

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 15, 2026. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

July 15, 2026

Directors Present

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

Staff Present

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

Visitors

C. Hay, P.E.,
Enprotec/Hibbs & Todd
C. Rich, P.E.,
Enprotec/Hibbs & Todd

Directors Absent

None

Call to Order

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

Recognition of Visitors

No visitors were present.

Invocation

By John Featherston.

- A. After discussion, a motion was made to accept the minutes from the Regular Meeting June 17, 2026.

Motion: Maunder
Second: Rose
Vote: All ayes

- B. Public Comment on non-agenda items. No public comments.

- C. Public Comment on Agenda Items. No public comments.

- D. Executive Session – The Board entered into closed executive session at 9:26 a.m. to discuss the following:

1. Gov. Code 551.071: Consultation with Attorney regarding pending or contemplated litigation.

Executive Session adjourned at 10:05 a.m. and returned to open session at 10:10 a.m.

- E. No action on pending or contemplated litigation.

- F. Ray Lewis presented the annexation of 2.13 acres, Lot 03, Block 1 of Uncle Carey's Addition to Hood County, Texas, as recorded in Slide P-1042 on the Plat Records of Hood County, Texas and known as 6551 Smokey Hill Court, first reading. R. English stated we have everything needed for the first reading.

After discussion, a motion was made to carry over for a second reading.

Motion: Featherston
Second: Vernon
Vote: All ayes

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

- WWTP #2 Improvements – The current substantial and final completion dates are July 26, 2026 based on the approval of Change Order 3. The sludge pumps were re-installed and the contractor has completed startup of the dewatering system. They are currently working on punch list items and moving toward final completion. Plan to schedule a walkthrough in October when the weather is cooler.
- Pecan Plantation Elevated Storage Tank Improvements – The final completion date per the contract was March 26, 2025. The contractor, Phoenix Fabricators and Erectors, LLC (Phoenix) reached final completion on April 7, 2026, the tank is in service and all punch list items are complete. Phoenix has disputed the validity of liquidated damages in relation to their delay in completing the project. Coordination is ongoing regarding final payment and close-out of the project.
- Acton Loop Water Line Extension Improvements – eHT is preparing bid documents for advertisement. TxDOT permits have been submitted and approved. A portion will be in County right of way and will require County approval. eHT submitted project information to the County for review. The project will be advertised for bid upon receipt of County permit approval.
- Fall Creek Highway Water Line Improvements – eHT is continuing with preparation of the design drawings. The surveyor that prepared the plat for the Mack Stewart property never set property corners after the plat was recorded, so the exact easement limits could not be located for the proposed line. eHT has coordinated with the surveyor to get the information required and are continuing with design. Once the revised set is drafted, eHT will schedule a review meeting with Staff.
- Lift Station 11 Improvements – 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 the Lift Station 11 Improvements. TWDB staff communicated to eHT they have to go back to their Board for approval due to the specific scope submitted. TWDB staff is preparing the documents to present to their Board.
- WWTP #1 Survey – eHT has completed the field work, in process of preparing the draft boundary for the portion of property to be sold for

development. eHT addressed comments from staff review and provided the revised draft survey.

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

Phase 1 Capacity Restoration Project

- Design efforts continue on Phase 1, working through design. The proposed scope includes the plate settler installation in Clarifiers 1, 2, and 3; UF strainer replacement; UF membrane replacement; and chemical feed system improvements. Anticipate going out for bid early Fall.

Direct Filtration Full-Scale Pilot

- eHT contacted the TCEQ reviewer; there is an internal deadline to complete the review by July 10th. Hope to have TCEQ approval soon.

Solids Handling Improvements

- One dewatering technology is onsite this week; will get a report at the end of the test. eHT and Staff are awaiting scheduling details sometime in August for the other technology (screw press) currently under consideration.

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

Motion: Featherston
Second: Vernon
Vote: All ayes

H. The Operational Report was presented by T J Riggio. He reported the manufacturer, Endress+Hauser will be onsite July 23rd to work on and /or to give us direction to issues/problems we are experiencing with the effluent meter at WWTP No. 1. He informed the Board that Orchard 16 Development in Pecan Plantation has connected to the waterlines.

