

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, February 18, 2026. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

February 18, 2026

Directors Present

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

Staff Present

R. English
C. Neal
R. Evert
T. Riggio
S. Dollins

Visitors

C. Hay, P.E.,
Enprotec/Hibbs & Todd
C. Rich, P.E.,
Enprotec/Hibbs & Todd
D. Hungerford, George,
Morgan, Sneed
Residents from Pecan
Plantation and surrounding
areas, list attached

Directors Absent

None

Call to Order

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

Recognition of Visitors

The visitors were recognized.

Invocation

By Dennis Maunder.

- A. After discussion, a motion was made to accept the minutes from the Regular Meeting January 21, 2026.

Motion: Vernon
Second: Featherston
Vote: All ayes

- B. Public Comment on non-agenda items - If an individual wishes to speak on non-agenda items, any discussion of a non-agenda item subject must be limited to a proposal to place the subject on a future agenda consistent with Texas Gov't Coder §551.042(b). Therefore, citizens wanting to comment on non-agenda items for the purpose of requesting an item be placed on a future agenda should indicate they would like to provide a Public Comment on the sign-in sheet prior to the meeting being called to order and such comments shall be limited to two minutes per person, with the maximum discussion for all non-agenda items limited to thirty minutes. If

more than fifteen speakers register to speak under this section, only the first fifteen individuals will be recognized.

The sign-in sheet to make a public comment for a non-agenda item was given to President Ray Lewis. The following were signed in to speak:
Cindy Highsmith – Ms. Highsmith introduced herself to the AMUD Board of Directors and stated she is a resident in Pecan Plantation. She commended the Board on AMUD’s Drought Contingency Plan, and wondered if it is going to be revised due to increased development, i.e. Fall Creek Highway, Pecan Plantation, etc.

- C. Public Comment on Agenda Items. Citizens wanting to comment on agenda items should indicate they would like to provide a Public Comment on the sign-in sheet prior to the meeting being called to order. Public comments shall be limited to remarks regarding items listed on this agenda, consistent with Texas Gov’t Code §551.007(b). Time limits and procedures for speakers are governed by the District’s Policy for Public Speaking at Open Meetings (Resolution No. 2001-01-100). Specifically, comments shall be limited to five minutes per person, with the maximum discussion on any agenda item limited to thirty minutes. If more than six speakers register to speak on one agenda item, only the first six individuals will be recognized.

The sign-in sheet to make a public comment for an agenda item was given to President Ray Lewis. The following were signed in to speak:
Mitch Moore, Chris Paulsen, John Highsmith, Trevor Taegder, Matt Long, Angie Rich. Also requests to speak but not listed on the sign in sheet: Cindy Highsmith and Kevin Bower. Everyone discussed reasons for why they are against agenda item ‘D’ listed on today’s agenda regarding a request from Pacifico Energy for 20,000 gallons per day of water to service their site development.

- D. Under Agenda Item “C”, the Board heard concerns from citizens regarding this agenda item –consideration regarding a request from Pacifico Energy for 20,000 gallons per day of water to service their site development. Ray Lewis first commented that the Board appreciated the respect that everyone from the public showed in discussing their concerns over the data center. Richard English, General Manager gave a brief discussion regarding the history of AMUD’s formation. He stated that prior to the District being formed, residents were experiencing frequent water outages; it was residents in the area that worked to form the District for residential needs. AMUD was formed in 1982 and took over the water and sewer service from a private owner. Since this time the District has grown to a customer base of over 9,200 residential customers.

The request from Pacifico Energy is for 20,000 gallons per day (gpd) of water to service their site development. The site development is outside of the AMUD service area, therefore AMUD is not legally bound to serve them water.

After discussion, a motion was made not to approve the request from Pacifico Energy for 20,000 gpd of water to service their site development.

Motion: Vernon
Second: Featherston
Vote: All ayes

E. Daniel Hungerford, CPA of George, Morgan & Sneed, P.C. (GMS) presented the Audit Report for the year ended September 30, 2025. He discussed highlights of the audit and stated the audit went smoothly and had no difficulties dealing with management in performing and completing the audit. He reported the District received a clean opinion. D. Hungerford reported the District's net position increased by \$4.9 million because of this year's operations as compared to an increase of \$3.0 million from the previous period. The total fund balance, which includes 100% of BRPUA, as of September 30, 2025 is \$49,408,309.00. Next year SWATS will be included as a department in the General Fund.

D. Hungerford reported that the District met all the compliance requirements. On the internal control letter to the Board, D. Hungerford reported no findings, no non-compliances, everything went smooth.

After discussion, a motion was made to accept the Audit Report from George, Morgan & Sneed, P.C. for fiscal year ended September 30, 2025.

