

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, October 16, 2024. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

October 16, 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
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 Don Cleveland.

- A. After discussion, a motion was made to accept the minutes from the Regular Meeting September 18, 2024.

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 9:02 a.m. pursuant to Gov. Code 551.071 (consultation with Attorney) and/or 551.072 (Deliberate regarding Real Property), as permitted by the Texas Open Meetings Act.
1. Matters pertaining to the SWATS Water Plant and Brazos Regional PUA, its organization, real property, and District Legal Action.

Executive Session adjourned at 9:30 a.m. and returned to open session at 9:32 a.m.

- D. No action arising from the executive session.

- E. President Ray Lewis presented the agenda item for consideration and possible action regarding the SWATS Water Plant and Brazos Regional PUA, its organization, real property, and District legal obligations.

After discussion, a motion was made to move forward with developing a Local Bill to go through the legislature dissolving the PUA.

Motion: Vernon
Second: Cleveland
Vote: All ayes

- F. President Ray Lewis presented the agenda item for consideration and possible action to retain Jackson Walker, LLP to provide legislative services to the District related to the SWATS Water Plant and Brazos Regional PUA.

After discussion, a motion was made to retain the services of Jackson Walker, LLP to provide legislative services for the District in this legislative effort.

Motion: Cleveland
Second: Vernon
Vote: All ayes

- G. 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, second reading. He stated everything is in place for the second reading. All documentation has been received with the exception of City of Granbury's consent. Staff recommends approval of the second reading and to waive impact fees up to a 1" meter contingent upon approval of the City of Granbury's consent.

After discussion, a motion was made to annex 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 into the Acton Municipal Utility District and to waive the impact fees for up to a 1" meter as recommended by Staff. (RESOL 24-10-426)

Motion: Featherston
Second: Vernon
Vote: Ayes: Featherston, Vernon, Cleveland, Lewis
No: None
Abstain: Rose

- H. The Engineer's Report was presented by Chris Hay, P.E. of Enprotec/Hibbs & Todd (eHT). He reported on the following:

- WWTP #1 Improvements – The contractor has completed the project and is currently working through some warranty repairs; eHT is working through processing the closeout documents. Anticipate submitting documents to TWDB by the end of the month.
- 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 is also continuing to work on site civil construction around the rest of the plant for retaining walls, dirt work, and other miscellaneous items. Bar submitted the plan to start the SBR and is starting SCADA certification and testing to ensure the system is ready for startup; anticipate clean water testing and seeding of the SBR starting in December. Completion of the project is anticipated in Spring of 2025.

- Pecan Plantation Elevated Storage Tank Improvements – The contractor is in the tank construction phase. They have completed the shaft walls and are continuing work on the tank floor and ring wall prior to proceeding with construction of the shell. The project is on schedule; final completion of the project is anticipated in March.
- Acton Loop Water Line Extension Improvements – eHT is working on easement preparation for coordination of the northern parcels and proceeding with design on the rest of the project. Currently working through the sewer layout for the northern parcels to ensure all buildings have adequate service and continuing with the design phase for preparation of plans and specifications.

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

Motion: Vernon
Second: Featherston
Vote: All ayes

- l. The Operational Report was presented by T J Riggio. Under water, T. Riggio reported unaccounted water for the month of September is -9.46%. Stephan Dollins of BRPUA alerted us that there were inaccuracies in both our SWATS Xfer meters; the B4 meter was under reporting 5% and the B9 meter was under reporting 16%. Figuring this inaccuracy drops the percentage of unaccounted water for the fiscal year from 16.13% to 15.6%. T. Riggio also reported a large leak was found on the 12" water line on Mambrino. The leak was not visible from the road; the water was running straight into a culvert; it appears to have been leaking for quite a while at approximately 50 – 60 gpm (72 – 82K per day).

T. Riggio reported no positive bacteriological samples for the month of September. With regard to the TCEQ Notice of Violation report, he informed the Board that the fence at Well No. 14 has been addressed; Staff in process of compiling flushing records; reported the B2 pump repairs are being coordinated, during summer peak demand we could not take this off-line; figuring costs for an all-weather access road to Well No. 15.