T. Riggio reported for the month of June, WWTP No. 1 received 5.86 MG of flow (up from last month) and was at 21% of the average permit; WWTP No. 2 received 10.383 MG of flow (up from last month) and was at 71% of the average permitted flow under the existing 487K permit; under the future 820K permit this would be 42%. T. Riggio reported both plants are within permit for the month of June.

He reported there were no positive bacteriological samples in June. He informed the Board that after the cleaners completed cleaning all the elevated storage tanks, they noted corrosion was present on the floor plates at Elevated Tank 8 and 9; T. Riggio is in process of obtaining quotes for repairs. He reported Trac-n-trol was in this month to clean up several communication and automation issues; they will likely need to return again next month to complete the task.

T. Riggio reported unaccounted water for the month of June is 26.51%, the 12-month rolling average is 10.31%. Under water wells he reported Well No. 9 will be down for the foreseeable future; Well No. 26 has been rerouted and is now back in service.

The well is beginning to trip out, will likely need to pull the pump in the near future; Well No. 16 is down due to plumbing problems; Well No. 20 has been inspected, we are waiting on a quote for cleaning; Well No. 29 is down for tank maintenance.

T. Riggio reported the statistics on SWATS surface water. Total plant production for the month of June is 97,020,000 gallons; JCSUD took 46,661,000 gallons, or 48.09%. AMUD's allocation acre-ft is 154.6 (annual water rights 4,000 acre/ft system rate). He also reported on the raw and finished Chlorides and Turbidity.

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

Motion: Vernon
Second: Featherston
Vote: All ayes

- I. Bob Evart presented a request for Board consideration to write off the net uncollectible accounts in the amount of \$5,749.25 for the 3rd quarter, fiscal year 2026. Year to date write off rate of revenue is 0.26%.

After discussion, a motion was made to write off the net uncollectible accounts in the amount of \$5,749.25 for the 3rd quarter, fiscal year 2026.

Motion: Vernon
Second: Rose
Vote: All ayes

- J. Bob Evart presented the Quarterly Investment Report, 3rd quarter fiscal year, 2nd quarter 2026. He noted the report is in a new format and shows a better viewpoint.

After discussion, a motion was made to accept the Quarterly Investment Report, 3rd quarter fiscal year, 2nd quarter 2026.

Motion: Rose
Second: Maunder
Vote: All ayes

- K. Bob Evart presented an audit engagement letter from George, Morgan & Sneed, P.C. (GMS) to conduct the year ending September 30, 2026 audit. The base fee, including expenses, is in an amount not to exceed \$22,500. He also reported GMS will be proposing an audit engagement letter to finalize the Brazos Regional Public Utility Agency under next month's agenda.

After discussion, a motion was made to approve the audit engagement letter from GMS to conduct the year ending September 30, 2026 audit for the base fee in an amount not to exceed \$22,500.

Motion: Rose
Second: Vernon
Vote: All ayes

- L. Bob Evart presented the Financial Report for June, 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. He presented the SWATTS chart and reviewed the revenue, expenses and AMUD cost per 1,000 gallons. B. Evart discussed individual items as listed on the Items of Interest page. He also informed the Board that we will be receiving an insurance check for approximately \$192,000 due to damage from a lightning strike at the SWATTS Plant.

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

Motion: Rose
Second: Maunder
Vote: All ayes

- M. 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 19, 2026. Committee meetings are scheduled for Thursday, August 13th.
 2. The Budget Workshop Meeting is scheduled for 10:00 a.m., Wednesday, August 12, 2026.
 3. Articles – "Planned Texas data centers could emit more greenhouse gases than many countries" from The Texas Tribune.

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

Motion: Rose
Second: Vernon
Vote: All ayes

N. Items from Board Members:

Rose:

1. Questioned if the gate at WWTP No. 1 in DCBE could be replaced using something more aesthetically pleasing than the chain link gate currently there. He also mentioned there were several sections of fence that were down. T. Riggio stated the gate is a temporary gate, the original gate was taken down due to damage. Crews are working to make repairs. G. Rose also questioned whether we

will be fencing off our property from the property we are selling at North Gate for development. R. English stated it will be fenced with chain link fencing.

2. Has noticed that it seems more and more states are imposing moratoriums on data centers.

Featherston:

None

Vernon:

None

Maunder:

None

Lewis:

None

Adjournment

A motion was made to adjourn at 10:40 a.m.

Motion: Featherston

Second: Vernon

Vote: All ayes



Secretary, Board of Directors
Acton Municipal Utility District