

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, June 15, 2022. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

June 15, 2022

Directors Present

R. Lewis
D. Cleveland
J. Featherston
G. Rose
V. Vernon

Staff Present

R. English
C. Neal
B. Evert
T. Riggio

Visitors

C. Hay, P.E.,
Enprotec/Hibbs & Todd
J. Berryhill, P.E.,
Enprotec/Hibbs & Todd
K. Kindle, P.E.,
Enprotec/Hibbs & Todd
S. Watts, PPOA
D. Van Patton, PPOA
C. Bruno, Bar Constructors
L. Dougal, Jackson Walker,
via conference call
A. Head, Jackson Walker,
via conference call
S. Dollins, Brazos Regional
Public Utility Agency

Directors Absent

None

Call to Order

Ray Lewis, Board President, called the meeting to order at 9:00 a.m.

Invocation

By Ray Lewis.

A. After discussion, a motion was made to accept the minutes from the Regular Meeting May 18, 2022.

Motion: Rose
Second: Cleveland
Vote: All ayes

After discussion, a motion was made to accept the minutes from the Special Meeting June 8, 2022.

Motion: Vernon
Second: Rose
Vote: All ayes

- B. Open Forum. No one signed in for open forum.
- C. Richard English presented a memorandum dated June 10, 2022 regarding a request from PPOA for road damage reimbursement with regard to the WWTP No. 2 Improvements project. PPOA Operations Manager Daniel Van Patten was present to share his perspectives and concerns regarding road damage due to heavy equipment and numerous truck loads of material that will be coming in and out of Pecan Plantation. The AMUD Board agrees that we would be responsible for repairing any road damages caused, however, the amount that has been mentioned is not a reasonable amount; the roads are not new and the AMUD Board is not in agreement to replace roads. R. English questioned our engineers from Enprotec/ Hibbs & Todd (eHT) as to whether there is language in the construction contract that repairs to damages will be taken care of; there are provisions in the contract to repair damages done to the roads. Pecan Plantation is requesting a commitment in writing from AMUD that we will cover damages to the roads resulting from the project. There needs to be something to substantiate the cost if an amount is in a written commitment for reimbursement. R. Lewis stated with the cost of inflation, he does not want this to hold up the project; we need to keep the project moving. PPOA agrees.

After discussion, a motion was made for Chris Hay, P.E. and Joshua Berryhill, P.E. of eHT to work together in an attempt to come up with a reasonable amount for potential road damages and bring back to the Board within a week and a half to try and resolve this issue.

Motion: Vernon
Second: Cleveland
Vote: All ayes

- D. Executive Session – The Board entered into closed executive session at 9:48 a.m. pursuant to Gov. Code 551.071 (Consultation with Attorney) to discuss the following:
1. Cause No. DS-C202100480; Johnson County Special Utility District v. Acton Municipal Utility District, including pending proposals, mediation, settlement terms, and litigation.
 2. Any other matters.

Executive session recessed at 10:58 a.m. and returned to open session.

The executive session reconvened at 11:46 a.m.

Executive session adjourned at 12:07 p.m. and returned to open session.

E. After discussion, a motion was made to authorize Staff work with consultants to develop two options based upon take or pay flows.

Motion: Vernon
Second: Rose
Vote: All ayes

F. Chris Hay, P.E. of eHT presented a letter regarding final completion and final project acceptance and payment for the Blackhawk Circle Water Line Improvements project. The final completion date is May 19, 2022; the 12-month warranty period will expire on May 19, 2023. eHT recommends approval of final acceptance and payment to Day Services, LLC for completion of the Blackhawk Circle Water Line Improvements Project.

After discussion, a motion was made to approve the Blackhawk Circle Water Line Improvements project and issue the final payment to Day Services, LLC.

