

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, March 26, 2025. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

March 26, 2025

<u>Directors Present</u>	<u>Staff Present</u>	<u>Visitors</u>
R. Lewis	R. English	C. Rich, P. E.,
D. Cleveland	C. Neal	Enprotec/Hibbs & Todd
J. Featherston	R. Evart	D. Mauder
G. Rose	T. Riggio	S. Dollins, Brazos Regional Public Utility Agency
		S. Bernard, Brazos Regional Public Utility Agency

Directors Absent

V. Vernon

Call to Order

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

Invocation

By Gary Rose.

A. After discussion, a motion was made to accept the minutes from the Regular Meeting February 19, 2025.

Motion: Cleveland
Second: Featherston
Vote: All ayes

Absent: Vernon

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

C. Richard English presented the annexation of 0.005 acres in part of the Benjamin Green Survey, Abstract No. 196 and the Jeremiah Campbell Survey, Abstract No. 123, located in Hood County, Texas, known as 1505 Fall Creek Highway, second reading. Staff recommends moving forward with the annexation.

After discussion, a motion was made to annex 0.005 acres in part of the Benjamin Green Survey, Abstract No. 196 and the Jeremiah Campbell Survey, Abstract No.

123, located in Hood County, Texas and known as 1505 Fall Creek Highway into the Acton Municipal Utility District. (RESOL NO. 25-03-429)

Motion: Rose
Second: Featherston
Vote: All ayes

Absent: Vernon

D. Richard English presented the Certification of Unopposed Candidates for other Political Subdivisions. We had three at large places to fill, and three applications received, therefore no one is opposed. This certification allows the election for the Board of Directors to be cancelled and will be posted on the AMUD website, the AMUD Office, and at each polling place on Election Day, May 3, 2025.

After discussion, a motion was made to accept the Certification of Unopposed Candidates.

Motion: Rose
Second: Cleveland
Vote: All ayes

Absent: Vernon

E. Richard English presented a resolution to cancel the election to be held on May 3, 2025 in accordance with Section 2.053 of the Texas Election Code. The proposed resolution states candidates John Featherston, Van Vernon, and Dennis Mauder have been certified as unopposed. The candidates can be sworn into office six days following the May 3, 2025 election.

After discussion, a motion was made to adopt the resolution, thereby cancelling the May 3, 2025 AMUD Board of Directors election. (RESOL NO. 25-03-430)

Motion: Rose
Second: Cleveland
Vote: All ayes

Absent: Vernon

F. Richard English presented a memorandum dated March 21, 2025 regarding the Policy of term limits for the AMUD Board President. This policy states "The term of the President of the Board of Directors shall be limited to two full elected terms of two years,...". Officer elections occur every two years. R. English suggests repealing the Policy giving the Board discretion to allow someone to serve additional terms should the Board want them to and if they are willing. Staff recommends Board action to repeal the policy limiting the term of Board President.

After discussion, a motion was made to repeal the policy limiting the term of Board President. (RESOL NO. 25-03-431)

Motion:	Featherston		
Second:	Cleveland		
Vote:	Featherston, Cleveland, Rose	Abstain:	Lewis
		Absent:	Vernon

G. Richard English presented a memorandum dated February 26, 2025 regarding the semi-annual review of water and wastewater impact fees for Board consideration. No discrepancies were found and no changes are recommended at this time.

After discussion, a motion was made to accept the Impact Fee Advisory Committee memorandum dated February 26, 2025.

Motion:	Featherston		
Second:	Cleveland		
Vote:	All ayes	Absent:	Vernon

H. Colden Rich, P.E. of Enprotec/Hibbs & Todd (eHT) presented a proposed contract Amendment No. 1 for Work Order No. 005 under General Services Agreement for Construction Phase Services for CWSRF WWTP No. 2 Project. eHT is requesting an adjustment for the Construction Admin Services and Construction Inspection Services for a total potential increase not to exceed \$53,310.00. The project has gone on much longer than anticipated, largely due to equipment delays. The dates to complete the project have been adjusted by Change Order for a total of 1,196 days for the final completion date of July 10, 2025. The original contract time was 600 days for final completion of December 30, 2023.

After discussion, a motion was made to approve Amendment No. 1 for Work Order No. 005 under General Services Agreement for Construction Phase Services for CWSRF WWTP No. 2 Project for an increase not to exceed \$53,310.00.

Motion:	Rose		
Second:	Cleveland		
Vote:	All ayes	Absent:	Vernon

I. The Engineer's Report was presented by Colden Rich, P.E. of (eHT). He reported on the following:

- WWTP #2 Improvements – Construction moving forward. Bar Constructors, Inc. (Bar) completed installation of equipment in the SBR Building, Dewatering Building, and Control Building and are in process of clean water testing. Anticipates the clean water testing to be complete next week. Upon completion of the clean water testing, Bar will proceed with seeding and

startup of the SBR system and move forward with conversion of the old WWTP units for support of the new system.

- Pecan Plantation Elevated Storage Tank Improvements – The contractor, Phoenix Fabricators and Erectors, LLC completed construction of the steel bowl. Anticipate welding to be complete February 21st and then raise the bowl and proceed with painting/coating the tank prior to disinfection. The contractors are behind schedule with painting however painting should not hold up other items to complete the project. R. English stated the tank can be seen from the church on Fall Creek Highway; the AMUD logo will be centered so it can be seen from the church.
- Acton Loop Water Line Extension Improvements – Pinnacle indicated that the two southern property owners and the shopping center have signed off on the easement location. eHT provided the easement exhibits to Pinnacle for execution. In addition, eHT has been working with Pinnacle in negotiations for the one remaining tract for the project.

