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

April 18, 2006

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A regular meeting of the Board of Directors was held April 18, 2006, 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".

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

Charles R. Walters	-President
Donna Howe	-Vice President
Janet Maxey	- Secretary
Joy Smith	- Treasurer
	and Assistant Secretary
Tom Cheshire	- Assistant Secretary-Treasurer

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and all of the Directors were present, thus constituting a quorum. Also present during the course of the meeting were Don H. Williams, District general manager; Margret Wingrove of ECO Resources, the District's utility 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 firm; Tim Jamail of 2222 Research Park, Ltd.; Jim Mills of Round Rock; Richard Heneghen of 15425 Ozone Place in the District; and Cliff Avery of Gilleland Creek Press.

Director Walters called the meeting to order and recognized Ms. Wingrove for a financial report, attached as Exhibit "B," and utility manager's report, attached as Exhibit "C." Ms. Wingrove reported that water revenue had increased because of the dry weather. She noted in her financial report, the figure for the bulk water purchases was a projection because the District had not received its billing, and the number would be corrected once the bill was received. The Board reviewed budget items. Mr. Williams noted that expenses of approximately \$12,000 in the park facilities category were to be reimbursed by Northtown Municipal Utility District for work that Wells Branch Municipal Utility District personnel had carried out in connection with the contract between the two districts.

In her utility report, Ms. Wingrove discussed delinquencies. The Board discussed arrangements with Wells Branch Community Library which was in arrears. Director Cheshire discussed customers who became abusive when they dealt with District staff about delinquent payments. He suggested that such customers should not be granted extended payment arrangements if they abused District staff. Mr. Williams and Ms. Wingrove said that was indeed the practice.

1 Ms. Wingrove discussed billing and payments of Tracy Bell. She said she would  
2 forward information to the District's attorneys regarding payment problems within  
3 the context of the court order imposed on the customer. Director Howe asked that it  
4 be noted in the minutes that the vast majority of the District's customers pay their  
5 bills, and the District works out payment arrangements for those customers who have  
6 difficulties paying their bills and wish to be reasonable.

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8 Director Walters then announced that the Board would receive a report from the  
9 District's manager, including reports on the Community Gardens; solid  
10 waste/recycling services; facilities; landscape; restrictive covenants enforcement;  
11 customer service; recreation, and aquatics, attached as Exhibits "D" through "K." Mr.  
12 Williams reported that, again this year, the District had received complaints about  
13 stolen vegetables from the Community Garden. He said he would look into the  
14 matter. Mr. Williams reported that IESI had designated a new manager for the  
15 District's garbage and recycling contract, and Mr. Williams intended to meet with the  
16 new manager about problems with IESI service. He noted some complaints were not  
17 reported in the IESI report. Director Smith said that several streets had been missed  
18 entirely for trash collection. Mr. Williams said he planned to require the IESI crews to  
19 report to the District office at the time they were contracted to be finished in the  
20 District, whether they had actually finished or not. Director Howe said she wanted to  
21 enforce penalties against IESI for contract violations. Director Cheshire stated he had  
22 witnessed several leaks of hydraulic fluid by IESI trucks. Mr. Williams said he would  
23 address all these issues with the new manager.

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25 On the facilities report, Mr. Williams noted that the District had suffered damage in  
26 recent rains. Director Howe asked that Northtown MUD work be omitted from future  
27 facilities reports. On the landscape report, Mr. Fadal reported that the District had a  
28 record collection of compostibles in March. Director Maxey complimented Mr.  
29 Fadal's crews for their efforts. Mr. Williams noted the usual rash of spring covenant  
30 complaints. He also reported that the District office would be open from 10 a.m. to  
31 2 p.m. Saturdays in early May to allow residents to purchase or renew recreation tags.

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33 Director Walters then recognized Mr. Bartram for a report from the District's  
34 attorney. Mr. Bartram reported on on-going litigation. Mr. Bartram reported that,  
35 under Public Information Act legislation, the District could designate a public  
36 information coordinator. In so doing, the Directors would be relieved of the  
37 obligation to complete Public Information Act training. The Board at its March 21  
38 meeting had expressed an interest in designating the legal assistant to the District's  
39 attorney, who at this time was Denise Motal, as the public information coordinator.  
40 **Director Howe moved, seconded by Director Maxey, approval of the**  
41 **Order Appointing Public Information Coordinator, attached as Exhibit**  
42 **"L," and the motion passed unanimously.** Mr. Bartram then discussed the  
43 forthcoming election and the new state-mandated election system. He reported that  
44 the estimated cost of Travis County and Williamson County operating the District's  
45 election would be less than originally estimated.

