

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

5
6 October 21, 2003
7

8
9 A regular meeting of the Board of Directors was held October 21, 2003, at the
10 Wells Branch Community Center, 2106 Klattenhoff, Austin, Texas. The meeting
11 was open to the public and notice was given as required by the Texas Open
12 Meetings Act. A copy of the Certificate of Posting of the Notice is attached as
13 Exhibit "A".
14

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

16		
17	Charles R. Walters	-President
18	Donna Howe	-Vice President
19	Scott Gilmore	- Secretary
20	Joy Smith	- Treasurer
21		and Assistant Secretary
22	Robert O'Donnell	- Assistant Secretary-Treasurer
23		

24 and all of the Directors were present, except Director Walters, who arrived later,
25 and Director Gilmore, who arrived later, thus constituting a quorum. Also present
26 during the course of the meeting were Don H. Williams, District manager; Camila
27 Joseph, District customer services manager; Sue Littlefield of Armbrust & Brown,
28 LLP; Margret Wingrove of ECO Resources; Robert Ferguson of Murfee
29 Engineering; Richard Fadal of TexaScapes, Inc.; Janet Maxey, a resident of the
30 District; Steve Shannon of BFI; Tony Martini; Jeanie Wyatt of 14908 Rose
31 Pavonia Place in the District; Jerry Reed of Development 2000; Tricia Yacavone of
32 2102 Fuzz Fairway in the District; Annie McCauslin, 3213 Sauls Drive in the
33 District, of Brownie Troop 1987; and Cliff Avery of Gilleland Creek Press.
34

35 Director Howe called the meeting to order at 6:35 p.m. and announced the Board
36 would receive input from citizens. She recognized Ms. McCauslin who presented
37 members of Brownie Troop 1987 and thanked the Board for the District's support
38 of the troop through use of District facilities. The Brownies entertained the Board
39 and audience with a song. Director Howe thanked the Troop on behalf of the
40 Board.
41

42 Director Howe then recognized Mr. Shannon who identified himself as the
43 municipal services manager for BFI. He expressed his company's new

1 commitment to service and informed the Board that BFI plans to produce an
2 eight-page booklet with information for consumers. He informed the Board that
3 BFI would like to remove recycling of glass from the services provided, because
4 processing of glass has become, in his view prohibitively expensive and ineffective
5 at reducing the stream of waste to landfills. He said there is no market for recycled
6 glass.

7
8 Director Walters arrived at 6:39 p.m. and presided. Director Gilmore arrived at
9 6:45 p.m.

10
11 In discussion of BFI services, Mr. Williams reported on a driver that had been
12 delayed in his rounds because he attempted to help a resident. The resident had
13 inadvertently locked herself out of her house, which contained her infant. After
14 the door was opened and the child was unharmed, the driver refused a reward
15 because he considered himself simply helping a person and doing what anyone
16 would have done. Mr. Williams commended the driver, and *the Board directed*
17 *the newsletter editor to publicize this incident in the next newsletter.*

18
19 Returning to the discussion of glass recycling, *Director Walters suggested the*
20 *Administrative Committee review the matter and make appropriate*
21 *recommendations regarding amending the District's contract with BFI. The*
22 *Board so directed.*

23
24 Director Walters then recognized Mr. Reed who explained the office complex he
25 represented had experienced a water leak which affected the calculation of its
26 wastewater charges. He asked the Board's permission to contact the City of Austin
27 to see if it would adjust its wholesale wastewater charge to the District so that the
28 District, in turn, could lower its charges to the office complex. The Board generally
29 expressed skepticism that the City would charge less, but generally told Mr. Reed
30 "knock yourself out."

31
32 Director Walters then recognized Ms. Yacovone who explained that she had
33 recently moved to the District and offered Spanish translation services. The Board
34 welcomed her to the District and suggested she stay in contact with Mr. Williams
35 in case those services were required.

36
37 Director Walters then recognized Ms. Wyatt who complained about the
38 requirement to pay additional deposit for utility services after payments were late
39 two out of any four months. She said she relied on child support payments, which
40 arrived every-other-month, to pay her bill. Discussion ensued about the District's
41 policy. *The Board generally directed the Finance Committee to review Ms.*
42 *Wyatt's complaint.*

1 Director Walters then recognized Ms. Wingrove for a report from the District's
2 utility manager. Ms. Wingrove reviewed previous directives from the Board and
3 presented her financial report and utility operations report, copies of which are
4 attached as Exhibit "B" and "C," respectively. Ms. Wingrove said she had received
5 an invoice from the City of Austin for consulting on an industrial waste customer.
6 Ms. Littlefield stated that this consulting fee was outside the scope of the City's
7 contract with the District for industrial waste inspection. She suggested that Ms.
8 Wingrove provide her the invoice for discussions with City officials, and Ms.
9 Wingrove readily agreed.

10
11 Director Walters then recognized Mr. Williams for a report from the District's
12 manager. Mr. Williams reviewed previous directives and presented his report,
13 including the Community Garden report, solid waste collection report, facilities
14 report, landscape report, restrictive covenants report, customer service report,
15 recreation report and aquatics report, copies of which are attached as Exhibits "D"
16 through "K," respectively. He reported that work continued on the Annex, and the
17 Board directed Mr. Williams to schedule a walk-through of the facility for the
18 Recreation Committee. He reported that Ms. Joseph had been hired as customer
19 services manager and had already implemented new ideas. On the recreation
20 report, Director Howe praised the increase in Homestead tours. Mr. Williams said
21 that staff was considering a pioneer festival centered on the Homestead in April.

