

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, January 21, 2026. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

January 21, 2026

Directors Present

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

Staff Present

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

Visitors

C. Hay, P.E.,
Enprotec/Hibbs & Todd
C. Rich, P.E.,
Enprotec/Hibbs & Todd
D. Hanson, Mayor DCBE
Residents from Pecan
Plantation and surrounding
areas, list attached

Directors Absent

None

Call to Order

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

Recognition of Visitors

The visitors were recognized.

Invocation

By Van Vernon.

A. After discussion, a motion was made to accept the minutes from the Regular Meeting December 17, 2025.

Motion: Vernon
Second: Rose
Vote: All ayes

B. Public Comment on non-agenda items - If an individual wishes to speak on non-agenda items, any discussion of a non-agenda item subject must be limited to a proposal to place the subject on a future agenda consistent with Texas Gov't Coder §551.042(b). Therefore, citizens wanting to comment on non-agenda items for the purpose of requesting an item be placed on a future agenda should indicate they would like to provide a Public Comment on the sign-in sheet prior to the meeting being called to order and such comments shall be limited to two minutes per person, with the maximum discussion for all non-agenda items limited to thirty minutes. If more than fifteen speakers register to speak under this section, only the first fifteen individuals will be recognized.

The sign-in sheet to make a public comment for a non-agenda item was given to President Ray Lewis. The following were signed in to speak:

Jim Bell, Matt Long, Cindy Highsmith, Mary Jo Bloomquist, John Highsmith, Linda Pechanec, Paul Pickering, Trevor Taegder. Everyone on the list is requesting an agenda item regarding denying any water be given to data centers and industrial centers.

- C. Public Comment on Agenda Items. Citizens wanting to comment on agenda items should indicate they would like to provide a Public Comment on the sign-in sheet prior to the meeting being called to order. Public comments shall be limited to remarks regarding items listed on this agenda, consistent with Texas Gov't Code §551.007(b). Time limits and procedures for speakers are governed by the District's Policy for Public Speaking at Open Meetings (Resolution No. 2001-01-100). Specifically, comments shall be limited to five minutes per person, with the maximum discussion on any agenda item limited to thirty minutes. If more than six speakers register to speak on one agenda item, only the first six individuals will be recognized. No one signed up to make a public comment regarding an agenda item.
- D. Annexation of 13.557 acres in the Wherry Adams Survey, Abstract No. 1, located in Hood County and known as 1800 Mambrino Highway, first reading. R. English informed the Board that we do not have sufficient data from the owner to move forward with the first reading. The item is tabled due to a lack of sufficient data.
- E. Richard English presented a memorandum dated January 21, 2026 regarding assessment of liquidated damages (LD) for the Pecan Plantation Elevated Storage Tank Improvements Project. As stated in the memo, normally we do not enforce the LD provision on delayed project completions. However, this project carried on well beyond the completion date and was of critical importance to be online prior to last summer's peak demand season. Staff recommends Board approval to impose liquidated damages with a start date of June 1, 2025 to Phoenix Fabricators and Erectors, LLC for the Pecan Plantation Elevated Storage Tank Improvements Project.

After discussion, a motion was made to impose liquidated damages to Phoenix Fabricators and Erectors, LLC for the Pecan Plantation Elevated Storage Tank Improvements Project in the amount of \$1,000 per day beginning June 1, 2025 through such time as the tank is put into service and the project is complete.

Motion: Featherston
Second: Vernon
Vote: All ayes

- F. The Engineer's Report was presented by Chris Hay, P.E. of Enprotec/Hibbs & Todd (eHT). He reported on the following:
 - WWTP #2 Improvements – The current substantial and final completion dates are June 5, 2025 and July 10, 2025 respectively based on the approval of

Change Order 2. Working through some issues with the sludge pumps/dewatering system that came up during startup and will delay completion. BAR is working to wrap up final site work and is working towards final completion.

- Pecan Plantation Elevated Storage Tank Improvements – The final completion date per the contract was March 26, 2025. Phoenix has been working towards getting the tank online. They passed pressure testing of the line to the tank and plan to perform disinfection during the week of December 15th to get the tank online. Board action was taken under Agenda Item “E” regarding liquidated damages.
- Acton Loop Water Line Extension Improvements – All easements have been recorded on the project. eHT is working to finalize plans and specifications, including electrical design for the grinder pump units, and will coordinate TxDOT crossing permits prior to being able to advertise the project for bids.
- Fall Creek Hwy. Water Line Improvements – eHT is finalizing design survey data to locate existing utilities and working on plans and specifications for review with Staff. Looking at performing additional level of subsurface utility engineering via potholing to identify exact locations and depths of the existing raw water lines, discharge line, and other water lines that the proposed line will be crossing.
- Lift Station 11 Improvements – The electrical improvements for the panel upgrade are close to getting started. The Contractor, Grimsley, has received the panel and will mobilize in the next few weeks to complete the work. eHT is working with the TWDB on a request for unused funds from the previous WWTP #1 project to allow remaining funds to be directed towards Lift Station 11 Improvements.

