

MINUTES
ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in special session at 9:00 a.m., Wednesday, June 29, 2022. Notice of said meeting was posted as prescribed by Chapter 54, of the Texas Water Code, and Chapter 551, of the Government Code.

Special Session

June 29, 2022

Directors Present

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

Staff Present

R. English
C. Neal
R. Evart
T. Riggio

Visitors Present

A. Head, Jackson Walker, LLP, via conference call
J. Berryhill, P.E., Enprotec/Hibbs & Todd, via conference call
K. Kindle, P.E., Enprotec/Hibbs & Todd
C. Taylor, P.E., Enprotec/Hibbs & Todd
S. Watts, Pecan Plantation, Board of Director
B. Riley, Pecan Plantation, Board of Director
T. Mead, Pecan Plantation, Board of Director
G. Guffey, Pecan Plantation, Board of Director
D. Van Patton, PPOA

Directors Absent

None

Call to Order

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

Recognition of Visitors

- A. President, Ray Lewis presented the agenda item for consideration regarding terms of reimbursement to PPOA with regard to road damages associated with the WWTP #2 project. Richard English presented a summary from Chris Hay, P. E. of Enprotec/Hibbs & Todd (eHT). Joshua Berryhill, P.E. of eHT, via conference call, summarized the information. The Pecan Plantation Contractor Rules were included on the contract documents and govern the contractor's obligations regarding vehicle operations in accordance with the published PPOA rules. BAR Constructors does not agree to any fees or fines outside of the regulations outlined in the contract documents (which matched the published Pecan Plantation Contractor Rules) that were included in the contract documents.

PPOA wants some kind of written commitment from the District for reimbursement for road damages. R. Lewis stated the expansion of the wastewater plant is a benefit to all in Pecan Plantation; improvements to the plant will also lower noise levels and lower odors. AMUD agrees to repair damages to the roads that is a result from the project, however trying to come up with that amount does not need to delay the project; the project needs to be moving forward. D. Van Patton stated this is a big-ticket item; there is not an example to follow. Trying to come up with a fixed dollar amount or percentage that everyone can agree with may be a good way to look at this issue. D. Cleveland suggest AMUD Staff, engineers and PPOA Staff meet to discuss further and bring a proposal to the AMUD Board for consideration.

The regular session recessed at 10:18 a.m.

- B. Executive Session – The Board entered into closed executive session at 10:19 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. Any other matters.

Return to open session at 11:20 a.m.

- C. No action taken on executive session items.

Adjourn

There being no further business, a motion was made to adjourn at 11:21 a.m.

Motion: Cleveland
Second: Vernon
Vote: All ayes


Secretary, Board of Directors
Acton Municipal Utility District