Motion: Vernon
Second: Rose
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 #2 Improvements – The current substantial and final completion dates are June 5, 2025 and July 10, 2025 respectively based on the approval of Change Order 2. BAR is working to wrap up final site work and is working towards final completion.
- Pecan Plantation Elevated Storage Tank Improvements – The final completion date per the contract was March 26, 2025. The tank has passed final disinfection and is currently online. eHT issued a punch list to Phoenix with items that remain outstanding for final completion and acceptance. Phoenix has been working towards getting the tank online. Liquidated damages are still continuing.
- Acton Loop Water Line Extension Improvements – eHT and Staff met onsite with landowners who requested a change to the easement on the shopping center site to include modifications to the existing sewer service line from one of the buildings. The easement has been modified, eHT is adjusting plans and project manual to reflect changes. Once plans are adjusted, eHT will submit

for TxDOT utility permits and coordinate with Staff for County approval to move forward with advertising the project.

- Fall Creek Hwy. Water Line Improvements – eHT is finalizing design survey data to locate existing utilities and working on plans and specifications for review with Staff. Subsurface Utility Engineering (SUE) will be onsite next week to complete potholing to identify exact locations and depths of the existing raw water lines, discharge line, and other water lines that the proposed line will be crossing. eHT will utilize these results in the completion of plans for Staff to review.
- Lift Station 11 Improvements – The electrical improvements for the panel upgrade are close to getting started. The Contractor, Grimsley, has received the panel and will mobilize in the next few weeks to complete the work. This should get the lift station back to normal operation. eHT is working with the TWDB on a request for unused funds from the previous WWTP #1 project to allow remaining funds to be directed towards Lift Station 11 Improvements.

General Services Tasks

1. TWDB Reports

- a. 2025 Water Use Survey – eHT is in coordination with Staff to prepare this report due to the TWDB by 3/1/2026.
- b. 2025 Water Loss Audit – eHT is in coordination with Staff to prepare this report due to the TWDB by 5/1/2026.
- c. 2025 Water Conservation Plan Annual Report – eHT is in coordination with Staff to prepare this report due to the TWDB by 5/1/2026.

Colden Rich, P.E. of eHT presented SWATS Project updates. He reported on the following:

- Phase 1 Capacity Restoration Project – The design of the proposed improvements for the Phase 1 Project are ongoing. A meeting to review the Technical Memorandum (TM) was held January 29th with JCSUD, AMUD and eHT. Comments were received and the TM was updated and resubmitted. Biwater (RO Train 5 Manufacturer) has a new proposal from RLC to complete the programming on the RO 5 control panel, waiting on delivery times to finalize the work schedule; anticipate the final schedule will be received this week. eHT and SWATS Staff have been in coordination with RO suppliers to evaluate membrane manufacturers' options. Consideration to award a bid for RO Units 1-4 is listed separately on today's agenda. Purcell Contracting was onsite and completed the repairs to the RO flush line yesterday.
- Direct Filtration Full-Scale Pilot – TCEQ is currently reviewing the pilot report for this mode of operation.
- Waste Discharge Pipe Repairs – Purcell Contracting provided a proposal for the installation of the pipeline; everything is in place, S. Dollins and Purcell Contracting are meeting with BRA tomorrow.
- Solids Handling Improvements – eHT is proposing to pilot sludge dewatering units onsite to determine which technologies work the best with the sludge

produced at the SWATS Facility. eHT will continue coordinating with other manufacturers to have additional pilot units run onsite to determine the dewatering capabilities.

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

Motion: Featherston
Second: Rose
Vote: All ayes

G. Stefan Dollins presented a memorandum dated February 5, 2026 with regard to ratifying the acceptance of a proposal for brine line repair. Due to scheduling constraints with Purcell Contracting, LLC and the urgency of the project, Staff proceeded with accepting the proposal prior to the February Board Meeting.

After discussion, a motion was made to approve the ratification of the proposal from Purcell Contracting, LLC for brine line repair in the amount \$144,730.00.

Motion: Vernon
Second: Featherston
Vote: All ayes

H. The Operational Report was presented by T J Riggio. He updated the Board on the following: Rehab at Lift Station No. 11 in DCBE – The mechanical repairs are complete; coordinating with Grimsley, the low bidder at \$42,730 for the electrical improvements. Grimsley is waiting for the availability of our trailer pump since the lift station will need to be down for several hours to complete their work; the trailer pump is currently being used at LS 06 in PP. LS 06PP – Lost both pumps and have no backup, it is a single phase lift station which was overlooked when the pumps were inventoried. Landings East Lift Station – The lift station is tripping, it spikes at 100 amps on start up and then drops to 18 amps. The developer is looking into this to determine the issue. AMUD has not yet accepted the lift station.