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47 Director Walters then recognized Mr. Ferguson for a report from the District's  
48 engineer, attached as Exhibit "M." He noted that he had received recommendations  
49 for upgrade of the District's booster pump station, and he planned to meet with the  
50 Facilities Committee to formulate a recommendation. Mr. Ferguson said that

1 pressure problems in the District had been traced to bad valves isolating the booster  
2 pump station, to the surprise of all involved. *Director Howe asked to be supplied*  
3 *documents indicating an agreement with the City of Austin for maintenance of*  
4 *water quality ponds in the District, and Mr. Williams said he would research the*  
5 *matter.* The Board then discussed prospects of development of Wells Branch Phase A,  
6 Section 10-B, Lots 1 and 2. Director Walters recognized Mr. Jamail who told the  
7 Board he was focusing on Lot 1, because of the nature of the drainage area through  
8 the two lots. Director Smith opined that the proposed site configuration was a vast  
9 improvement. Director Howe asked if the proposed development had been reviewed  
10 by Travis County Emergency Services District No. 2 for fire code and access issues.  
11 Mr. Jamail said that had not yet occurred. Director Smith said the Facilities  
12 Committee would need to review the proposed site development with the District's  
13 engineer and prepare a recommendation for a subsequent Board meeting. Mr. Jamail  
14 said he wanted to address the Board's concerns, because earlier reports about the  
15 amount of impervious cover had been inaccurate. Director Maxey asked if prospective  
16 tenants had been identified, and Mr. Jamail responded that they had not. He did  
17 point out that the development would add \$8-10 million to the District's tax base.

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19 Director Walters then announced that the Board would consider items on its consent  
20 agenda. Ms. Wingrove noted that she had added an additional check for approval,  
21 Check No. 23046 to the Travis County Clerk for \$1,400.70 as a 75 percent deposit for  
22 election expenses.

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24 **Agenda Item No. 6** Approve minutes of March 21, 2006 and  
25 April 4, 2006 regular meetings;

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27 **Agenda Item No. 7** Approve Finance Committee  
28 recommendations regarding payment of bills  
29 and invoices, and write-offs, with the  
30 addition of Check No. 23046 to Travis  
31 County as a 75 percent deposit for its  
32 conduct of the May 13 election, attached as  
33 Exhibits "N" and "O," respectively;

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35 **Director Smith moved, seconded by Director Maxey, approval of the**  
36 **Consent Agenda as presented, and the motion passed unanimously.**

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38 Director Walters then announced that the Board would receive reports from  
39 Committees:

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41 **ADMINISTRATIVE COMMITTEE:** Director Howe stated that the Committee  
42 intended to focus on covenants issues related to landscaping and water use, perhaps  
43 preparing general guidelines for compliance with the Wells Branch standard of  
44 landscape appearance.

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46 **FACILITIES COMMITTEE:** Director Smith presented the Committee report and  
47 discussed the status of land acquisition.

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49 **FINANCE COMMITTEE:** No report.

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2 **PUBLIC SAFETY COMMITTEE:** Director Maxey discussed communication she  
3 had received regarding problems at Mills Pond. She said the Committee should  
4 discuss whether security patrols should be shifted to the Mills Pond areas.

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6 **RECREATION COMMITTEE:** No report.

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8 Director Walters then announced that the Capital Area Suburban Exchange (“CASE”)  
9 intended to host a workshop for newly elected municipal utility district directors  
10 May 25.

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12 The Board recessed at 7:49 p.m. and reconvened at 8:18 p.m. Director Walters  
13 announced that the Board would convene in executive session, as authorized by  
14 Section 551.071 of the Government Code, to receive advice from the District’s  
15 attorney. The Board reconvened in open session at 8:30 p.m., and Director Walters  
16 announced that no action was taken in executive session.

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18 Director Smith then noted that CASE intended to engage a lobbyist to monitor issues  
19 related to municipal utility districts during the upcoming special legislative session,  
20 and **she moved that the Board authorize the District to make a pro rata**  
21 **contribution not to exceed \$10,000 to CASE for such purpose. Upon**  
22 **second by Director Maxey, the motion passed unanimously.**

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24 There being no further business to come before the Board, the meeting adjourned at  
25 8:35 p.m.

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27 Respectfully submitted:

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33 May 16, 2006

34 Date

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36 Janet Maxey, Secretary  
37 Board of Directors  
38 Wells Branch Municipal Utility District

(SEAL)