

MINUTES

ACTON MUNICIPAL UTILITY DISTRICT

The Board of Directors of Acton Municipal Utility District met in regular session at 9:00 a.m., Wednesday, December 17, 2025. Notice of said meeting was posted as prescribed by Chapter 54, Article 109, of the Texas Water Code.

Regular Session

December 17, 2025

<u>Directors Present</u>	<u>Staff Present</u>	<u>Visitors</u>
R. Lewis	R. English	C. Hay, P.E.,
J. Featherston	C. Neal	Enprotec/Hibbs & Todd
G. Rose	R. Evart	C. Rich, P.E.,
V. Vernon	T. Riggio	Enprotec/Hibbs & Todd
D. Mauder	S. Dollins	K. Pratt, COO Pacifico Power
		D. Hanson, Mayor DCBE
		J. Hericks, North Gate Properties, LLC
		Residents present from Pecan Plantation and surrounding areas regarding Agenda Item C, list attached

Directors Absent

None

Call to Order

Ray Lewis, Board President, called the meeting to order at 9:03 a.m.

Recognition of Visitors

The visitors were recognized.

Invocation

By Van Vernon.

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

Motion: Featherston

Second: Rose

Vote: All ayes

B. Open Forum - President Ray Lewis informed the visitors that Open Forum is for anyone signed in wishing to address the Board on an issue not listed in the agenda. Mr. Ron Sutton, resident at 8926 Brierfield Road signed up to speak under Open Forum. Mr. Sutton stated concerns that if any industry, especially on the banks of the

Brazos River does not at least sustain the quality of life in this community, it should not be considered.

C. Prior to discussion on this agenda item, President Ray Lewis stated we have a comment that he wanted to read for record.

On behalf of the Board of Directors of the Acton Municipal Utility District, thank you for attending today's meeting. I am Ray Lewis, President of the Board. Before we open the floor for public comment on Item C (Potential Data Center Project), I want to provide a brief overview of the District's role and the framework that guides our decisions, particularly as it relates to the water service inquiry before us.

The Acton Municipal Utility District is a retail water district whose core mission is to provide safe, reliable, and economic retail water service in accordance with applicable law and our Board-adopted policies and rate order.

- We administer service in a fair and consistent manner, steward the District's assets prudently, and ensure that any service commitments are aligned with system capacity, engineering standards, public health and safety requirements, and fiscal responsibility for our ratepayers.

We have received an inquiry regarding retail water service from a developer located outside the current boundaries of the District. We regularly receive inquiries about service to land outside the District.

- The District will evaluate this request through the lens of our legal authorities and obligations, our established service policies, and the practical considerations involved in extending service, such as system capacity, infrastructure needs, cost recovery, and compliance with applicable regulatory requirements.
- Any ultimate decision of the Board will be based on these factors and not on broader policy debates outside our jurisdiction.

It is important to be clear about what the District does and does not do. The District's authority is limited to providing retail water and wastewater service and operating our system in a fiscally responsible manner.

- We do not have authority over zoning, subdivision approvals, land use, building standards, traffic, or similar property development matters.
- Those decisions are made by other governmental bodies, which may include the county.
- While we understand and respect that new development can raise strong views in the community, our role is not to approve or deny land uses; our role is to determine whether and how water service can be provided in compliance with the legal, technical, and financial standards that govern the District.

The District provides service on a non-discriminatory basis. That means we apply our policies uniformly and do not favor or disfavor any applicant based on the nature

of their business or their political views. Where applicants meet established requirements such as demonstrating compliance with our service conditions, paying applicable fees, and funding any necessary infrastructure improvements, we process those applications consistent with our obligations as a retail public utility.

We welcome your comments this morning. Please direct your remarks to matters within the District's purview, namely, the utility considerations relevant to providing water service and please be respectful of all speakers. Your input is important to the Board as we carry out our responsibilities to the District's customers and the public we serve.

Mr. Kevin Pratt, COO for Pacifico Power has been invited to speak on behalf of Pacifico Power and to answer questions. Mr. Pratt gave a premise of what they are planning and stated as far as their needs for water, 10,000 gallons per day will be more than adequate to meet their needs. Wells are available on the property, however Pacifico would prefer utilizing AMUD for their water needs since they would be using surface water rather than groundwater. Several questions were asked by the Board of Directors. Questions include the noise issue, whether it is planned for the data center to be enclosed, is water needed for a data center and a power plant, etc. K. Pratt stated the noise level is less than 60 decibels; the data center will be enclosed; water would be needed for both the data center and power plant. K. Pratt informed the crowd of people that after this agenda item, he would wait outside the building if anyone had further questions.

