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

May 17, 2005

A regular meeting of the Board of Directors was held May 17, 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's 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; and Cliff Avery of Gilleland Creek Press.

Director Walters called the meeting to order at 6:32 p.m. and recognized Ms. Wingrove for the utility manager's report. Ms. Wingrove presented her financial report and utility operations report, copies of which are attached as Exhibit "B" and "C," respectively. She reported a positive year-to-date variance of approximately \$190,000.

On the utility report, Ms. Wingrove discussed water usage. Director Howe noted that the Texas Water Development Board would require an accountability report on 2005 water usage. Ms. Wingrove said that her firm was preparing for that report.

There being no other citizens who wished to address the Board, Director Howe recognized Mr. Williams for a report from the District's manager, including the Community Gardens report, solid waste report, facilities report, landscape report, restrictive covenants report, customer service report, recreation report, and aquatics report, copies of which are attached as Exhibits "D" through "K," respectively. Director Smith asked about the installation of new sand on the

1 volleyball court, and Mr. Williams replied that delivery was expected May 18.
2 Director Walters asked about problems with the fire alarm system in the
3 Recreation Center, and Mr. Williams replied that he had met with the Facilities
4 Committee on the matter and planned to ask the installer of the system to correct
5 the problems. Director Howe noted that there was apparently some missing
6 rockwork at the base of Mills Pond dam. Mr. Williams said he would investigate
7 the matter. Mr. Williams further reported that because of turnover, the aquatics
8 staff was shorthanded, but that Aquatics Manager Manny Woo was working to
9 solve the problem. He said that a group had approached the District, wanting to
10 use District facilities for a cheerleading clinic. Mr. Williams said he would work
11 with the Recreation Committee to reach a satisfactory arrangement.

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13 Director Walters then recognized Mr. Bartram for a report from the District's
14 attorney. Mr. Bartram reviewed previous directives.

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16 Director Walters then recognized Mr. Ferguson for a report from the District's
17 engineer. Mr. Ferguson directed the Board's attention to his report in the packet,
18 attached as Exhibit "L." He discussed plans to bore under Merriltown Drive to
19 replace a 12-inch water line with a 16-inch water line as part of the extension of
20 MoPac-Loop 1. He discussed plans by the City of Austin to do a "shut-out" test,
21 closing some valves into the District. He said he would coordinate with Ms.
22 Wingrove as the test approaches. *The Board directed Mr. Ferguson to*
23 *communicate with the District office and the Board prior to the test so that they*
24 *would be able to handle concerns from residents.*

25
26 Director Walters then announced that the Board would consider its consent
27 agenda, including:

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29 **Agenda Item No. 6** Approve minutes of the April 19, 2005
30 regular meeting, as amended, of the
31 April 26, 2005 special meeting, as
32 amended and the May 3, 2005, regular
33 meeting; and

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35 **Agenda Item No. 7** Approve Finance Committee's
36 recommendations regarding payment of
37 bills and invoices and write-offs, copies of
38 which are attached as Exhibits "M" and
39 "N" respectively;

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41 **Director Smith moved, seconded by Director Maxey, approval of the**
42 **consent agenda as presented, and the motion passed unanimously.**

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44 Director Walters then announced that the Board would receive reports from its
45 Committees:

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1 **ADMINISTRATIVE COMMITTEE:** No report.

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3 **FACILITIES COMMITTEE:** No report.

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5 **FINANCE COMMITTEE:** Director Howe reported that the Committee had met
6 with representatives of the Wells Branch Community Library District [“the Library”]
7 regarding its past-due water bill of \$7,539. The Library representatives had
8 maintained it was their understanding that the MUD had agreed to provide water for
9 landscaping, but that, upon inspection of the contract between the Library and the
10 District, it was determined that was incorrect. Director Smith noted that the District’s
11 cost for water provided to the Library was \$2,619.72. The Committee further
12 discussed the possibility of the Library using water from a nonpotable well to be
13 drilled by the District to serve landscaping needs on the east side of the District. The
14 Committee suggested that the District could accept the fence built at the edge of the
15 Library site as a District asset. *The Board decided to place the fence issue on its next*
16 *agenda. The Committee recommendation serving as a motion and second*
17 **to reduce the Library’s water bill to the District’s cost to provide the**
18 **water, the motion passed unanimously. The Committee recommendation**
19 **serving as a motion and second to authorize drilling a water well to**
20 **support District property and greenbelts, the motion passed**
21 **unanimously.**

22
23 **PUBLIC SAFETY COMMITTEE:** No report. Director Howe urged the Committee
24 to investigate ways to restrict commercial trucks on Merriltown Drive.

25
26 **RECREATION COMMITTEE:** Director Maxey discussed pricing for recreational
27 equipment, including foosball tables and air hockey tables. As the price for the
28 equipment was below the authorized level for Board Committee, the Recreation
29 Committee agreed to pursue purchase of the equipment.

30
31 The Board discussed a guideline for guests to use the recreational equipment. The
32 Board generally agreed that the equipment would be available for recreation tag
33 holders and their guests. *In the course of the discussion, the Board generally directed*
34 *the Recreation Committee, with the assistance of the attorney, to develop a generic*
35 *release for the use of District recreational facilities.*

36
37 Director Walters then announced that the Board would receive announcements from
38 Directors. Director Maxey suggested that meetings should start at 6 p.m. Discussion
39 ensued. The Board agreed to wait for the return of Director O’Donnell to discuss the
40 matter further.

41
42 The Board recessed at 8:05 p.m. and reconvened at 8:27 p.m. Director Walters
43 announced that the Board would convene in executive session as permitted by the
44 Texas Open Meetings Act for the purposes of consulting with the District’s attorney
45 (Section 551.071).

1 At 9:14 p.m., the Board reconvened in open session, and Director Walters announced
2 that no action had been taken in executive session.

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

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Respectfully submitted:

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June 21, 2005

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Date

Joy Smith, Treasurer
and Assistant Secretary
Board of Directors
Wells Branch Municipal Utility District

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(SEAL)