

1 MINUTES OF THE MEETING OF
2 THE BOARD OF DIRECTORS OF
3 WELLS BRANCH MUNICIPAL UTILITY DISTRICT
4

5
6 June 17, 2003
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9 A regular meeting of the Board of Directors was held June 17, 2003, at the Wells
10 Branch Community Center, 2106 Klattenhoff, Austin, Texas. The meeting was
11 open to the public and notice was given as required by the Texas Open Meetings
12 Act. A copy of the Certificate of Posting of the Notice is attached as Exhibit "A".
13

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

15
16 Charles R. Walters -President
17 Donna Howe -Vice President
18 Scott Gilmore - Secretary
19 Joy Smith - Treasurer
20 and Assistant Secretary
21 Robert O'Donnell - Assistant Secretary-Treasurer
22

23 and all of the Directors were present, except Director Howe, thus constituting a
24 quorum. Also present during the course of the meeting were Don H. Williams,
25 District manager; Sue Brooks Littlefield of Armbrust & Brown, LLP; Margret
26 Wingrove of ECO Resources; Richard Fadal of TexaScapes; Jason M. Rowe, M.
27 Miller and Tony Hennes of BFI; Deputy Curtis Orton of the Travis County Sheriff's
28 Office; Stan Bell of 3517 Sauls Drive in the District; Carlos Dones of 3109 Sauls
29 Drive in the District; Sam Willams of 2313 Fuzz Fairway in the District; Bill Glass,
30 a resident of the District; and Cliff Avery of Gilleland Creek Press.
31

32 Director Walters called the meeting to order at 6:31 p.m. and recognized Ms.
33 Wingrove for a report from the District's utility manager. Ms. Wingrove reviewed
34 previous directives from the Board and presented her financial report and utility
35 operations report, copies of which are attached as Exhibit "B" and "C,"
36 respectively. Ms. Wingrove reported that revenues for the reporting month
37 showed a \$88,000 positive result over budget and a \$336,000 positive result
38 year-to-date. In her utility report, she noted that ECO Resources is continuing to
39 test commercial meters and effect repairs. She reported that she planned to
40 contact apartment managers in the District soon as part of a regular effort. The
41 Board discussed its policy requiring an additional deposit when a customer was
42 late paying two months out of any consecutive four. Director Smith reported that

1 one customer asked to pay up to the \$500 deposit ceiling to avoid the stress of
2 worrying about late payments.

3
4 Director Walters then announced the Board would receive input from citizens and
5 recognized Deputy Orton. Deputy Orton presented the Board with an analysis of
6 criminal activity in the District, a copy of which is attached as Exhibit "D." The
7 Board discussed the methodology of collecting the data. Deputy Orton said there
8 were no major increases in crime. He informed the Board that he planned to
9 revive the Neighborhood Watch effort. Director Walters offered the District's
10 assistance, where appropriate, in the effort to combat crime in the District. Mr.
11 Williams noted that the District plans to provide the use of office equipment at the
12 Sheriff's substation in the Wells Branch Community Center.

13
14 Director Walters then recognized Mr. Rowe who reported on an incident during
15 trash collection in which a bulky piece of metal pierced the wall of a truck,
16 resulting in garbage strewn for two blocks before the problem was discovered. Mr.
17 Rowe said that BFI had cleaned up the mess. Mr. Rowe further reported that the
18 company planned to use another truck for collection. He further stated that the
19 company planned to replace broken trash carts in mid-July. Director Walters
20 opined that the District and the company should investigate an on-going program
21 of cart replacement. Mr. Rowe asked the Directors' input on beginning collection
22 at 7 a.m., an hour earlier than specified by the company's contract with the
23 District. He pointed out that one of the main reasons for restricting the company's
24 trucks before 8 a.m., as required in the contract, is to reduce traffic when children
25 are on their way to school. With school out for the summer and with increased
26 heat, BFI wanted to explore the possibility of starting earlier. *The Board generally*
27 *agreed to the change until school starts in August and directed that the change*
28 *be publicized on the back of the bill and in the newsletter.*

29
30 The Board then recognized Mr. Bell who reminded the Board that he had
31 appeared before them in 2001 to discuss a detention pond that was not draining
32 properly. He reported that the problem had been resolved satisfactorily, but in the
33 years since, an apartment complex (outside the District) had been built behind his
34 home. He said that persons were cutting across his property to reach the
35 apartments. He suggested that a fence should be built on the berm of the pond to
36 cut off foot traffic through his property. He further reported that water had begun
37 to stagnate in the pond and he was worried about a health problem from
38 mosquitoes. Director Walters suggested that the apartment complex, as the source
39 of the problem, should help pay for the solution. *He suggested, and the Board*
40 *concurred, that the Facilities Committee investigate the matter and recommend*
41 *appropriate action regarding maintenance of the pond and fencing to curb foot*
42 *traffic.*

1 Director Walters then recognized Mr. Dones who addressed the Board regarding
2 its policy requiring deposits for late payments. Mr. Dones stated that he had paid
3 his bill one week later than required in two billings and had been required to make
4 an additional deposit. He stated that he had generally paid his bills in a timely
5 fashion and felt that he and other timely payers should not be selected to pay an
6 additional deposit. He stated that he had started paying an additional amount in
7 each bill to build up a credit and avoid any future deposits. Director Smith
8 responded that after thorough research on the matter, the District felt that it had
9 identified a high correlation between late payers and eventual bad debts, leaving
10 those customers who paid their bills to absorb the bills of those who skipped
11 owing the District money. She noted that the policy allowed some leeway by not
12 requiring the additional deposit until two late payments were made over four
13 months. She stated she would encourage the Finance Committee to review the
14 policy's effectiveness at the end of the fiscal year.