President Ray Lewis then opened the item for discussion. Everyone that signed in was given the opportunity to speak before the Board regarding the agenda item. There were many comments made, and all comments were against AMUD allowing the data center to be served by AMUD. The following is a list of persons that spoke to the Board of Directors:

Chris Paulsen, Liz Weaver, Judy Hatch, Nancy Wnuk, John Moore, Ron Sutton, Misty Leatherwood, Mark Lowery, Bruce McJunkin, Christine Ludwich, Kimberly Ponsonby, Brad Penden, Mary Jo Bloomquist, Steve Bloomquist, Kyle Russell, Matt Vastine, Angie Rich, Robert Lisenbee, Colonel Prevost, Phil Harris, Bill Wimberly, Connie Wimberly, Bob Lusk, Jack Walter, Matt Long, Linda Pegment

After everyone had the opportunity to speak, the AMUD meeting was called to recess at 11:16 a.m. The AMUD meeting was reconvened at 11:35 a.m.

D. 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. Working through some issues with the sludge pumps/dewatering system that came up during startup and will delay

completion. 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. Phoenix has been working towards getting the tank online. They passed pressure testing on the line to the tank and plan to perform disinfection of the line and tank during the week of December 15th. R. English stated we are quickly getting to the point of all invoices paid; official action regarding liquidated damages will need to take place at the regular meeting in January.
- Acton Loop Water Line Extension Improvements – All easements have been recorded on the project. eHT is working to finalize plans and specifications, including electrical design for the grinder pump units and will coordinate TxDOT crossing permits prior to being able to advertise the project for bids.
- 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.

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

- Phase 1 Capacity Restoration Project – Comments from Staff regarding the draft Technical Memorandum outlining the proposed improvements associated with Phase 1 have been integrated into the document. Updated cost numbers are anticipated soon which will allow the Memorandum to be finalized. Currently we are not getting any feedback from Biwater; we do have other bids if we need to go to them. Evaluating options with Complete Water Solutions and H2O Innovations, once final options have been received from each, the options will be presented to the Board for consideration.
- Direct Filtration Full-Scale Pilot – TCEQ requested additional information on the pilot report for this mode of operation.
- Ceramic Membrane Piloting – Received TCEQ approval to the Ceramic Membrane Pilot last week.
- Waste Discharge Pipe Repairs – eHT has been in coordination with Purcell Contracting for the reinstallation of the RO concentrate discharge pipe. A formal proposal should be received soon.
- 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: Maunder
Vote: All ayes

E. 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; currently we are coordinating with Grimsley (the low bidder) on the electrical improvements. Update on the Laredo Sewer Line – the property at 6112 Laredo has begun flattening the property – relocating the line at 6114 Laredo, we will need an easement, their attorney Steve Reid has been contacted.

T. Riggio reported at WWTP No. 1 we are reporting under the new 930K permit. He reported during the month of November, WWTP No. 1 received 6.928 MG of flow (up from last month) and was at 25% of the average permit; WWTP No. 2 received 7.13 MG of flow (down from last month) and was at 49% of the average permitted flow under the existing 487K permit; under the future 820K permit this would be 29%. T. Riggio reported both plants are within permit for November.

T. Riggio reported there were no positive bacteriological samples in November. Under water wells, he reported the booster pump went out at Well No. 6, as of this week it has been repaired; at Well No's. 9 and 26, Well 9 will be down for the foreseeable future, working on reconfiguring the disinfection to get Well 26 back in service; Well No. 11 is now operational - since the well has been off all year, he is waiting till January to start the well back up; Well No. 18 is back in service.

T. Riggio reported the statistics on SWATS surface water. Total plant production for the month of November is 67,399,000 gallons; Johnson County took 38,206,000 gallons, or 56%. He reported the raw and finished Chlorides and Turbidity.

T. Riggio reported unaccounted water for the month of November is -25.39%, the 12-month rolling average is 10.12%.

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

Motion: Vernon
Second: Maunder
Vote: All ayes

F. Richard English presented information regarding a potential development in DeCordova Bend Estates (DCBE) for consideration. Mr. Jim Hericks and Mr. Dave Hanson were present to discuss and answer questions. The proposed joint development is between North Gate Properties, LLC and DCBE. North Gate plans to develop approximately 75 residential lots that will eventually become a part of DCBE and DCBE will develop the golf course and other community amenities on the property. North Gate property joins DCBE on 2 sides. Currently AMUD owns the property, commonly known as the DCBE trailer parking lot. DCBE leases this property from AMUD. North Gate and DCBE is proposing to either renew the lease and to receive a perpetual easement located on the south side of AMUD property to allow for improvements, possibly for the golf course and to allow HOA owners

access to enter the housing project or to obtain the property from AMUD. They are also requesting to obtain effluent water from the wastewater plant for irrigation of the golf course. This discussion is the first step. Concensus from the Board is for them to continue moving forward and continue working with R. English on discussions/negotiations.