T. Riggio reported during the month of January, WWTP No. 1 received 6.71 MG of flow (same as last month) and was at 23% of the average permit; WWTP No. 2 received 8.1566 MG of flow (up from last month) and was at 54% of the average permitted flow under the existing 487K permit; under the future 820K permit this would be 32%. T. Riggio reported both plants are within permit for January.

T. Riggio reported there were no positive bacteriological samples in January. Under water wells, he reported on Well No's. 9 and 26, Well 9 will be down for the foreseeable future, and stated basically a whole new well will need to be drilled for Well No. 9, working on reconfiguring the disinfection to get Well 26 back in service; Well No. 11 is now operational; Well No. 16 has electrical issues at the transformer; Well No. 18 started having an issue with colored water after cleaning, the water will eventually clear up but once the well turns off, the water comes back red. Will be

flushing the well for several days to see if that clears it up; Well No. 21, there are electrical issues at the meter.

T. Riggio reported the statistics on SWATS surface water. Total plant production for the month of January is 66,669,000 gallons; JCSUD took 45,682,000 gallons, or 69%. He reported the raw and finished Chlorides and Turbidity.

T. Riggio reported unaccounted water for the month of January is 8.64%, the 12-month rolling average is 8.84%. On the Major Projects List, he reported 143 meters were changed out during the month of January.

After discussion, a motion was made to accept the Operational Report for January, 2026.

Motion: Featherston
Second: Maunder
Vote: All ayes

- I. Richard English presented a memorandum dated February 13, 2026 from Stefan Dollins regarding upgrades to RO Units 1 – 4 for improvements at the SWATS plant. S. Dollins handed out proposals during the meeting from H2O Innovations and Complete Water Solutions. S. Dollins informed the Board that H2O original proposal included installation of two additional pressure vessels and associated membranes on the first stage of each train. H2O's full scope of work is \$976,424.00 Complete Water Solutions did not include the additional pressure vessels in their quote; they don't believe the additional vessels will be necessary. S. Dollins recommends H2O Innovation with the extra vessels to assure we reach the calculated flow desired.

After discussion, a motion was made to award the bid for the RO Units 1 – 4 for improvements at the SWATS Plant for the full scope of work that includes the 2 additional pressure vessels and associated membranes to H2O Innovations in the amount of \$976,424.00.

Motion: Rose
Second: Vernon
Vote: All ayes

- J. Bob Evart presented the Financial Report for January, 2026. 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 and reported no changes to the Balance Sheet.

After discussion, a motion was made to accept the Financial Reports for January, 2026.

Motion: Rose
Second: Maunder
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 March is scheduled for 9:00 a.m., Wednesday, March 18, 2026. Committee meetings are scheduled for Thursday, March 12th.
2. Semi-annual Impact Fee Advisory Committee Meeting scheduled Thursday, February 26th at 3:00 p.m.
3. Texas Water 2026 Conference in San Antonio – April 27-30. Ray, John and Denny plan to attend. Gary and Van are not attending.
4. Articles – “Moratorium Against Hood County Data Center Fails After Legal Threats” from www.dallasobserver.com/news/hood-county-data-center-moratorium-failed-40643082/, and “Fort Spunky details provided, questioned” from Hood County News.

Open Items

1. SWATS Expansion discussion.

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

Motion: Featherston
Second: Vernon
Vote: All ayes

L. Items from Board Members:

Lewis:

1. Thanked the Board of Directors on how they have dealt with issues regarding the data center.

Rose:

1. Informed the Board there is a letter that went out from State Representative Shelby Slawson to Attorney General Ken Paxton questioning Hood County regulatory authority under Local Government Code Subchapter K.

Maunder:

None

Vernon:

1. Thanked Ray and Richard for their guidance in handling issues with data centers.

Featherston:

1. Expressed the same.

Adjournment

A motion was made to adjourn at 11:09 a.m.

Motion: Featherston
Second: Vernon
Vote: All ayes



Secretary, Board of Directors
Acton Municipal Utility District

Regular AMUD Board Meeting
February 18, 2026 - 9:00 a.m.

Please sign in if you wish to make a
Public Comment on an Item Listed on the Agenda
Please Write the Letter of the Agenda Item (D - J)

NAME Agenda Item

1. Mitch Moore D

2. ~~Chris Paulsen~~ Chris Paulsen D someone only

3. John Highsmith D

4. ~~Beth MacNamee~~ B

✓ 5. Trevor Taeger D

6. Sherry Holmes D

7. Matt Long D

✓ 8. Angie Rich D

9.

10.

11.

12.

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15.

16.

**Regular AMUD Board Meeting
February 18, 2026 - 9:00 a.m.**

**Please sign in if you wish to make a
Public Comment on Non-Agenda Items
Please list the Subject Matter**

NAME	Subject Matter
1. <i>Cindy Highsmith</i>	<i>Water Conservation Plan & Drafting Language Plan</i>
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