22
23 Regarding the Northtown Municipal Utility District Interlocal Agreement, Mr.
24 Williams said District crews were preparing to apply mulch to beds in Northtown.

25
26 Director Walters recognized Mr. Ferguson for a report from the District's
27 engineer, a copy of which is attached as Exhibit "L."

28
29 Director Walters then announced that the Board would consider items on its
30 consent agenda, including:

31
32 **Agenda Item No. 6** Approve the minutes of the September 16,
33 2003 regular meeting and September 24,
34 2003 special meeting;

35
36 **Agenda Item No. 7** Approve Finance Committee's
37 recommendations regarding payment of bills
38 and invoices, a copy of which are attached as
39 Exhibits "M" (It was noted that there were
40 no write-offs for the period);

41
42 **Agenda Item No. 8** Approve pay estimates/change orders for
43 3000 Shoreline Drive Water Quality and

1 Regional Detention Pond, a copy of which is
2 attached as Exhibit “N.”
3

4 **Director Howe moved, seconded by Director Smith, approval of the**
5 **consent agenda, and the motion passed unanimously.**
6

7 Director Walters then announced that the Board would receive reports from
8 Committees:
9

10 **ADMINISTRATIVE COMMITTEE:** Director Walters reported the Committee
11 recommended approval of Amendment No. 2 to Composting Site Operating
12 Agreement with TexaScapes, Inc., a copy of which is attached as Exhibit “O.” and
13 approval of Amendment No. 4 to Composting Services Agreement with Springwoods
14 Municipal Utility District, a copy of which is attached as Exhibit “P.” **The**
15 **Committee recommendation serving as a motion and second, the motion**
16 **passed unanimously.**
17

18 **CONSERVATION COMMITTEE:** *The Board generally directed Ms. Littlefield to*
19 *explore the possibility of requiring irrigation meters at apartments.*
20

21 **FACILITIES COMMITTEE:** Director Smith presented the Committee report. She
22 stated initial contact with a developer regarding parkland donation had been positive.
23 **The Committee recommendation, attached as Exhibit “Q,” serving as a**
24 **motion and second to purchase a dump golf cart, the motion passed**
25 **unanimously.** The Board discussed a proposal to change the method of processing
26 change orders in light of a number of forthcoming, a copy of which is attached as
27 Exhibit “R.” **The Committee recommendation serving as a motion and**
28 **second that the Board delegate authority to approve change orders in a**
29 **timely manner to the District manager, with presentation of pay**
30 **estimates and retainage to the Board, the motion passed unanimously.**
31

32 **FINANCE COMMITTEE:** The Board discussed its policy of requiring from a
33 customer an additional deposit of \$100, to a maximum of \$500, if payments are late
34 in two out of any four billing cycles. **Director Howe moved, seconded by**
35 **Director Gilmore the following: That the policy continue; however, in**
36 **cases where a customer has a 36-month record of timely payment then**
37 **suffers two late payments in four, such that an additional deposit would**
38 **be required, the District will, instead of requiring additional deposit,**
39 **inform the customer via letter of the situation and advise of future**
40 **payment options; And that the District refund all deposits for**
41 **homeowners after twelve consecutive months of timely payment and**
42 **refund all deposits but \$150 for renters after twelve consecutive months**
43 **of timely payment.**

1 **The motion passed unanimously.**

2
3 At 8:30 p.m., the Board recessed. It reconvened at 8:52 p.m. Director Walters
4 announced that Committee reports would continue.

5
6 **INTERGOVERNMENTAL RELATIONS COMMITTEE:** No report.

7
8 **PUBLIC SAFETY: The Committee recommendation, a copy of which is**
9 **attached as Exhibit "S," serving as a motion and second to approve**
10 **entering into a contract with Securitas Security Timesharing Service**
11 **for security services, the motion passed unanimously.**

12
13 **RECREATION COMMITTEE:** Director Walters presented the report of the
14 Committee and discussed a recommendation to raise rate for usage of district
15 facilities, a copy of which is attached as Exhibit "T."

16
17 Director Walters then announced that the Board would discuss future
18 meeting dates. It was determined that the Board would meet November 18 and
19 December 2. *Director Gilmore asked that the purchase of automatic*
20 *defibrillators be included on a future agenda.*

21
22 The Board discussed its review of the District's attorney and praised Ms. Littlefield
23 for her service to the District. Director Gilmore opined that the Board has come to
24 trust her judgment on many matters.

25
26 At 9:37 p.m. Director Walters announced that the Board would convene in
27 executive session for purposes permitted by Sections 551.071, to receive legal
28 advice from the District's attorney. The Board reconvened in open session at
29 10:45 p.m., and Director Walters announced that no action had been taken during
30 executive session. There being no further business to come before the Board, the
31 meeting was adjourned.

32
33 Respectfully submitted,

34
35
36 December 2, 2003

37 Date

38 Scott Gilmore, Secretary

39 Board of Directors

40 Wells Branch Municipal Utility District

41 (SEAL)