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

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November 16, 2004

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A regular meeting of the Board of Directors was held November 16, 2004, 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
Robert O'Donnell	- Secretary
Joy Smith	- Treasurer
	and Assistant Secretary
Janet Maxey	- 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 Mona Oliver, District covenants enforcement specialist; John Bartram of Armbrust & Brown, LLP, the District's law firm; Margret Wingrove of ECO Resources, the District's utility management firm; Robert Ferguson, P.E., of Murfee Engineering; Richard Tieken of 2205 Maple Hollow in the District; and Cliff Avery of Gilleland Creek Press.

Director Walters called the meeting to order at 6:30 p.m. and recognized Ms. Wingrove for the utility manager's report. Ms. Wingrove reviewed previous directives from the Board and presented her financial report and utility operations report, copies of which are attached as Exhibit "B" and "C," respectively. Ms. Wingrove reported that she planned to firm up a meeting with apartment managers in the District upon the return of District Manager Don H. Williams. She reported on the effect of lawsuits on the District's ad valorem tax base. She reported that during the recent algae bloom suffered by the City of Austin in its water service, her office had received only one call of concern about water taste.

Director Walters then announced that the Board would receive input from residents, and the Board greeted Mr. Tieken, a former member of the Board. Mr. Tieken explained he was appearing before the Board as a dog owner and suggested that the District expand the opportunities for dog owners to allow their animals to run free of a leash. He suggested enclosing a greenbelt area between Gaylord and Wells Branch Parkway where there is shade and low traffic. Director Walters thanked Mr. Tieken for his suggestion and *the Board generally directed the Facilities Committee to investigate other options for leash-free areas for pets.*

Director Walters then recognized Ms. Oliver who presented the District manager's

1 report in the absence of Mr. Williams. The report included the Community Gardens
2 report, solid waste report, facilities report, landscape report, restrictive covenants
3 report, customer service report, recreation report and aquatics report, copies of which
4 are attached as Exhibits “D” through “K,” respectively. Ms. Oliver noted that she
5 would attend court proceedings in a covenant enforcement case involving an
6 outbuilding on Sauls Drive. The owner had refused to comply with the judgment and
7 was facing contempt proceedings. Director Smith discussed the selection of stuffing
8 for the Thanksgiving Feast. After discussion, the Board generally offered guidance to
9 the Recreation Manager that he should order quality stuffing from a commercial
10 enterprise rather than skimp on a stovetop variety.

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12 Director Walters then recognized Mr. Bartram who gave an update on the directives
13 for the District’s attorney.

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15 Director Walters then recognized Mr. Ferguson for a report from the District’s
16 engineer, a copy of which is attached as Exhibit “L.” Mr. Ferguson discussed a
17 filtration problem in the Shoreline Detention Pond. He noted that the City of Austin
18 had suffered similar problems because the City’s design was flawed. He said he
19 intended to investigate options and work with the Facilities Committee on the issue.

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21 Mr. Ferguson then reported on the request for out-of-district service from Brock
22 Development for 58 acres on FM 1825. He said that if the request were granted and
23 other potential sources were taken into account, the District may be reaching its
24 “paper capacity” on the line serving that tract. Other undeveloped areas in the District
25 could face constraints if they needed additional LUEs, he opined. Mr. Ferguson
26 suggested that the requestor be required to post a financial guarantee in the event
27 additional sewer capacity had to be added in the future. *The Board generally directed*
28 *Mr. Ferguson to so communicate to the requesting party, along with a requirement*
29 *of a ten-year letter of credit to guarantee additional capacity should it be necessary.*

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31 Director Walters then announced the Board would consider the consent agenda,
32 including:

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34 **Agenda Item No. 6** Approve minutes of the October 19, 2004
35 regular meeting;

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37 **Agenda Item No. 7** Approve Finance Committee’s
38 recommendations regarding payment of bills
39 and invoices and write-offs, copies of which
40 are attached as Exhibits “M” and “N”
41 respectively.

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43 **Director Howe moved, seconded by Director O’Donnell, approval of the**
44 **consent agenda as presented, and the motion passed unanimously.**

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46 Director Walters then announced that the Board would receive reports from
47 Committees:

1 **ADMINISTRATIVE COMMITTEE:** No report.

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3 **FACILITIES COMMITTEE:** Director Smith delivered the Committee report and
4 discussed progress on the Schultz negotiations and on pass-through service to the
5 Texas Turnpike Authority toll booth. Director Smith praised Mr. Ferguson's diligence
6 in safeguarding the District's interests during discussions with TTA. Mr. Bartram
7 presented a resolution regarding extension of service to the toll booth. **The**
8 **Facilities Committee recommendation serving as a motion and second to**
9 **approve the resolution, attached as Exhibit "O," the motion passed**
10 **unanimously.**

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12 **FINANCE COMMITTEE:** No report.

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14 **PUBLIC SAFETY COMMITTEE:** No report. Director Smith suggested contacting
15 County Attorney David Escamilla regarding speed humps in the neighborhood.

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17 **RECREATION COMMITTEE:** No report

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19 Director Walters then announced that the Board would consider its meeting schedule.
20 *The Board agreed to meet January 4, 2005.*

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22 Director Walters then announced that the Board would receive announcements from
23 Directors. Director Howe announced Wells Branch had demonstrated outstanding
24 voter turnout in the Nov. 2 General Election.

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

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28 Respectfully submitted:

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32
33 December 7, 2004

34 Date

35 Robert O'Donnell, Secretary

36 Board of Directors

37 Wells Branch Municipal Utility District

38 (SEAL)