

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, February 15, 2023. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

February 15, 2023

Directors Present

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

Staff Present

R. English  
C. Neal  
R. Evert  
T. Riggio

Visitors

C. Hay, P.E.,  
Enprotec/Hibbs & Todd  
K. Kindle, P.E.,  
Enprotec/Hibbs & Todd  
A. Head, Jackson Walker,  
via conference call  
S. Dollins

Directors Absent

None

Call to Order

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

Invocation

By John Featherston.

A. After discussion, a motion was made to accept the minutes from the Regular Meeting January 18, 2023.

Motion: Cleveland  
Second: Featherston  
Vote: All ayes

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

C. Executive Session – The Board entered into closed executive session at 9:02 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. Any other matters.

Executive session adjourned at 10:02 a.m. and returned to open session at 10:05 a.m.

D. No action taken on executive session items.

- E. Richard English presented the annexation of 207.063 acres situated in the W. Smith Survey, Abstract No. 522, J. Tandy Survey, Abstract No. 846, and J. Brooks Survey, Abstract No. 848, located in Hood County Texas, known as Stewart Ranch Subdivision, second reading. A very small portion of the property is located within the City of Granbury's ETJ; in discussions with Public Works Director, Rick Crownover, he confirmed consent from the city is not necessary; the property will fall within County regulations.

After discussion, a motion was made to annex 207.063 acres situated in the W. Smith Survey, Abstract No. 522, J. Tandy Survey, Abstract No. 846, and J. Brooks Survey, Abstract No. 848, located in Hood County, Texas, known as Stewart Ranch Subdivision into the Acton Municipal Utility District. (RESOL 23-02-388)

Motion: Featherston  
Second: Cleveland  
Vote: All ayes

- F. Richard English presented the annexation of 10.451 acres in the James W. Moore Survey, Abstract No. 344, located in Hood County Texas, known as 4548 Mambrino Highway and 4510 Mambrino Highway, second reading.

After discussion, a motion was made to annex 10.451 acres in the James W. Moore Survey, Abstract No. 344, located in Hood County, Texas, known as 4548 Mambrino Highway and 4510 Mambrino Highway into the Acton Municipal Utility District. (RESOL 23-02-389)

Motion: Vernon  
Second: Cleveland  
Vote: All ayes

- G. Chris Hay, P.E. of Enprotec/Hibbs & Todd was present to discuss the bid opening for Lift Station No. 11 Improvements Project. Bid opening was scheduled at 10:00 a.m. February 14<sup>th</sup>; no bids were received. C. Hay stated this was the first time in his career that no bids were received and stated the only course of action is to rebid the project. The main driving force for this project is the development of Legacy Ranch, however at this time there has been no development. Staff suggests waiting a few months before rebidding the project. No action needed.

- H. The Engineer's Report was presented by Chris Hay, P.E. of eHT. He reported on the following:

- WWTP #1 Improvements – As of December, all plant flow has been transferred to the new SBR units. The existing dewatering screw press that was damaged in the artic freeze event in December was restored to operation in mid January by AMUD staff and allowed Crossland to continue final construction tasks. Several delivery delays of components for the new plant SCADA (officially delayed to April 2023). However in late December, TraC-

n-trol installed temporary wiring at the plant to bring the full plant SCADA system online to allow for continuing to complete the remaining plant components of the project, with the final communications modules to be installed in April. On January 30<sup>th</sup>, a portion of the secondary power feed wiring at the WWTP suffered a catastrophic failure, damaging the upstream utility transformer and the downstream switchgear. Crossland switched over power feed to the WWTP from the damaged grid transformer to the new onsite backup generator. Crossland's electrician has been troubleshooting the wiring with eHT and AMUD; the WWTP has been consistently operated without any uncontrolled basin overflows by maintaining operation of the backup generator. A meeting was held February 10<sup>th</sup> between all parties to discuss corrective actions to restore normal power to the WWTP while ensuring appropriate warranty for replaced or repaired components. Construction Status Meeting (CSM) #26 was held January 19<sup>th</sup>; the next CSM is anticipated February 16<sup>th</sup>.

- WWTP #2 Improvements – Bar began mobilizing at the WWTP site mid-June and are continuing earthwork, rock excavation, concrete structure formwork and concrete slab pours for the new SBR structure and submittal/RFI development through January to continue through early February. Bar is currently working on the last remaining SBR walls that will separate the SBR units from the SBR Support Building. Completion of the transformer relocation at the plant by Oncor is anticipated to be completed in February; as soon as Oncor schedules the work, it should only take one day to complete. The CSM #6 was held January 17<sup>th</sup>; the next CSM is anticipated February 21<sup>st</sup>.
- Lift Station 11 Improvements – Discussed under agenda item “G”.
- Hood County CDBG First Time Sewer Service Project in Port Ridglea East – eHT has been in coordination with the grant consultant who is working with TDA to obtain a time extension for the project due to the re-bid process. TDA is evaluating the extension request and has requested a completion plan outlining the re-bid and construction timeframe estimate. eHT sent the letter to the Grant Consultant on February 10<sup>th</sup>. Once the extension request is approved, the project will be re-advertised for bids.
- Greenleaves Low Pressure Sewer System Improvements – eHT sent the final review set to Staff February 10<sup>th</sup> for final review and comments. eHT will address any comments and anticipate advertising the project for bids in February.
- Pecan Plantation Elevated Storage Tank Improvements – eHT has received the boundary survey from Mr. Anthony and has performed the field design survey. Currently working on preparing plans and specifications for submittal to TCEQ for review.