G. Bob Evert presented the Financial Report for November, 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 and reported no changes to the Balance Sheet.

After discussion, a motion was made to accept the Financial Reports for November, 2025.

Motion: Rose
Second: Vernon
Vote: All ayes

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

1. The Regular Meeting for January is scheduled for 9:00 a.m., Wednesday, January 21, 2026. Committee meetings are scheduled for Thursday, January 15th.
2. AMUD Office closed Thursday and Friday, December 25th and 26th for the Christmas Holiday and Thursday, January 1, 2026 for New Year's Day.
3. Articles – “Cooling the Cloud: Water Utilities in a Data-Driven World” from American Water Works Association.

Open Items

1. SWATS Expansion discussion.

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

Motion: Rose
Second: Maunder
Vote: All ayes

I. Items from Board Members:

Vernon:
None

Maunder:
None

Rose:
None

Featherston:

1. Wished everyone a Merry Christmas.

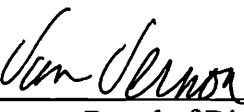
Lewis:

None

Adjournment

A motion was made to adjourn at 12:35 a.m.

Motion: Mauder
Second: Featherston
Vote: All ayes



Secretary, Board of Directors
Acton Municipal Utility District

Regular AMUD Board Meeting
December 17, 2025 - 9:00 a.m.

Agenda Item B
Open Forum

NAME

ADDRESS

Ron Sutton

8926 Brerfield Rd

Regular AMUD Board Meeting
December 17, 2025 - 9:00 a.m.

Agenda Item C
Discussion Regarding a Potential Data Center Project

NAME	ADDRESS	FOR/AGAINST
✓ Marvin Doberenz	9600 Airport	Against
✓ Christine Leftwich	8905 Magnolia	Against
✓ Jeannie Stacks	5417 Acton Hwy	(Need more information)
✓ Andrea Love	9028 Bellechase Rd	Against
✓ Randi J. Lewis	9028 Beauchesne Rd	Against
✓ Brad Peden	9800 Air Park	Against
✓ Laura Steen	7006 Gulfstream	Against
✓ Mary Jo Bloomquist	6401 Citation Ct.	Against
✓ Linda Lechner	10015 Flight Plan	Against
✓ Steve Bloomquist	6401 Citation Ct.	Against
✓ Rick McQuainey	6404 Sunset Cove Ct	Against
✓ Kyle Russell	Upper Trinity GL	
✓ STEPHEN KENNEY	5209 WEDGEFIELD Rd	Against
✓ Philip Mosakowski	5820 Long	Against
✓ Jennifer Mosakowski	5820 Long	Against
✓ Matt Vastine	3008 Skyhawk	Against
✓ Gary Ziegler	1602 Burnet	Against

Regular AMUD Board Meeting
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Agenda Item C
Discussion Regarding a Potential Data Center Project

NAME	ADDRESS	FOR/AGAINST
✓ Angie Rich	8921 Bontura	Against
✓ Robt Lisenbee	8815 Sundance	Against
✓ Colonel Prevost	9805 Ravenswood	Against
✓ Phil Harris	9302 Monticello Dr	Against
✓ Ben Sutton	8926 Briarfield Rd	Against
✓ Biff Peterson	7810 RAVENSWOOD RD.	AGAINST
Pierre Kerkhof	5024 Elms ct.	Against
✓ Biny Wimberly	7972 RAVENSWOOD	Against
✓ CONNIE WIMBERLY	" " "	Against
✓ Tom Thibault	9605 Taxiway Dr	Against
✓ TAD OLDENBURG	2716 Ulysses Rd	AGAINST
✓ Bob Kusk	9416 Ravenswood Rd	
✓ James Barber	9028 Bellechase Rd	Against
✓ Jack Walta	7006 Gulfstream	Against
✓ Tom Love	441 Silveran Drive	
✓ Matt Long	9504 Bellechase	AGAINST
✓ Heidi Edwards	8010 RAVENSWOOD RD	AGAINST

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Agenda Item C
Discussion Regarding a Potential Data Center Project

