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MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, July 17, 2024. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

July 17, 2024

Directors Present

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

Staff Present

R. English  
C. Neal  
R. Evart  
T. Riggio

Visitors

C. Hay, P.E.,  
Enprotec/Hibbs & Todd  
J. Berryhill, P.E.,  
Enprotec/Hibbs & Todd  
L. Berry, P.E.,  
Enprotec/Hibbs & Todd  
A. French, Jackson Walker,  
LLP  
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 June 20, 2024 and Special Meeting July 15, 2024.

Motion: Cleveland  
Second: Featherston  
Vote: All ayes

- B. Open Forum. No one signed in for open forum.

- C. There was no Executive Session.

- D. No Executive Session – no action.

- E. Richard English presented the annexation of 2.0 acres in part of Lot 2, Block 1 of the Massey Estates Subdivision, and a portion of that certain tract conveyed to Billy Bob Wilson and Consuela Wilson Survey, located in Hood County, Texas, known as 7448 Fall Creek Highway, second reading. All documentation has been received. Staff recommends approval.

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After discussion, a motion was made to annex 2.0 acres in part of Lot 2, Block 1 of the Massey Estates Subdivision, and a portion of that certain tract conveyed to Billy Bob Wilson and Consuela Wilson Survey, located in Hood County, Texas, known as 7448 Fall Creek Highway into the Acton Municipal Utility District.  
(RESOL 24-07-418)

Motion: Cleveland  
Second: Vernon  
Vote: All ayes

F. The Engineer's Report was presented by Chris Hay, P.E. of Enprotec/Hibbs & Todd (eHT). He reported on the following:

- WWTP #1 Improvements – eHT met with TraC-n-Trol and AMUD Staff on the outstanding SCADA items still pending before substantial completion can be granted to Crossland; trying to get those last items resolved by the end of July.
- WWTP #2 Improvements – Construction moving forward. Bar Constructors, Inc. (Bar) completed installation of equipment in the SBR Building, Dewatering Building, and Chlorine Building and continued work on the new influent lift station required to transfer influent wastewater to the new SBR system in June and July. Bar continuing work on site civil construction around the rest of the plant for retaining walls, dirt work, and other miscellaneous items. eHT and Bar held the most recent startup preparation meeting May 16<sup>th</sup> to verify tasks, timing, and critical milestones to prepare for startup of the new SBR system over the next several months. The next startup coordination meeting is planned for the 3<sup>rd</sup> week of July. The next CSM is scheduled on site this afternoon. With the delays in electrical equipment delivery, Bar has noted an anticipated further delay in startup of the SBR system until Summer 2024 and plant completion in Fall 2024; at this time, BAR has not formally requested additional time in the contract schedule.
- Lift Station 11 Improvements – Bid opening was February 14, 2023; no bids were submitted; eHT is standing by to re-advertise the project at a time to be determined later.
- Pecan Plantation Elevated Storage Tank Improvements – The project was awarded to Phoenix Fabricators & Erectors, LLC at the December 2023 Board Meeting. The contractor has completed the foundation and has begun tank construction, starting with the ring-wall, which supports the shaft walls allowing the construction to proceed vertically. The contractor is steadily moving forward.
- Acton Loop Water Line Extension Improvements – The property owners for the two southern parcels have both tentatively agreed to alignments; in process of finalizing the easement exhibits for these two properties and are proceeding forward with design. The two northern parcels have granted access for surveying and design. Design surveying is completed for the alternative route and now in design phase for the water line improvements and



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low pressure sewer line improvements associated with the planned easement acquisition.

#### General Services Tasks

- TCEQ Water System Inspection – eHT is assisting Staff with coordination of information for an upcoming water system inspection planned for July 23<sup>rd</sup>.

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

Motion: Featherston  
Second: Rose  
Vote: All ayes

- G. The Operational Report was presented by T J Riggio. He reported we received the Agreed Order from TCEQ regarding the Supplemental Environmental Project (SEP) for NH3N permit violations in 2022; we have to submit reports for 3 consecutive months demonstrating continuous permit compliance for WWTP No 1. He also informed the Board about issues with blowers 1 and 4 at WWTP No. 1; these issues did not appear to have had a big effect on the treatment and the issues have now been resolved.

Under wastewater, T. Riggio reported there are just a few punch list items remaining at WWTP No. 1; T. Riggio reported WWTP No. 2 has higher than normal Total Suspended Solids and e. Coli which is due to the removal or limitation of processes in the plant to make way for the new plant, nothing however is outside of our permit parameters. T. Riggio reported WWTP No. 1 was at 99% of the average permitted flow under the existing 600K permit for the month of June; under the future 930K permit this would be 64%; WWTP No. 2 was at 79% of the average permitted flow under the existing 487K permit; under the future 820K permit this would be 47%. WWTP No. 1 met all discharge permit parameters for the month of June; WWTP No. 2 had one day with cl2 below the permit requirement of 1.0 ppm.

T. Riggio reported no positive bacteriological samples for the month of June. He reported unaccounted water has been higher than normal for the December through March time frame. In averaging the lowest daily minimums over the last 3 years, the baseline flow is at 1.33 MG, we are seeing daily minimums close to this baseline. He had someone out to verify the production meters and found some problems that have yet to be addressed. The meter manufacturers have stated it is possible the meters need to be adjusted in the field or be replaced; they are scheduled for later this week to come look at them. T. Riggio also stated the unaccounted water spiked this month which is partially due to the increased demand after billing in DCBE/Acton area and Pecan Plantation.