#### General Services Task

1. 2022 Water Use Survey – eHT has begun working with Staff to prepare this report due to the TWDB by 3/1/2023.

2. 2022 Water Loss Audit – eHT has begun working with Staff to prepare this report due to the TWDB by 5/1/2023.
3. 2022 Water Conservation Plan Annual Report – eHT has begun working with Staff to prepare this report due to the TWDB by 5/1/2023.

Keith Kindle informed the Board of Senate Bill 837 along with SJR 43 filed yesterday by Senator Perry that addresses assistance in financing water projects in the state.

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

Motion: Featherston  
Second: Vernon  
Vote: All ayes

- l. The Operational Report was presented by T J Riggio. He reported under sewer, both wastewater plants are under the 75% permitted flow limits. T. Riggio reported the pump is out at Lift Station No. 2 in DCBE, it is very noisy and is disturbing the neighbor next to the lift station, we are waiting on an impeller to repair the pump; he reported rehab has begun at Lift Station No. 2 in PP; as discussed in the Engineer's Report, T. Riggio reported on the fallout from a power outage at WWTP No. 1 as well as the WWTP No. 2 construction.

T. Riggio reported under water, unaccounted water for the month of January is 0.28%; he reported water production and sales are at a 5 year high; he reported no violations for the disinfection level quarterly report and reported there were no positive bacteriological samples for the month of January. T. Riggio reported Well No's. 1, 2, 11, 25 and 26 are down. The transducer has been installed for Wells 1 and 2; these wells are now operating, still waiting on a pump for Well 11; working on contracted tank repairs at Well 25, it appears the floor will have to be redone, the contractor has not given a firm start date; Well 26 is off for the season. T. Riggio informed the Board that there was a power surge at SWATS; it burned a breaker panel. Currently there is only one functional transfer pump at Booster Station 4, however this should not be an issue during this time of year. He informed the Board that crews changed out approximately 150 of the CDMA endpoints on smart meters for the month of January.

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

Motion: Cleveland  
Second: Vernon  
Vote: All ayes

- J. Bob Evart presented a request for Board consideration to write off the net uncollectible accounts in the amount of \$215.69 for the month of January, 2023.

After discussion, a motion was made to write off the net uncollectible accounts in the amount of \$215.69 for the month of January, 2023.

Motion: Featherston  
Second: Rose  
Vote: All ayes

- K. Bob Evart presented the Financial Report for January, 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 the totals for revenues and expenditures were also reviewed and discussed. B. Evart informed the Board that adjustments have now been input since the audit is complete.

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

Motion: Featherston  
Second: Cleveland  
Vote: All ayes

- L. The General Manager's Report was presented by Richard English. He reported on the following items:
1. The Regular Meeting for March is scheduled for 9:00 a.m., Wednesday, March 15, 2023. Committee meetings are scheduled Thursday, March 9<sup>th</sup>.
  2. Monthly Brazos Regional Public Utility Agency meeting – Wednesday, February 22<sup>nd</sup> at the AMUD Office.
  3. AMUD Office closed Monday, February 20<sup>th</sup> for President's Day.
  4. Semi-Annual Impact Fee Advisory Committee Meeting – Tuesday, February 28<sup>th</sup> at 3:30 p.m.
  5. Texas Water 2023 Conference – April 11<sup>th</sup> – 14<sup>th</sup> in Houston, Texas.
  6. Articles – “Council approves additional resources in permit fight” from City of Granbury, “If 1” of rain falls, how much does the lake rise?” newsletter from Brazos River Authority, and “What Lives at the Bottom of the Brazos River”.

Open Items –

- a) SWATS Plant Update – Presented water quality reports; source, raw and finished water for the month of January, 2023 and the beginning of February 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: Rose  
Second: Cleveland  
Vote: All ayes

M. Items from Board Members:

Vernon:  
None

Featherston:  
None

Cleveland:  
None

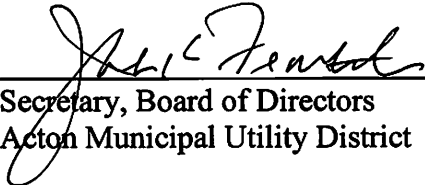
Rose:  
None

Lewis:  
None

Adjournment

A motion was made to adjourn at 10:56 a.m.

Motion: Vernon  
Second: Featherston  
Vote: All ayes

  
Secretary, Board of Directors  
Acton Municipal Utility District