NAME	ADDRESS	FOR/AGAINST
✓ Barbara Sutton	8926 Breefield	against
✓ Jack Hatch	6303 Dale Mtn	Against
✓ Nancy Wnek	8945 S. Monticello Cir.	Against
✓ Julian C. Wnek	8745 S. Monticello Cir	Against
✓ John "Mitch" Moore	6501 Hill City Hwy	against
✓ Barbara Dobway	9100 Airpark Dr.	Against
✓ Sherry Holmes	9300 Bellechase	Against
✓ Clayton Holmes	9300 Bellechase Dr.	against
✓ Gina Koch	7009 Gulfstream Dr.	against
✓ Ciro Hidalgo	7009 Gulfstream Dr.	against
✓ Carol Paulsen	3766 CR 2008 Hwy	against
✓ TOBY PECHANEC	10015 FLIGHT-PLAN DR	AGAINST
✓ DIANE Henderson	6405 Forest Oaks CT	AGAINST
✓ Amy Good	8301 W Landings Rd	Against
✓ Sandra Wagnon	6424 BUENA VISTA DR	Against
✓ Bob Slater	6424 Buena Vista Dr	Against

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Agenda Item C
Discussion Regarding a Potential Data Center Project

NAME	ADDRESS	FOR/AGAINST
✓ Liz Weaver	6109 Browning Court	Against
✗ Wes Weaver	6109 Browning Court	Against
✓ Sharon Meador	9901 Palmyra Hwy BD 76453	Against
✓ WARD DUNN	8910 Hopsicker CT. 76049	Against
✓ KRISTEN RASH	4218 Masave DL 76049	Against
✓ Misty Leatherwood	5003 Piper Dr 76049	Against
✓ Michael Leatherwood	5005 Piper Dr 76049	Against
✓ Paula Houston	9607 Taxicay Dr. 76049	Against
✓ Val Houston	9607 Taxicay Dr. 76049	Against
✓ Charlie Houston	6000 Justice CT Granbury TX 76049	Against
✓ Lauren Houston	6000 Justice CT Granbury TX 76049	Against
✓ Mark Lowery	3712 Lonesome Creek 76049	Against
✓ DAVID WEAVER	6605 BURN CT 76049	Against
✓ BRUCE McJUNKIN	5104 WEDGEFIELD 76049	Against

Regular AMUD Board Meeting
December 17, 2025 - 9:00 a.m.

Agenda Item C
Discussion Regarding a Potential Data Center Project

NAME	ADDRESS	FOR/AGAINST
✓ <u>Donna Williams</u>	<u>Frankbury Tx</u>	<u>Against</u>
✓ <u>Debbyne W. Wood</u>	<u>3803 Sage Ct.</u>	<u>Against</u>
✓ <u>Leslie Petti</u>	<u>3803 Sage Ct</u>	<u>Against</u>
✓ <u>Kimberly Ponsonby</u>	<u>5608 Choctaw Dr.</u>	<u>Against</u>
✓ <u>Tom Neal</u>	<u>5608 Choctaw Dr,</u>	<u>Against</u>

Regular AMUD Board Meeting
December 17, 2025 - 9:00 a.m.

Agenda Item C
Discussion Regarding a Potential Data Center Project

NAME	ADDRESS	FOR/AGAINST
✓ Donna Thompson	9001 Monticello	A
✓ Neal Pipkin	A
✓ Bill MAUST	7520 Ravenswood	AGAINST
✓ Tiffani Reynolds	9701 Rock Branch Ln	
✓ Todd Garner	3721 Cave Timber Ave	A
✓ Taylor Patterson	8700 Welham Ct	Against
✓ Lindsey Patterson	8700 Welham Ct	Against
✓ Holly Wright Wood	9714 Bellechase Rd	Against
✓ Kelly Yauck	9620 Monticello Dr.	AGAINST
✓ Joshua Yauck	9714 Bellechase Rd	Against
✓ CLIP Annex	9401 Ravenswood	Against
✓ ROSE SANTAMARIA	6107 BROWNING CT	AGAINST
Noe Garza	9617 Bellechase Rd	Against

Regular AMUD Board Meeting
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Agenda Item C
Discussion Regarding a Potential Data Center Project

<u>NAME</u>	<u>ADDRESS</u>	<u>FOR/AGAINST</u>
✓ Tommy Davis	5200 FM 2174 #bunk R	Against!
✓ Amy Larkin	281 Martin Cranbury	Against.
✓ Eric Olson	Kingsley Cir	Against
✓ Joyce Olson	Kingsley Cir	Against
✓ Bob Taber	9406 Bellechasse Rd	Against
✓ Paul Fillman	8915 Monticello	Against
✓ Paul Holliday	8519 Kingsley Cir	Against

Regular AMUD Board Meeting December 17, 2025 - 9:00 a.m.

Agenda Item C

Discussion Regarding a Potential Data Center Project

<u>NAME</u>	<u>ADDRESS</u>	<u>FOR/AGAINST</u>
✓ D. MEYER	PECAN PLANTATION	AGAINST

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Agenda Item C

Discussion Regarding a Potential Data Center Project