Acton Municipal Utility District