General Services Tasks

1. TWDB Reports
 - a. 2025 Water Use Survey – eHT will begin coordination with Staff to prepare this report due to the TWDB by 3/1/2026.
 - b. 2025 Water Loss Audit – eHT will begin coordination with Staff to prepare this report due to the TWDB by 5/1/2026.
 - c. 2025 Water Conservation Plan Annual Report – eHT will begin coordination with Staff to prepare this report due to the TWDB by 5/1/2026.
2. Generator Project Discussion: eHT will be meeting with Staff to discuss a potential project for adding generators to major pump station locations.

Colden Rich, P.E. of eHT presented SWATS Project updates. He reported on the following:

- Phase 1 Capacity Restoration Project – The Technical Memorandum outlining the proposed improvements associated with Phase 1 has been finalized and submitted for AMUD records. AMUD and eHT will meet with JCSUD next week to update them on the project. Biwater (RO Train 5 Manufacturer) is currently waiting on the control panel schedule to set a date to mobilize onsite. eHT and SWATS Staff have been in coordination with RO suppliers to

evaluate membrane manufacturers' options. Evaluating options with Complete Water Solutions and H2O Innovations. Currently we are waiting on the final options from each to be able to present the options to the Board for consideration. Purcell Contracting is under contract to complete the repairs to the RO 5 flush line; they anticipate being onsite in the next week or so to complete the work.

- Direct Filtration Full-Scale Pilot – TCEQ is currently reviewing the pilot report for this mode of operation.
- Waste Discharge Pipe Repairs – Purcell Contracting provided a proposal for the installation of the pipeline with a tentative installation schedule for March.
- Solids Handling Improvements – eHT is proposing to pilot sludge dewatering units onsite to determine which technologies work the best with the sludge produced at the SWATS Facility. eHT will continue coordinating with other manufacturers to have additional pilot units run onsite to determine the dewatering capabilities.

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

Motion: Rose
Second: Maunder
Vote: All ayes

G. The Operational Report was presented by T J Riggio. He updated the Board on the rehab at Lift Station No. 11 in DCBE. The mechanical repairs are complete; currently we are coordinating with Grimsley (the low bidder) on the electrical improvements.

T. Riggio reported at WWTP No. 1 we are reporting under the new 930K permit. He reported during the month of December, WWTP No. 1 received 6.73 MG of flow (down from last month) and was at 23% of the average permit; WWTP No. 2 received 7.5 MG of flow (up from last month) and was at 50% of the average permitted flow under the existing 487K permit; under the future 820K permit this would be 30%. T. Riggio reported both plants are within permit for December. T. Riggio reported there were no positive bacteriological samples in December. Under water wells, he reported on Well No's. 9 and 26, Well 9 will be down for the foreseeable future, working on reconfiguring the disinfection to get Well 26 back in service; Well No. 11 is now operational; Well No. 18 started having an issue with colored water after cleaning, in process of flushing the well, T. Riggio will keep the Board updated on progress.

T. Riggio reported the statistics on SWATS surface water. Total plant production for the month of December is 61,685,000 gallons; JCSUD took 44,909,000 gallons, or 72%. He reported JCSUD is taking more water than normal right now; they are in the process of building a new tank. He reported the raw and finished Chlorides and Turbidity.

T. Riggio reported unaccounted water for the month of December is 8.37%, the 12-month rolling average is 10.02%. G. Rose questioned if crews are ready for the cold weather coming this weekend; T. Riggio stated we are ready; crews have been working on preparedness.

After discussion, a motion was made to accept the Operational Report for December, 2025.

Motion: Rose
Second: Featherston
Vote: All ayes

- H. Richard English presented a memorandum dated January 21, 2026 regarding the possible sale of approximately 5.62 acres at our WWTP No. 1 site for a potential development in DeCordova Bend Estates (DCBE). He included an email string with Jim Hericks discussing potential value of the land, and as can be seen, the terms are very far apart. R. English did have a follow up phone conversation with Mr. Hericks yesterday and discussed possibly splitting the cost of a certified appraisal on the property in an effort to establish a per acre value. Mr. Hericks is out of town today, however, Mr. Dave Hanson is present to answer questions. D. Maunder suggests either splitting the cost of an appraiser or using two independent appraisers. No action is needed on this item today.
- I. Ray Lewis presented the agenda item for consideration, discussion, and action as necessary or appropriate regarding the dissolution of the BRPUA pursuant to SB 1243, AMUD's assumption of any remaining assets or benefits of the BRPUA, BRPUA's delegation to AMUD of authority to complete any post-dissolution matters, and adoption of an Ordinance regarding same, and delegation of authority to execute necessary documents.