General Services Tasks

1. TWDB Reports
 - a. 2024 Water Use Survey – eHT is working with Staff to get this submitted. A draft has been submitted to Staff for review.
 - b. 2024 Water Loss Audit – eHT has begun coordination with Staff to prepare this report due to the TWDB by 5/1/2025.
 - c. 2024 Water Conservation Plan Annual Report – eHT has begun coordination with Staff to prepare this report due to the TWDB by 5/1/2025.

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

Motion:

Rose

Second:

Featherston

Vote:

All ayes

Absent:

Vernon

J. The Operational Report was presented by T J Riggio. He informed the Board on several issues – WWTP No. 1 exceeded the permit level for maximum chlorine residual with 4.1mg.; at WWTP No. 1 a fire damaged the blower, ordered a new blower; stated we have received multiple odor complaints from Lift Station (LS)No. 1 in DCBE, possibly need to replace the odor control unit or the media. T. Riggio ordered replacement media and in process of getting a new unit quote for a possible budget item next year. T. Riggio plans to do modifications at LS12 in DCBE and has contacted the contractor to start planning budgeted repairs; reported we purchased 2 new pumps to replace the 2 that went down at LS12 in PP, one of the pumps is being rebuilt, the other will be replaced; and LS11 in DCBE is having piping issues and lost another pump due to electric panel issues; we had to connect the station to the portable pump last month.

T. Riggio reported for the month of February, WWTP No. 1 received 9.26MG of flow and was at 55% of the average permitted flow under the existing 600K permit, while under the future 930K permit this would be 36%; WWTP No. 2 received 9.31MG of flow and was at 68% of the average permitted flow under the existing 487K permit; under the future 820K permit this would be 41%. Regarding a question during the last regular Board meeting about the percentage of flow at WWTP No. 2, T. Riggio found that when Bar Contractor was at the plant last month, they moved the meter, and this could have caused the calibration to be incorrect. He reported that other than the Chlorine permit exceedance at WWTP No. 1, both plants are within permit parameters for the month of February.

T. Riggio informed the Board that we had 1 positive bacteriological sample in February, resamples were negative. He stated it could be possible that the windy days had something to do with the positive sample. T. Riggio reported both VFD's have been installed at Booster Pump 4. Waiting on XFER #2 to be repaired before full integration. Reported the new billing system is up and running, therefore the moratorium to change meters is over. T. Riggio informed the Board the free chlorine conversion is complete, it ended March 10th. He also informed the Board that tank inspections were completed this month.

T. Riggio reported unaccounted water for the month of February is -18.2%, and the 12 month rolling average is 12.10%. Under water wells, T. Riggio reported we lost communication at Well No. 9, which also affects Well No. 26. Working with Trac-n-Trol to resolve the issue. At Well No. 11, we lost production, coordinating with the power company to pull the well; scheduling to pull the well at Well No. 14; the booster pump at Well No. 15 was not working, it is now back in operation. At Well No. 23 we received the jockey pump to repair the Well and it is back in operation as of last week.

T. Riggio and B. Evart informed the Board that we are moving to 3cGeo Mapping Service. Since Wayne Matzen retired, we have not had anyone on staff to update maps, and eHT has not been able to keep up with them either. C. Rich stated 3cGeo is a very good company and uses an electronic mapping system. B. Evart stated they are cloud based and the proposal is not much different than what we have now. C. Rich stated 3cGeo updates maps weekly.

T. Riggio informed Board we are not selling taps to Landings East in PP at this time. The developer has not installed the sewer system.

After discussion, a motion was made to accept the Operational Report for February, 2025.

Motion: Featherston
Second: Cleveland
Vote: All ayes

Absent: Vernon

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K. Bob Evart presented the Financial Report for February, 2025. 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.

He informed the Board that some of the coding for Utility Billing was incorrect, i.e. tap fees, impact fees, etc., the coding has now been corrected. J. Featherston asked if all issues on the new billing software have been corrected. B. Evart stated we have worked through a number of issues but still have some issues remaining. B. Evart informed the Board that Taxes Collected – Defined Area on the Balance Sheet is going away, and remaining funds collected for the Defined Area will go to the General Fund.

After discussion, a motion was made to accept the Financial Report for February, 2025.

Motion: Featherston
Second: Cleveland
Vote: All ayes

Absent: Vernon

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

1. The Regular Meeting for April is scheduled for 9:00 a.m., Wednesday, April 16, 2025. Committee meetings are scheduled for Thursday, April 10th.
2. Senate Bill No. 1243 – Dissolution of Public Utility Agency. Informed Board he will be meeting with Jackson Walker and the members of the Senate Committee in Austin tomorrow and Friday, 3/27-3/28.
3. Articles – “Ending a chapter of Hood County’s pecan-growing legacy” from Hood County News; “Running Out: Texas’ Water Crisis”; and “Some in Hood County voice worries about solar project” from Fort Worth Star Telegram.

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

Motion: Featherston
Second: Cleveland
Vote: All ayes

Absent: Vernon

M. Items from Board Members:

Featherston:
None

Cleveland:
None

Rose:

None

Lewis:

None

Adjournment

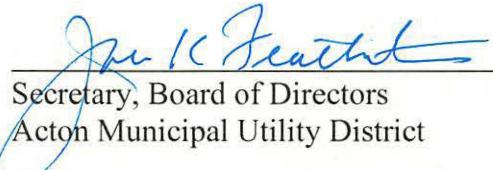
A motion was made to adjourn at 10:27 a.m.

Motion: Cleveland

Second: Rose

Vote: All ayes

Absent: Vernon



Jan K. Feather

Secretary, Board of Directors
Acton Municipal Utility District