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

January 18, 2005

A regular meeting of the Board of Directors was held January 18, 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, 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' 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; Lawrence Wright of 2510 Tracy Trail in the District; and David Armistead, a resident of Northtown Municipal Utility 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 noted that the District had received more taxes earlier this year, which affected the timing of budget projections, but the final total would be unaffected. She reported that water and wastewater revenues were lower than projected because of a wet November. On the utility report, she noted that the Texas Commission on Environmental Quality had completed its inspection of the District and had found no operational problems. The only comment received dealt with the need for a fence at a District facility. Mr. Williams noted that that item had previously been identified by the District's vulnerability assessment and was in the process of being corrected.

Director Walters then announced that the Board would receive citizens' input and recognized Mr. Wright who said that he had received notice that a patio awning erected at his home did not receive prior Architectural Control Committee approval. He said that his wife was ill with cancer and his mother was diabetic and asked what

1 he was supposed to do. Director Walters responded that the District only enforces
2 restrictive covenants and that the District could assist him in contacting the
3 Architectural Control Committee to obtain a variance and end the District's
4 enforcement process. Expressing frustration, Mr. Wright said that he would take
5 down the patio awning and left the meeting.

6
7 Director Walters then recognized Mr. Armistead who inquired about the activities of
8 the Northtown Municipal Utility District. Director Walters explained that the Wells
9 Branch Municipal District only provided some services for Northtown MUD through
10 contract and suggested that Mr. Armistead would find the information he was seeking
11 by attending a Northtown MUD Board of Directors meeting. Mr. Armistead thanked
12 the Board.

13
14 Director Walters then recognized Mr. Williams for a report from the District's
15 manager, including the Community Gardens report, solid waste report, facilities
16 report, landscape report, restrictive covenants report, customer service report,
17 recreation report and aquatics report, copies of which are attached as Exhibits "D"
18 through "K," respectively. Mr. Williams and Mr. Fadal noted that 2004 was a record
19 year for the District's program of curbside collection of compostibles.

20
21 Director Walters then announced that the Board would receive a recommendation
22 from the Ad Hoc Committee on District Insurance, a copy of which is attached as
23 Exhibit "L." **The Committee recommendation serving as a motion and**
24 **second, the motion passed unanimously.**

25
26 Director Walters then announced that the Board would receive a report from the
27 District's attorney. Mr. Bartram distributed a copy of House Bill 337, attached as
28 Exhibit "M," introduced in the 79th Legislative Session, and suggested that a similar
29 vehicle could be used to address liability issues for District facilities. Director Howe
30 said she would meet with representatives from other districts in the Central Texas
31 area to determine the interest for such legislation.

32
33 Mr. Bartram then presented the Amended and Restated Resolution Authorizing Pass-
34 Through Wastewater Service Contingent Upon Consent of the City of Austin, a copy
35 of which is attached as Exhibit "N," for a toll plaza as part of the extension of Loop 1.
36 Mr. Bartram explained that the Texas Department of Transportation had required a
37 two-part agreement, one to address extension of out-of-district service and the other
38 to address line relocation issues. The Board discussed whether to include Mr.
39 Williams' time as a reimbursable charge. Director Howe suggested that the
40 Administrative Committee research the possibility of such a charge to applicants.
41 *Director Howe moved, seconded by Director Smith, approval of the resolution, and*
42 *the motion passed unanimously.*

43
44 Director Walters then recognized Mr. Ferguson for presentation of a report from the
45 District's engineering firm, a copy of which is attached as Exhibit "O." Mr. Ferguson
46 reported that he was preparing a report for the United States Army Corps of
47 Engineers regarding the Shoreline Detention Pond. He further reported that he was

1 anticipating a quote from a Houston firm regarding repairs to the pond's sandbed
2 filtration system.

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4 Director Walters then announced that the Board would consider its consent agenda,
5 including:

6
7 **Agenda Item No. 7** Approve minutes of the January 4, 2005
8 regular meeting;

9
10 **Agenda Item No. 8** Approve Finance Committee's
11 recommendations regarding payment of bills
12 and invoices and write-offs, copies of which
13 are attached as Exhibits "P" and "Q"
14 respectively; and

15
16 **Agenda Item No. 9** Approve, as amended, the Resolution
17 Confirming Annual Review of Code of
18 Ethics, Travel, and Professional Services
19 Policy and Investment Policy and
20 Investment Strategies and Designating
21 Qualified Brokers and Investment Officers, a
22 copy of which is attached as Exhibit "R."

23
24 **Director Howe moved, seconded by Director Smith, approval of the consent**
25 **agenda as presented, and the motion passed unanimously.**

26
27 Director Walters then announced that the Board would receive reports from its
28 Committees:

29
30 **ADMINISTRATIVE COMMITTEE:** Director Walters presented the recommendation
31 of the Committee, attached as Exhibit "S," to approve leasing a new copy machine. **The**
32 **Committee recommendation serving as a motion and second, the motion**
33 **passed unanimously.**

34
35 **FACILITIES COMMITTEE:** Director Smith presented the recommendation of the
36 Committee, a copy of which is attached as Exhibit "T," to approve purchase of a 2000
37 Chevy 2500 truck with 79,781 miles at \$13,600. **The Committee recommendation**
38 **serving as a motion and second, the motion passed unanimously.**

39
40 **FINANCE COMMITTEE:** No report.

41
42 **PUBLIC SAFETY COMMITTEE:** Director Maxey reported that the Committee
43 planned to meet with Travis County Commissioner Karen Sonleitner regarding traffic
44 calming measures.

45
46 **RECREATION COMMITTEE:** No report.

47

1 Director Walters then announced that the Board would receive announcements from
2 Board members. Director Maxey discussed whether the request for designation as a
3 sanctioned group should come before the Recreation Committee.
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5 There being no further business to come before the Board, the meeting adjourned at
6 8:12 p.m.
7

8 Respectfully submitted:
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February 1, 2005
Date

Robert O'Donnell, Secretary
Board of Directors
Wells Branch Municipal Utility District

(SEAL)