

SPRING CREEK UTILITY DISTRICT
Minutes of Special Meeting of Board of Directors
January 23, 2023

The Board of Directors (the "Board") of Spring Creek Utility District (the "District") held a special meeting in person in accordance with the duly posted notice of meeting and the Texas Open Meetings Act. The roll was called of the duly constituted officers and members of said Board, as follows:

Claude Humbert	-	President
Mark Fusca	-	Vice President
Frederick Sunderman	-	Secretary
Leslie Gourley	-	Assistant Secretary
Melvin Willcockson	-	Director

All of said members were present, thus constituting a quorum.

Also present were Jonathan Roach, Brian Cassidy*, Ray Arce, and Jessica Gentry of Roach & Associates PLLC ("RAPLLC"); and John Montgomery of Municipal Operations and Consulting, Inc. ("MOC"). [Remote attendees*]

PUBLIC COMMENTS

There were no public comments.

Director Sunderman inquired if the Board would authorize him to attend the Texas Society of Professional Engineers ("TSPE") in Austin, whereby after some discussion, the Board concurred.

REVIEW AND AMEND RATE ORDER

The Board reviewed the current Rate Order, obtained confirmation that all "community consumers" were treated the same way, and discussed various necessary updates in the text and rates.

Mr. Cassidy entered the meeting.

After a lengthy discussion and recognizing that additional information would be needed, Director Humbert requested that amendments and revised fees be ready for the Amended Rate Order to be approved and effective by the beginning of the next fiscal year (May 1, 2023). Mr. Montgomery assured the Board that he would do further research on the total expenses for water plant operations distribution and wastewater plant operation and collections system. Director Fusca inquired if Mr. Montgomery could provide the Board with a spreadsheet in real-time for their viewing, whereby Mr. Montgomery agreed.

AWBD WATER SMART APPLICATION

Mr. Montgomery presented the Association of Water Board Directors (“AWBD”) water smart application for the Board’s execution.

SECURITY AND LAW ENFORCEMENT OPTIONS

Director Humbert discussed various law enforcement options. Director Gourley noted that he has seen law enforcement constantly parked at the Walmart rather than patrolling the neighborhoods. He further stated that Walmart should hire its own security so that the District’s law enforcement can patrol elsewhere. Director Sunderman pointed out the graffiti at the District’s facilities and asked that security patrol the facilities daily. He then noted that hiring a separate security service would be more cost-effective than increasing the responsibilities of the constables. Mr. Montgomery stated that MOC goes to the District several times a week to check the meters, whereby Director Sunderman suggested increasing MOC’s contract to include security services. The Board concurred for the Security Committee to set up a meeting with the property managers of the respective commercial sites to discuss security costs and cost-sharing. Mr. Roach advised that the District discuss the matter at their next budget meeting.

POSSIBLE SITE CONVEYANCE AND RELATED DEVELOPMENT/ENGINEERING MATTERS

Mr. Roach advised the Board that Clint Pendelton, former developer of the District, has inquired if the Board will accept a conveyance of drainage facilities from him without any reimbursement or site costs. He further noted that Cobb Fendley (“C-F”) is looking further into the matter and will update the Board at their next meeting.

Mr. Roach then discussed that he had a productive conference call between A&S Engineers, Inc. (“A&S”) and C-F, noting that A&S agreed to provide plans to C-F but was not sure if this had been completed. Then Director Humbert noted that he conversed with Mr. Braddock, who advised that the District could use Buyboard to send out bids for the Phase 2 Water Line Rehabilitation, noting that SKE Construction was a member of the BuyBoard program Mr. Roach advised that Buyboard is authorized by the state to automatically provide cooperative and competitive bids for certain projects and equipment, further advising that the District could choose its own contractors. A lengthy discussion then ensued regarding the functions of Buyboard.

DISTRICT ADMINISTRATION BUILDING OPTIONS

Director Humbert noted there are three details he would like completed tonight regarding the proposed Administration Building: (1) the purpose; (2) the type; and (3) the location. Then Director Sunderman noted that the former Knight of Columbus building was available for the District to rent out for meetings, noting it would be more cost-effective than having a building designed. Director Humbert stated that Director Sunderman’s office building is not located within the District’s boundaries.

Director Willcockson noted that the primary function of this Administration Building is for the District to hold meetings and events. He further stated that a building containing a meeting room, bathrooms, kitchen, and office would suffice. Director Gourley agreed, further advising that the meeting room be large enough to hold the Joint Facilities Advisory Committee (“JFAC”) meetings. Director Fusca noted that he would prefer a structure with a one hundred (100) person capacity for District meetings, town meetings, programs, and a few offices. Director Humbert agreed that the primary function of the building is to hold District meetings and noted he would prefer a structure similar to the size of MOC’s last office, so the Board and other organizations can utilize it for presentations or events.

Next, a lengthy discussion ensued regarding the original drawing plans for the Administration Building and the Board agreed on the general concept (with increased size for additional office space and bathrooms, as well as increased covered outside area). The site location was not finalized. Mr. Montgomery noted the next step would be to hire an architect or engineer to draw up new plans reflecting the necessary changes discussed. The Board concurred for RAPLLC to solicit bids for an architect or engineer.

PAYMENT OF INVOICES

After some discussion, Director Sunderman motioned to authorize payment of invoices to A&S, subject to A&S providing the necessary plans previously discussed to C-F. Director Gourley seconded the motion, which passed unanimously.

EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071, 551.074, ET. SEQ.

The Board did not enter into executive session.

DISCUSS PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS

The Board concurred to have their next regular meeting on February 20, 2023, at 5:00 p.m. After no further discussion to come before the Board, Director Fusca made a motion to adjourn the meeting. The motion was seconded by Director Gourley and passed unanimously.

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Passed and approved this 29th day of March 2023.

/s/ Frederick Sunderman
Secretary, Board of Directors

[SEAL]