T. Riggio reported we received all Lead and Copper results submitted in the summer, we had -0- exceedances, all results have been reported back to properties we collected from and TCEQ received their copy of results. This should cover us until the summer of 2027. T. Riggio reported we have gone through the Lead and Copper inventory

and submitted it ahead of the 2016 EPA deadline. He reported there are 832 homes in our District that were built before 1986. Our records indicate we have no lead service lines, any lead detected in homes would most likely be from solder or old appliances. Under water wells, T. Riggio reported the check valve is not working at Well No. 14; replaced the well pump at Well No. 19, the well is back in service; waiting on a new and more powerful jockey pump to inject chlorine at Well No. 23; Well No. 24 was taken out of service to replace the well pump, the well was placed back in service October 9th. T. Riggio reported we currently have 1 position left to hire in the field.

Under wastewater, T. Riggio reported WWTP No. 1 exceeded permit for ammonia in August; we filed an extension with TCEQ to meet the technical requirements set forth in the Agreed Order issued June 12th to maintain compliance and avoid penalty and drafted a letter to TCEQ outlining what we are doing to mitigate the issue.

T. Riggio informed the Board crews completed rehab at Lift Station No. 3 in Pecan Plantation; they replaced pumps, railing, plumbing and some electrical components. This rehab is preventative work and stated we try to schedule rehab of at least one lift station a year. He reported Lift Station No. 11 in DCBE is down to one pump. T. Riggio reported we are continuing to have higher than normal Total Suspended Solids and e. Coli at WWTP No. 2, 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.

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

Motion: Featherston
Second: Cleveland
Vote: All ayes

- J. Bob Evart presented the budget amendments for fiscal year 2023 – 2024 for Board consideration. There are no overall changes to the total budget and the amendments and reallocations allow all categories to fall within the budgeted category amounts. The amendments are primarily with water expenses.

After discussion, a motion was made to adopt the resolution approving budget amendments for fiscal year 2023-2024, as presented. (RESOL 24-10-427)

Motion: Cleveland
Second: Rose
Vote: All ayes

- K. Bob Evart presented the Quarterly Investment Report, 4th quarter fiscal year, 3rd quarter 2024.

After discussion, a motion was made to accept the Quarterly Investment Report, 4th quarter fiscal year, 3rd quarter 2024.

Motion: Vernon
Second: Rose
Vote: All ayes

- L. Bob Evart presented a request for Board consideration to write off the net uncollectible accounts in the amount of \$2,010.07 for 4th quarter, fiscal year, 3rd quarter 2024. Year to date write off rate of revenue is 0.15%.

After discussion, a motion was made to write off the net uncollectible accounts in the amount of \$2,010.07 for 4th quarter, fiscal year, 2024, 3rd quarter 2024.

Motion: Rose
Second: Featherston
Vote: All ayes

- M. Bob Evart presented the Financial Report for September, 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 the format on the Balance Sheet is back to normal; reported implementation of the new Incode software for financials is finished; implementation of the billing software is currently in process.

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

Motion: Vernon
Second: Rose
Vote: All ayes

- N. The General Manager's Report was presented by Richard English. He reported on the following items:
1. The Regular Meeting for November is scheduled for 9:00 a.m., Wednesday, November 20, 2024. Committee meetings are scheduled for Thursday, November 14th.
 2. Monthly Brazos Regional Public Utility Agency Meeting, today at 12:00 p.m.
 3. Order for Thanksgiving turkeys.
 4. AMUD Office closed Monday, November 11th for Veteran's Day.
 5. Articles – Article with Ray Lewis and his son Mike from the Hood County News; "Solar-powered desalination system requires no extra batteries" from <https://news.mit.edu>, "EPA opts for more stringent rule on lead pipes" from <https://rollcall.com>.

Open Items:

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

R. English presented a letter received today from Brazos River Authority announcing changes to its operating structure/staff realignment.

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

Motion: Vernon
Second: Cleveland
Vote: All ayes

O. Items from Board Members:

Vernon:
None

Featherston:
None

Cleveland:
None


Rose:
None

Lewis:
1. Request to schedule the November BRPUA Meeting for 11:00 a.m.

Adjournment

A motion was made to adjourn at 10:29 a.m.

Motion: Vernon
Second: Cleveland
Vote: All ayes



Secretary, Board of Directors
Acton Municipal Utility District