

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, September 18, 2024. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

September 18, 2024

Directors Present

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

Staff Present

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

Visitors

C. Hay, P.E.,  
Enprotec/Hibbs & Todd  
C. Rich, P.E.,  
Enprotec/Hibbs & Todd  
S. Dollins, Brazos Regional  
Public Utility Agency  
L. Overstreet

Directors Absent

None

Call to Order

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

Invocation

By Van Vernon.

- A. After discussion, a motion was made to accept the minutes from the Regular Meeting August 21, 2024.

Motion: Cleveland  
Second: Vernon  
Vote: All ayes

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

- C. Richard English presented the annexation of 5.000 acres, Lot 1, Block 1 of Acton Elementary Addition to Hood County, Texas, and recorded in Slide P-959 of the Plat Records of Hood County, Texas, known as 2750 Acton School Road, first reading.

R. English informed the Board that a church is planned to be built on this property and stated they are requesting the impact fees be waived. Included under this agenda item is AMUD's Policy on fees and charges for non-profit organizations to connect to the District's water and sewer facilities. Lee Overstreet, Board Chairman for Anchor Fellowship Church, Inc. was present representing the church and to answer any questions. He informed the Board they closed on the land August 1<sup>st</sup> and plan to start moving dirt in about a year. He also stated the church has acquired an easement from

the school to tie onto AMUD sewer. G. Rose informed the Board that he is a member of this church and will therefore abstain from any vote regarding the annexation.

After discussion, a motion was made to waive the water and sewer impact fees, per AMUD policy, and to carry over for a second reading.

Motion: Vernon  
Second: Cleveland  
Vote: Vernon, Cleveland, Featherston, Lewis Abstain: Rose

D. Chris Hay, P.E. of Enprotec/Hibbs & Todd (eHT) presented a letter dated September 13, 2024 regarding Final Completion of the Wastewater Treatment Plant No. 1 Improvements Project. The final completion date is August 23, 2024. As stated in the letter, eHT is working with the contractor to close the project out, including obtaining all required close-out documents. eHT recommends approval of the project and release of retainage for final payment to Crossland Heavy Contractors upon receipt of the required close-out documents, including approval from the Texas Water Development Board.

After discussion, a motion was made to approve the project and release of retainage for final payment to Crossland Heavy Contractors upon receipt of the required close-out documents.

Motion: Cleveland  
Second: Rose  
Vote: All ayes

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

- WWTP #1 Improvements – Under Agenda Item “D”, the Board approved the project and release of retainage upon receipt of required close-out documents.
- WWTP #2 Improvements – Construction moving forward. Bar Constructors, Inc. (Bar) completed installation of equipment in the SBR Building, Dewatering Building, and Control Building and continued work on the new influent lift station required to transfer influent wastewater to the new SBR system. Bar's electrical contractor is working to finalize electrical and control wiring in support of the SBR operation so start up can begin. Continuing work on site civil construction around the rest of the plant for retaining walls, dirt work, and other miscellaneous items. eHT and Bar held the most recent startup preparation meeting August 15<sup>th</sup> in conjunction with CSM #17 to verify tasks, timing, and critical milestones to prepare for startup of the new SBR system over the next several months. The next startup coordination meeting is planned for the last week of September. With delays in electrical equipment installation from the electrical subcontractor, Bar has noted an anticipated further delay in startup of the SBR system until Fall 2024 with



plant completion in late Winter 2024 or early Spring 2025; anticipate that Bar will be sending a request for additional time in the contract schedule.

- Lift Station 11 Improvements – The Board request this item be taken off the Engineer’s Report until developers are ready to begin development.
- Pecan Plantation Elevated Storage Tank Improvements – The project was awarded to Phoenix Fabricators & Erectors, LLC at the December 2023 Board Meeting. The crane is repaired and back onsite; the contractor is in process of the tank construction phase and constructing the shaft walls. Anticipate getting the top of the ring up this week.
- Acton Loop Water Line Extension Improvements – eHT sent the easements to Pinnacle. Design surveying is completed for the alternative route and now in design phase for the water line improvements and low pressure sewer line improvements associated with the planned easement acquisition.
- General Discussion – Discussed the staffing transitions at eHT; Josh Berryhill is no longer with eHT. C. Hay will continue to be the point of contact for AMUD. Colden Rich will take over the role of Project Manager, with the support of the process design team, specifically from Jordan Hibbs and Bret Thompson. Resumes are included under the Engineer’s Report for reference. C. Hay stated eHT is confident that this team has the knowledge and experience to meet the District’s needs with regard to water and wastewater treatment projects and operational support.

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

Motion: Featherston  
Second: Cleveland  
Vote: All ayes

F. The Operational Report was presented by T J Riggio. Under wastewater, T. Riggio reported we are waiting on close-out documents for the Wastewater Treatment Plant No. 1 Improvements Project, under Agenda Item “D” the Board approved the project upon receipt of the close-out documents; T. Riggio reported at WWTP No. 2, no community complaints have been received with regard to construction. He reported we are continuing to have higher than normal Total Suspended Solids and e. Coli but nothing outside of our permit parameters, this is due to removal or limitation of processes in the plant to make way for the new plant.

