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

September 5, 2006

A regular meeting of the Board of Directors was held September 5, 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".

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
Tom Cheshire	- Assistant Secretary-Treasurer

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; John Bartram of Armbrust & Brown, LLP, the District's law firm; Kim Tesar of 2008 Surrender in the District; and Cliff Avery of Gilleland Creek Press.

Director Walters called the meeting to order at 6:00 p.m. and announced that the Board would conduct a public hearing on the District's 2006 tax rate. Director Walters then recognized Director Howe, chair of the Board's Finance Committee, and Mr. Williams who discussed the draft budget that would call for a tax rate the same as the previous year. Director Howe noted that the City of Austin had announced its intention to raise the rates it charged the District for wholesale water and wastewater service, and the budget included calculations with that in mind. Mr. Williams noted a clerical error in one column of the budget and explained the correct figures.

Mr. Bartram, as previously directed by the Board, discussed his research into the law regarding rollback elections, and explained to the Board that the Texas Water Code calculated the threshold at which the District would be subject to a rollback election based on the combined tax rate – i.e., the total of the contract tax rate, debt service rate and operation-and-maintenance tax rate. He further explained that the form of Notice required to be published by water districts was based on the combined tax rate, and the calculations on this form indicated the increase in tax on the average home value was only 3.5 percent, well below the threshold that permitted a rollback election.

There being no citizens present who wished to address the Board concerning the tax rate, **Director Howe moved, seconded by Director Smith, that the Board close its public hearing, and the motion passed unanimously.**

1 **Director Cheshire moved, seconded by Director Smith, that the Board**
2 **adopt the Resolution Adoption Budget, attached as Exhibit “B,” and the**
3 **motion passed unanimously.**
4

5 **Director Smith moved, seconded by Director Maxey, that the Board adopt**
6 **a tax rate of \$0.48 per assessed valuation, comprised of a tax rate of**
7 **\$0.0597 per \$100 for the debt service portion of the tax rate and a tax rate**
8 **of \$0.4203 per \$100 for the operation and maintenance portion of the tax**
9 **rate and approve its Order Levying Taxes, a copy of which is attached as**
10 **Exhibit “C.” The motion passed, with Directors Walters, Howe, Smith,**
11 **Maxey and Cheshire voting “aye.”**
12

13 **Director Smith moved, seconded by Director Howe, that the Board**
14 **approve the Amended and Restated Information Form to reflect a change**
15 **in the Board composition after the election of Director Cheshire.**

16 Mr. Bartram advised that, since the District’s tax rate had remained the same, it was
17 unnecessary to make the change. **Director Smith withdrew her motion.**
18

19 Director Walters announced that the Board would receive citizens’ communications
20 and recognized Ms. Tesar. At this time, Director Walters stated that he would
21 withdraw from the discussion, and he left the dais. Director Howe presided. Ms. Tesar
22 told the Board that she was experiencing a water leak on her property. She said the
23 leak had rendered her property soggy and attractive to mosquitos. A French drain had
24 been installed, but water continued to percolate on her property. She said she had
25 been unsuccessful in her efforts to convince her neighbor, Director Walters, that the
26 water was coming from his property and asked the Board to take action. Mr. Williams
27 responded that he and representatives from ECO Resources had examined the
28 property and determined there were no water leaks. Director Howe stated that the
29 Finance Committee would research the matter, possibly with the help of the District’s
30 engineer, and report to the Board and to Ms. Tesar.
31

32 At this time, Director Walters returned to the dais and resumed presiding over the
33 meeting. Director Walters then recognized Mr. Williams for the District Manager’s
34 report. Mr. Williams reported on a water service interruption caused by excavation
35 conducted by AT&T. He said an AT&T representative assured him that the company
36 would reimburse the District for any costs, including providing bottled water to
37 homes affected by the outage.
38

39 Mr. Williams continued, and reported that the Facilities staff had started construction
40 on a bridge across East Creek. As they did, they discovered a camp of transients and
41 summoned sheriff’s officers. Mr. Williams said the sheriff’s office would instruct
42 District staff on how to inform persons trespassing on District property that they
43 must leave.
44

45 There being no consultants present who wished to make a report to the Board,
46 Director Walters announced that the Board would consider the item on its consent
47 agenda:
48

49 **Agenda Item No. 8**

Approve minutes of August 15, 2006 regular
meeting;

1 **Director Smith moved, seconded by Director Walters, approval of the**
2 **Consent Agenda as presented, and the motion passed unanimously.**

3
4 Director Walters then announced that the Board would receive reports from
5 Committees:

6
7 **ADMINISTRATIVE COMMITTEE:** Director Howe discussed preparations for the
8 review of District consultants. Discussion ensued. It was suggested that Committee
9 chairs should take the lead in evaluating consultants with whom they worked directly.

10
11 **FACILITIES COMMITTEE:** No report.

12
13 **FINANCE COMMITTEE:** Director Howe yielded to Mr. Williams who discussed a
14 bill from Mac Haik Ford Lincoln Mercury regarding damage to a convertible. The
15 dealership claimed that the car was damaged when it was loaned to the District for its
16 FourthFest parade. Mr. Williams expressed doubt that the car was damaged during
17 its use by the District, but acknowledged that the issue could not be resolved with
18 available evidence. **Director Smith moved, seconded by Director Maxey, that**
19 **the District pay the bill and file an insurance claim. The motion passed**
20 **unanimously.**

21
22 *Director Howe suggested, and the Board generally concurred, that in the future, the*
23 *District ask for an inspection and release when it returns automobiles borrowed for*
24 *the FourthFest Parade.*

25
26 **PUBLIC SAFETY COMMITTEE:** Director Cheshire stated the Committee had met
27 with a representative of the Travis County Sheriff's Office regarding a community
28 event that the Sheriff's Office hoped to host at a Wells Branch Park. *The Board*
29 *generally directed the Committee to proceed and gather more details.*

30
31 **RECREATION COMMITTEE:** Director Maxey reported that the Committee had
32 met with the Wells Branch Soccer Association, which was enjoying greater
33 participation this year.

34
35 There being no further business to come before the Board, the meeting was
36 adjourned.

37
38 Respectfully submitted:

39
40
41
42
43 September 5, 2006

44 Date

45 Janet Maxey, Secretary

46 Board of Directors

47 Wells Branch Municipal Utility District

48 (SEAL)