After discussion, a motion was made to adopt the Ordinance regarding the dissolution of the BRPUA pursuant to SB 1243, AMUD's assumption of any remaining assets or benefits of the BRPUA, BRPUA's delegation to AMUD of authority to complete any post-dissolution matters, and delegation of authority to execute necessary documents.

Motion: Vernon
Second: Featherston
Vote: All ayes

- J. As discussed under the Engineers Report, bids have not been received for the RO Units 1 – 4. The item is therefore tabled until the next regular meeting.
- K. Bob Evart presented the Quarterly Investment Report, 1st quarter fiscal year, 4th quarter calendar year 2025. He stated the interest rates are slowly moving down.

After discussion, a motion was made to approve the Quarterly Investment Report, 1st quarter fiscal year, 4th quarter calendar year 2025.

Motion: Featherston
Second: Rose
Vote: All ayes

- L. Bob Evert presented a request for Board consideration to write off the net uncollectible accounts in the amount of \$10,883.73 for the 1st quarter fiscal year, 4th quarter calendar year, 2025. Year to date write off rate of revenue is 0.35%.

After discussion, a motion was made to write off the net uncollectible accounts in the amount of \$10,883.73 for the 1st quarter fiscal year, 4th quarter calendar year, 2025.

Motion: Vernon
Second: Maunder
Vote: All ayes

- M. Bob Evert presented the Financial Report for December, 2025. 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 and reported no changes to the Balance Sheet. One item of interest is the increase in impact fee revenue, which is partially due to selling taps in the Landings East Development in Pecan Plantation. Water taps as well as sewer taps are being purchased for the development, however we have not accepted the sewer lines at this time due to a pending lawsuit over an easement between the Developer and a resident.

After discussion, a motion was made to accept the Financial Reports for December, 2025.

Motion: Vernon
Second: Maunder
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 February is scheduled for 9:00 a.m., Wednesday, February 18, 2026. Committee meetings are scheduled for Thursday, February 12th.
 2. The AMUD Office will be closed Monday February 16th for President's Day.
 3. Texas Water 2026 Conference in San Antonio – April 27-30. Ray, John and Denny plan to attend. Gary and Van will not be attending.

Open Items

1. SWATS Expansion discussion.

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

Motion: Rose
Second: Featherston
Vote: All ayes

O. Items from Board Members:

Lewis:

1. Stated that today is a great accomplishment for the AMUD District and thanked the Directors and Staff for all their hard work over the last several years. The outcome of today has been consummated with the adoption of the Ordinance on the dissolution of BRPUA.

Vernon:

None

Maunder:

None

Featherston:

None

Rose:

None

Adjournment

A motion was made to adjourn at 10:20 a.m.

Motion: Vernon
Second: Featherston
Vote: All ayes



Secretary, Board of Directors
Acton Municipal Utility District

Regular AMUD Board Meeting
January 21, 2026 - 9:00 a.m.

Please sign in if you wish to make a
Public Comment on Non-Agenda Items
Please list the Subject Matter

NAME	Subject Matter
✓ 1. Jim Bell	Future agenda item of the sale of
2.	water to Pacifico Energy.
3.	Against the sale.
4.	
✓ 5. Matt Long	Request Agenda Item
✓ 6. Cindy Highsmith	Request Agenda Item
✓ 7. Mary Jo Bloomquist	Pacifico AMUD request
✓ 8. John Highsmith	Request Agenda Item
✓ 9. Linda Pechanec	Request for agenda item
✓ 10. PAUL PICKERING	IMPACT OF DATA CENTER ON R I + AVIATION IN PROPOSED UNLUG
11.	
✓ 12. Trevor Taegder	Request agenda item Pacifico
13.	
14.	
15.	
16.	

**Regular AMUD Board Meeting
January 21, 2026 - 9:00 a.m.**

**Please sign in if you wish to make a
Public Comment on an Item Listed on the Agenda
Please Write the Letter of the Agenda Item (D - M)**

NAME	Agenda Item
1. <i>Jim Bell</i>	
2. <i>DAVE HANSON</i>	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	