T. Riggio reported WWTP No. 1 was at 92% of the average permitted flow under the existing 600K permit for the month of August; under the future 930K permit this would be 40%; WWTP No. 2 was at 49% of the average permitted flow under the existing 487K permit; under the future 820K permit this would be 29%. WWTP No. 2 was within permit parameters for the month of August. WWTP No. 1 exceeded ammonia; steps are being taken to monitor ammonia in real time for process control.

T. Riggio reported no positive bacteriological samples for the month of August. He reported unaccounted water for the month of August is 30.82%. R. Lewis questioned

the high amount of loss. T. Riggio stated we are continuing to look for the source and stated the leak detection crew will be coming back in October to survey more lines. T. Riggio discussed TCEQ's Notice of Violation report (report attached). With regard to the violations, he reported the fence at Well No. 14 has been addressed; in process of compiling flushing records; figuring costs for an all-weather access road to Well No. 15.

T. Riggio reported all water test results came back negative for Lead and PFAS. Under water wells, T. Riggio reported the well pump has been replaced at Well No. 14, waiting on electrical work to be completed, anticipate the well to be running by the end of this month; the meter froze at Well No. 15 and the issue was resolved, the zero usage will be accounted for on the next report; Well No. 16 is back in operation; in process of replacing the well pump at Well No. 19; waiting on a new and more powerful jockey pump to inject chlorine at Well No. 23; Well No. 25 was placed back in service, however it is down again due to unrelated electrical issues; replaced the RTU at Well No. 26, the Well is back in operation. T. Riggio reported we currently have 3 open positions, in process of scheduling interviews.

After discussion, a motion was made to accept the Operational Report for August, 2024.

Motion: Cleveland  
Second: Vernon  
Vote: All ayes

G. Richard English presented a memorandum dated August 22, 2024 from the Impact Fee Advisory Committee regarding the semi-annual review of water and wastewater impact fees for Board consideration. No discrepancies were found.

After discussion, a motion was made to accept the Impact Fee Advisory Committee memorandum dated August 22, 2024.

Motion: Vernon  
Second: Rose  
Vote: All ayes

H. Richard English presented a resolution for Board consideration certifying compliance of the Impact Fee Program under Chapter 395 of the Local Government Code and authorizing the Board President to sign a certification letter to the Texas Attorney General as required by statutes.

After discussion, a motion was made to authorize the Board President sign the certification letter to the Texas Attorney General and adopt the resolution stating that

the AMUD Impact Fee Program is in compliance with Chapter 395 of the Local Government Code. (RESOL 24-09-424)

Motion: Featherston  
Second: Vernon  
Vote: All ayes

- I. Bob Evart presented the budget amendments for fiscal year 2023 – 2024 for Board consideration. This is required by our auditors prior to the end of the fiscal year. There are no overall changes to the total budget and the amendments and reallocations allow all categories to fall within the budgeted category amounts.

After discussion, a motion was made to adopt the resolution approving budget amendments for fiscal year 2023-2024, as presented. (RESOL 24-09-425)

Motion: Vernon  
Second: Rose  
Vote: All ayes

- J. Bob Evart presented the Financial Report for August, 2024. 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. B. Evart stated there are several differences in formatting on the new Incode software system, i.e. the Balance Sheet, he is working through the formatting issues.

After discussion, a motion was made to accept the Financial Report for August, 2024.

Motion: Rose  
Second: Featherston  
Vote: All ayes

- K. Executive Session – The Board entered into closed executive session at 10:00 a.m. to discuss the following:
  1. Gov. Code 551.074: Personnel

Executive session adjourned at 10:47 a.m. and returned to open session at 10:48 p.m.

- L. After review and discussion, and based upon the recommendation from the General Manager Review Committee, that in recognition of exceptional service and a great job from the General Manager, a motion was made to give a one-time bonus pay in



the amount of \$20,000 and make an adjustment to the budget for this amount, along with a 6% merit increase to the General Managers salary.

Motion: Featherston  
Second: Cleveland  
Vote: All ayes

- M. The General Manager’s Report was presented by Richard English. He reported on the following items:
1. The Regular Meeting for October is scheduled for 9:00 a.m., Wednesday, October 16, 2024. Committee meetings are scheduled for Thursday, October 10<sup>th</sup>.
  2. Monthly Brazos Regional Public Utility Agency Meeting, today at 1:00 p.m. Next month consider convening the BRPUA Meeting after the AMUD Meeting at 12:00 p.m.
  3. Copy of customer notice – Big News...AMUD Purchases SWATS Plant, the notice includes notifying customers of the rate increase.
  4. Copy of notice from the City of Granbury notifying customers of lead exceedance and then a notice stating new water tests show no elevated levels of lead.

Open Items:

- a) SWATS Plant Update – Presented water quality reports; source, raw and finished water for the month of August, 2024 and the beginning of September, 2024. Chloride levels are holding high.

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

Motion: Vernon  
Second: Featherston  
Vote: All ayes

N. Items from Board Members:

Vernon:

1. Complimented R. English and Staff on a great job.

Featherston:

None

Cleveland:

None

Rose:

1. Reiterated V. Vernon’s comments.


Lewis:

None

Adjournment

A motion was made to adjourn at 11:01 a.m.

Motion: Vernon  
Second: Rose  
Vote: All ayes

  
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Secretary, Board of Directors  
Acton Municipal Utility District