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MINUTES OF THE MEETING OF
THE BOARD OF DIRECTORS OF
WELLS BRANCH MUNICIPAL UTILITY DISTRICT

April 19, 2005

A regular meeting of the Board of Directors was held April 19, 2005, at the Wells Branch Community Center, 2106 Klattenhoff, Austin, Texas. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act. A copy of the Certificate of Posting of the Notice is attached as Exhibit "A".

Members of the Board as it was called to order are:

| | |
|--------------------|---------------------------------|
| Charles R. Walters | -President |
| Donna Howe | -Vice President |
| Robert O'Donnell | - Secretary |
| Joy Smith | - Treasurer |
| | and Assistant Secretary |
| Janet Maxey | - Assistant Secretary-Treasurer |

and all of the Directors were present, except Director O'Donnell, who was absent, and Director Walters, who arrived later, thus constituting a quorum. Also present during the course of the meeting were Don H. Williams, District manager; Margret Wingrove of ECO Resources, the District's utility management firm; John Bartram of Armbrust & Brown, LLP, the District's law firm; Robert Ferguson, P.E., of Murfee Engineering, the District's engineering firm; Richard Fadal of TexaScapes, Inc., the District's landscaping and compost contracting firm; Dean Gorby and Jason Rowe of IESI; and Cliff Avery of Gilleland Creek Press.

Director Howe called the meeting to order at 6:33 p.m. and recognized Ms. Wingrove for the utility manager's report. Ms. Wingrove presented her financial report and utility operations report, copies of which are attached as Exhibit "B" and "C," respectively. On the budget comparison, Ms. Wingrove noted it was difficult to determine if usage was curtailed during the winter wastewater averaging. Director Maxey opined that the winter averaging calculation period comes at a bad time, because college students are returning for the holidays. Director Howe observed that the additional water usage may be offset because residents leave for the holidays and because commercial entities are closed for the holidays.

On the utility report, Ms. Wingrove noted that she had included a breakout detail of accounts that were 90-day delinquent. This, she said, demonstrated that many were repeat delinquencies. *Director Howe suggested, and the Board generally concurred, that Ms. Wingrove include the 90-Day Delinquent Report in her monthly report to the Board.*

Also on the utility report, Ms. Wingrove noted that the District recorded a

1 33 percent gain for the period. She reported that she had contacted the Austin Water
2 Utility to request a meter recalibration.

3
4 There being no other citizens who wished to address the Board, Director Howe
5 recognized Mr. Williams for a report from the District's manager, including the
6 Community Gardens report, solid waste report, facilities report, landscape report,
7 restrictive covenants report, customer service report, recreation report, and aquatics
8 report, copies of which are attached as Exhibits "D" through "K," respectively. Mr.
9 Williams introduced Mr. Gorby for a discussion of the District's solid waste program.
10 Mr. Gorby told the Board that he is receiving a daily e-mail from District staff
11 regarding problems and that practice is allowing him to resolve complaints more
12 quickly. The Board discussed the market for glass recycling, and Mr. Gorby explained
13 that there is no market for recycled glass and that the cost of processing glass that is
14 submitted for recycling is higher than the cost of taking it to the landfill as solid
15 waste. *The Board directed the newsletter editor to prepare an article for the Back O'
16 the Bill.*

17
18 Director Walters arrived at 7 p.m. and presided over the meeting.

19
20 Also in his report, Mr. Williams reported that the Garden was fully rented even after
21 some tenants left. He noted that in a covenant case involving a gate in disrepair, he
22 had suspended enforcement procedures, because he had determined the effort to
23 enforce would be ineffective. He discussed recent recreation programs and
24 announced that the District office would be open for three Saturdays in May to
25 accommodate the sale of recreation tags. He discussed the forthcoming Pioneer
26 Festival.

27
28 Director Walters then recognized Mr. Bartram for a report from the District's
29 attorney. Mr. Bartram reviewed the county's efforts to enforce its leash ordinance and
30 opportunities for the District to join in that effort. He discussed pending Legislation
31 that would affect districts in Texas. He discussed the possibilities of using a credit
32 reporting service to help the District avoid customers with unsatisfactory history of
33 utility payments, and *the Board directed the Finance Committee to explore the
34 District's options.*

35
36 Director Walters then recognized Mr. Ferguson for a report from the District's
37 engineer. Mr. Ferguson directed the Board's attention to his report in the packet,
38 attached as Exhibit "L."

39
40 Director Walters then announced that the Board would consider its consent agenda,
41 including:

42
43
44 **Agenda Item No. 6**

45 Approve minutes of the March 15, 2005 and
April 5, 2005 regular meetings; and

1
2 **Agenda Item No. 7**

3 Approve Finance Committee's
4 recommendations regarding payment of bills
5 and invoices and write-offs, copies of which
6 are attached as Exhibits "M" and "N"
7 respectively;
8

9 **Director Smith moved, seconded by Director Howe, approval of the consent**
10 **agenda as presented, and the motion passed unanimously.**

11
12 Director Walters then announced that the Board would receive reports from its
13 Committees:

14
15 **ADMINISTRATIVE COMMITTEE:** No report.

16
17 **FACILITIES COMMITTEE:** Director Smith directed the Board's attention to the
18 report in the packet, attached as Exhibit "O."

19
20 **FINANCE COMMITTEE:** Director Howe noted that the Committee had been
21 evaluating methods to protect the District from delinquent commercial accounts. **The**
22 **Committee recommendation to approve the revised Order Establishing**
23 **Rates, Charges and Tap Fees, attached as Exhibit "P," served as a motion and**
24 **second, and the motion passed unanimously.**

25
26 **PUBLIC SAFETY COMMITTEE:** No report.

27
28 **RECREATION COMMITTEE:** Director Walters directed the Board's attention to the
29 report in the packet, attached as Exhibit "Q."

30
31 Director Walters then announced that the Board would receive announcements from
32 Directors. Director Howe discussed the forthcoming conference for the Capital Area
33 Suburban Exchange conference. Director Walters stated that the Board would not
34 consider committee assignments until Director O'Donnell was present.

35
36 At 8:40 p.m. Director Walters announced that the Board would convene in executive
37 session as permitted by the Texas Open Meetings Act for the purposes of consulting with
38 the District's attorney (Section 551.071).

39
40 At 9:05 p.m., the Board reconvened in open session, and Director Walters announced
41 that no action had been taken in executive session. *The Board directed the District's*
42 *Attorney to determine the requirements of the Americans with Disabilities Act*
43 *regarding websites. The Board further directed the District's attorney to investigate a*
44 *license agreement for Travis County right-of-way along Wells Branch Parkway.*

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There being no further business to come before the Board, the meeting adjourned.

Respectfully submitted:

May 17, 2005
Date

Joy Smith, Treasurer
and Assistant Secretary
Board of Directors
Wells Branch Municipal Utility District

(SEAL)