15
16 Director Walters then recognized Mr. Glass who reported that he had observed
17 piles of dirt, apparently spoils of silt removed from the channel of the creek, by the
18 bridge on Alpha Collier and at the creek's intersection with Wells Branch Parkway.
19 He thought they might constitute a violation of restrictive covenants. Director
20 Walters stated that District staff would look into the matter.

21
22 Director Walters then recognized Mr. Sam Williams who reported the District had
23 notified him of a violation of restrictive covenants involving lawn maintenance. He
24 reported that he had employed a lawn service that arrived the day after the
25 District inspected and discovered the alleged violation. He offered to provide
26 copies of the check stubs to demonstrate that his lawn had come into compliance.
27 The Board generally indicated that would not be necessary, thanked Mr. Sam
28 Williams for his quick compliance, and expressed confidence that reinspection
29 would find no problems.

30
31 Director Walters then recognized Mr. Don H. Williams for a report from the
32 District's manager. Mr. Williams reviewed previous directives and presented his
33 report, including the solid waste/recycling services report, facilities report,
34 landscape report, restrictive covenants report, customer service report and
35 aquatics report, copies of which are attached as Exhibits "E" through "J,"
36 respectively. Mr. Williams reported that the Facilities staff had saved \$25,000 by
37 installing the new spray device at the Katherine Fleischer Park baby pool. He
38 reported that more than 1,000 people, including 300 participants, had
39 participated in the IronKids triathlon. *During discussion of TexaScapes's*
40 *landscape report, the Board generally directed that Mr. Fadal prepare an article*
41 *for the District's newsletter on summer landscape maintenance.* Mr. Williams
42 further reported that the District had overcome early problems stemming from
43 requiring the purchase of recreation tags at the District office. In fact, Mr.

1 Williams said, the centralized location allowed for greater quality control, in that
2 office staff members were more knowledgeable than lifeguards about in-district
3 and out-of-district addresses.

4
5 Director Walters asked Mr. Williams to continue by providing commentary on the
6 engineering report, a copy of which is attached as Exhibit "K," in lieu of the absent
7 District's engineer, Robert Ferguson. Mr. Williams reported that the Shoreline
8 Detention Pond was expected to be complete by the end of July.

9
10 Director Walters then recognized Ms. Littlefield for a report from the District's
11 attorney. Ms. Littlefield circulated a corrected copy of her memorandum regarding
12 action by the recent Legislature, a copy of which is attached as Exhibit "L." She
13 pointed out that, under newly passed legislation, if the District adopts its budget
14 and sets its tax rate after September 1, District taxpayers will be required to
15 purchase expensive advertising. The Board generally agreed to adopt its budget
16 and set its tax rate at its August meeting.

17
18 Director Walters then announced that the Board would consider items on its
19 consent agenda, including:

20
21 **Agenda Item No. 6** Approve the minutes, as amended, of the
22 May 20, 2003 regular meeting;

23
24 **Agenda Item No. 7** Approve Finance Committee's
25 recommendations regarding payment of bills
26 and invoices and write-offs, copies of which
27 are attached as Exhibits "M" and "N"
28 respectively;

29
30 **Agenda Item No. 8** Approve pay estimates/change orders for
31 3000 Shoreline Drive Water Quality and
32 Regional Detention Pond, a copy of which is
33 attached as Exhibit "O;"

34
35 **Director Smith moved, seconded by Director Gilmore, approval of the**
36 **consent agenda, and the motion passed unanimously.**

37
38 Director Walters then announced that the Board would receive reports from
39 Committees:

40
41 **ADMINISTRATIVE COMMITTEE:** No report.

42
43 **CONSERVATION COMMITTEE:** No report

1
2 **FACILITIES COMMITTEE:** Director Walters presented the report, a copy of which
3 is attached as Exhibit "P." **The Committee recommendation, attached as**
4 **Exhibit "Q," to approve the purchase and installation of a magnetic lock**
5 **system for selected MUD facilities serving as a motion and second, the**
6 **motion passed unanimously.**

7
8 **FINANCE COMMITTEE:** Director Smith presented the report, a copy of which is
9 attached as Exhibit "R."

10
11 **INTERGOVERNMENTAL RELATIONS COMMITTEE:** Director Gilmore
12 announced that State Representative Jack Stick planned a town hall meeting at the
13 Wells Branch Community Center July 9 to discuss a variety of issues.

14
15 **PUBLIC SAFETY:** No report.

16
17 **RECREATION COMMITTEE:** Director Smith reported that a Tai Chi society
18 had indicated it would like to use a District facility in August. The Board
19 determined it would await a formal proposal.

20
21 There being no further business to come before the Board, the meeting was adjourned
22 at 7:56 p.m.

23
24 Respectfully submitted,

25
26
27 July 15, 2003

28 Date

29 Scott Gilmore, Secretary

30 Board of Directors

31 Wells Branch Municipal Utility District

32 (SEAL)