T. Riggio reported discolored water and silt showed up on Choctaw Drive in DCBE and clogged several homes. The problem appears to be in the 12" water line that feeds DCBE. Crews flushed the 12" and 8" and both now are flowing clear, however

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the problem still persists for these properties; T. Riggio reported crews are in process of doing several things: Inspecting all backflows in the immediate area; getting a price on leak detection, and may have a significant section of the 12" along with the 2" on Choctaw surveyed to make sure it is not related to our unaccounted water problems; scheduled an outage to cut in a flush valve dedicated to this area. He stated we had a watermain break that drained elevated 9 about a week before the problem started and said it is possible the drop and restoration of pressure may have kicked up some sedimentation the 12" has collected over time; now that the 12" is clear, it's possible the 2" that feeds Choctaw may be packed.

T. Riggio reported we had chlorine residual issues in Indian Harbor the beginning of this month; the problem seemed to be Elevated 11. Crews adjusted the fill cycle which seems to have addressed the issue. T. Riggio informed the Board that TCEQ has scheduled our triannual inspection for July 23<sup>rd</sup>.

T. Riggio reported the production meter was replaced at Well No. 11 and the Well is now in operation; the meter froze at Well No. 15T; the pump has been replaced on Well No. 17, still waiting on parts for the booster pump; T. Riggio instructed the operators to find a way to get Well No. 26 to run by giving it priority and letting a more stable Well be the one to come off and on; Well No. 23 started running at the end of the month; and the meter stopped working at Well No. 31, this is a new meter and will be evaluated.

T. Riggio reported we currently have 3 open positions, in process of scheduling interviews. He reported the new addition to the PP VFD will need a sewer tap. He also reported that the water lines are installed at the new development, Stewart Ranch, the Turnover Agreement will not be accepted until after the roads and electric are in.

After discussion, a motion was made to accept the Operational Report for June, 2024.

Motion: Cleveland  
Second: Vernon  
Vote: All ayes

H. Bob Evart presented a request for Board consideration to write off the net uncollectible accounts in the amount of \$4,774.88 for 3<sup>rd</sup> quarter, fiscal year, 2024. Year to date write off rate of revenue is 0.12%.

After discussion, a motion was made to write off the net uncollectible accounts in the amount of \$4,774.88 for 3<sup>rd</sup> quarter, fiscal year, 2024.

Motion: Rose  
Second: Vernon  
Vote: All ayes



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- I. Bob Evart presented the Quarterly Investment Report, 3<sup>rd</sup> quarter fiscal year, 2<sup>nd</sup> quarter 2024.

After discussion, a motion was made to accept the Quarterly Investment Report, 3<sup>rd</sup> quarter fiscal year, 2<sup>nd</sup> quarter 2024.

Motion: Rose  
Second: Cleveland  
Vote: All ayes

- J. Bob Evart presented the Financial Report for June, 2024. He reviewed the revenues and changes for overall water and sewer, water revenues from customers, wholesale water, sewer revenues from customers, other sewer revenues and impact fees. He reported expenditure totals for all departments for the month and reported the totals for revenues and expenditures are all within budget.

As requested in the June Board meeting, B. Evart presented and discussed updates regarding our cybersecurity and disaster recovery. The Board expressed their appreciation for the information.

After discussion, a motion was made to accept the Financial Report for June, 2024.

Motion: Vernon  
Second: Featherston  
Vote: All ayes

- K. The General Manager's Report was presented by Richard English. He reported on the following items:
1. The Regular Meeting for August is scheduled for 9:00 a.m., Wednesday, August 21, 2024. Committee meetings are scheduled for Thursday, August 15<sup>th</sup>.
  2. Monthly Brazos Regional Public Utility Agency Meeting, Wednesday, July 24<sup>th</sup> at 2:00 p.m.
  3. The Budget Workshop Meeting is scheduled for Wednesday, August 14<sup>th</sup> at 10:00 a.m.
  4. The Semi-Annual Impact Fee Advisory Committee Meeting is tentatively scheduled for Thursday, August 22<sup>nd</sup> at 3:00 p.m.
  5. Articles – "Water + Weather for June 2024" from Texas Water Development Board.
- Open Items:
- a) SWATTS Plant Update – Presented water quality reports; source, raw and finished water for the month of June, 2024 and the beginning of July 2024. Chloride levels are increasing.

- R. English stated a copy of the Closing Checklist is included in the Board Packet.

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R. Lewis informed the Board that he was in attendance of the Standard & Poors Meeting regarding our bond issue. He stated Richard English and Bob Evart handled the meeting very well, the results of our rating should be released next week.

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

Motion: Featherston  
Second: Cleveland  
Vote: All ayes

L. Items from Board Members:

Vernon:

1. Kudos to everyone for their efforts and hard work in getting to a settlement.

Lewis:

1. Ditto.

Featherston:

None

Rose:

None

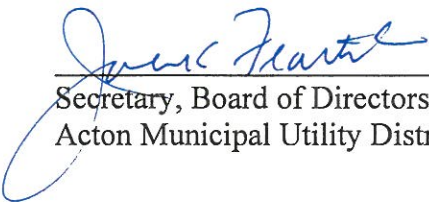
Cleveland:

None

Adjournment

A motion was made to adjourn at 10:33 a.m.

Motion: Cleveland  
Second: Vernon  
Vote: All ayes

  
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Secretary, Board of Directors  
Acton Municipal Utility District