Motion: Vernon
Second: Rose
Vote: All ayes

G. The Engineer's Report was presented by Chris Hay, P.E. of eHT. He reported on the following:

- WWTP #1 Improvements – Finishing out the Control Building and the SBR Support Building are anticipated to continue through June, including installation of equipment, piping, valves, electrical and instrumentation. Anticipating several delivery delays of components for the new plant SCADA system as well as some limited amounts of outstanding process pipes and valves for the SBR system; Crossland is currently working with TraC-n-trol and Cohen to establish firm dates for SCADA and piping equipment delivery and installation. Construction Status Meeting (CSM) #17 was held May 19th; the next CSM is anticipated for June 16th.
- WWTP #2 Improvements – A Notice to Proceed was issued for May 9th; this establishes the Substantial Completion date for October 31, 2023 and the Final Completion date for December 30, 2023. Anticipate Bar to begin mobilizing at the WWTP site early June. Bar has begun to issue Requests for Information (RFIs) to eHT to begin the construction submittal process. A meeting was held with Pecan Plantation on June 1st to discuss anticipated haul route road repairs that could potentially be required due to the plant project traffic.
- Tank 4 Disinfectant Residual Improvements – Training of AMUD Staff on the new residual control system was completed on March 15th. SC&M is still working through final closeout tasks (warranty work on chemical leaks, affidavit of all bills paid, access keys to the new equipment building, etc.) and while the project is at closeout, eHT does not yet recommend issuing final payment to SC&M.

- Lift Station 11 Improvements – eHT met with Staff May 12, 2022 to discuss the proposed connections that will be directed towards Lift Station No. 11 due to recent proposed developments in the service area. eHT continuing to finalize plans and specifications based on the discussion to proceed with the original lift station design with provisions for inclusion of the old lift station for future capacity. Preparing final plans and specifications for review with Staff and submittal to TCEQ for approval.
- Hood County CDBG First Time Sewer Service Project in Port Ridglea East – eHT completed the final review set of plans and specifications. Once easements are acquired, the project can be advertised for bids and proceed into construction. Deadline for the project is January 2023. Traylor & Associates has everything signed from the County. Hoping there will not be any supply chain delays.
- Blackhawk Circle Water Line Improvements – The Contractor reached substantial completion May 2, 2022. Under agenda item “F” the Board approved the project and approved issuance of the final payment to Day Services, LLC.
- Greenleaves Low Pressure Sewer System Improvements – eHT completed the design survey after coordination with Staff to locate the existing infrastructure that has already been installed. Completed coordination with the grinder pump manufacturer for the system for use with E-One grinder pumps. Moving towards 50% design completion and plan to hold a preliminary design review meeting with Staff before moving towards completion of the design.

After discussion, a motion was made to accept the Engineers Report.

Motion: Rose
 Second: Cleveland
 Vote: All ayes

H. The Operational Report was presented by T J Riggio. He reported unaccounted water for the month of May is 24.56%; 12 month rolling average is 12.45%. T. Riggio reported we pumped a total of 98.4 million gallons of water in the month of May; 48.2 million gallons was pumped from our water wells; 50.2 million gallons was taken from SWATs. He reported we are at a 5 year high on gallons sold.

T. Riggio reported UTGCD rate calculation for the month of May is \$0.0144 per 1,000 gallons. No usage was reported this month from Pecan Plantation, Indian Harbor or DCBE/Acton Fire Departments. T. Riggio reported during the month of May, Well No’s 1, 2, 15P, and 20 were down; Well No’s 1 and 2 are not running due to a calcium issue, waiting on parts and working to move the treatment points, hoping these wells will be back up and running next month; Well No. 30 is inactive.

Under the Wastewater Report, T. Riggio reported WWTP No. 1 is at 58% average permitted flow. WWTP No. 2 is at 68% average permitted flow. T. Riggio reported there were 7 wastewater problem calls for the month of May; 1 gravity problem call

and 3 grinder pump problem calls; all were E-1 grinder pumps. The other call outs were the customer problem, not a problem with the grinder pump.

Items highlighted on the major project's lists are as follows:

- Meters – Remote Reads – 1 meter was changed out, 101 meters fiscal year to date.
- Pipebursting – Lansdown – Project complete.
- Manhole Rehabilitation – DCBE – Project complete.

After discussion, a motion was made to accept the Operational Report for May, 2022.

Motion: Featherston
Second: Cleveland
Vote: All ayes

- I. T J Riggio presented a memorandum dated June 10, 2022 for Board consideration to approve ratifying the purchase of a 3/4-ton pickup. \$70,000 was budgeted for two trucks, however due to limited availability and substantial price increases, Staff is requesting one double cab 3/4-ton truck. Staff checked with BuyBoard but was told to negotiate directly with dealerships due to lack of vehicle availability. After an extensive search, Staff located one double cab work truck at Bruner Motors. Staff recommends Board approval ratifying the purchase of one Chevrolet 2500 Double Cab work truck in the amount of \$43,000.00.

After discussion, a motion was made to purchase the Chevrolet 2500 Double Cab work truck from Bruner Motors in the amount of \$43,000.00.

Motion: Featherston
Second: Vernon
Vote: All ayes

- J. T J Riggio presented a request for Board consideration to write off the net uncollectible accounts in the amount of \$622.34 for the month of May, 2022.

After discussion, a motion was made to write off the net uncollectible accounts in the amount of \$622.34 for the month of May, 2022.

Motion: Rose
Second: Featherston
Vote: All ayes

- K. Bob Evart presented the Financial Report. He reported Water Revenue for May is down from last month and up from the same period last year. Sewer revenue is down from last month and up from the same period last year. One new grinder pump was sold during the month of May; in the Acton Area. Impact Fee revenue is \$31,500

consisting of \$24,500 from water and \$7,000 from sewer. Wholesale water revenue is \$0.00; not billed in May. Irrigation revenue is \$1,054 for the month.

B. Evert reported Personnel Services decreased in Water, Sewer and Administrative due to five pay periods in the prior month. Under Water Expense, Utility Expenses increased due to more electrical usage in the month; Equipment Repairs increased due to fuel prices and usage; and Materials & Operations increased due to contracted repairs. Under Sewer Expense, Utility Expenses increased due to more electrical usage in the month; Equipment Repairs increased due to fuel prices and usage; and Materials & Operations decreased due to less contracted repairs and grinder pump sales. Under Administrative Expense, Office Expenses increased due to printing and software maintenance payment for payroll.

Regarding Capital Items, B. Evert reported on the following: Under SCADA we paid \$24,830 for the project completion payment; under SWATS Capital we paid \$62,755 for SWATS Capital monthly payment; under WWTP – DCBE Expansion we paid \$1,162,896, for construction (3 payments); under I & I Abatement/Upgrade we paid \$27,385 for sewer pipe bursting on Landsdown in Pecan Plantation; and under Pump Replacement we paid \$21,022 for Lift Station No. 11 – 2 pumps.

B. Evert reported cash funds used for Capital Items current month is \$135,992; year to date is \$1,637,628; Bond funds used for Capital Items current month is \$1,162,986; year to date is \$3,902,840.

B. Evert presented a 13-month cash flow analysis as of May 2022. He presented the Analysis of Undesignated Funds and Designated Funds as of May 2022.

After discussion, a motion was made to accept the Financial Report for May, 2022.

Motion: Featherston
Second: Cleveland
Vote: All ayes

L. The General Manager's Report was presented by Richard English. He reported on the following items:

1. The Regular Meeting for July is scheduled for 9:00 a.m., Wednesday, July 20, 2022. Committee meetings are scheduled Thursday, July 14th. A special call meeting is scheduled Wednesday, June 29th at 9:00 a.m.
2. Monthly meeting of the Brazos Regional Public Utility Agency – Wednesday, June 22nd at the AMUD Office.
3. Brazos River Authority (BRA) Annual Water Customer Meeting – 10:30 a.m., Tuesday, June 21st at the Cleburne Conference Center.
4. AMUD Office closed Monday, July 4th in observance of Independence Day.
5. Articles – “Massive pipeline provides water from three lakes to North Texas Area” from <https://texaswaternewsroom.org>.

Open Items –

- a) SWATS Plant Update – Presented water quality reports; source, raw and finished water for the month of May, 2022 and the beginning of June, 2022. Chloride levels are continuing to be low.
- b) Port Ridglea East – CDBG First Time Sewer Service Project. Staff working to obtain easements.

After discussion, a motion was made to accept the Managers Report.

Motion: Cleveland
Second: Vernon
Vote: All ayes

M. Items from Board Members:

Rose:
None

Cleveland:
None

Featherston:
None

Vernon:
None

Lewis:
None

Adjournment

A motion was made to adjourn at 12:17 p.m.

Motion: Cleveland
Second: Rose
Vote: All ayes



Secretary, Board of Directors
Acton Municipal Utility District