

SPRING CREEK UTILITY DISTRICT
Minutes of Special Meeting of Board of Directors
April 28, 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 the said members were present except Director Sunderman and Director Willcockson, thus constituting a quorum.

Also present were Jonathan Roach, Jessica Gentry, and Hayden Toth of Roach & Associates PLLC ("RAPLLC"); Mason Mueller and Amber Hurd of Cobb Fendley & Associates ("C-F"); and Brian Desilets, who entered later in the meeting, of Clarity Consulting Inc. ("Clarity").

PUBLIC COMMENTS

There were no public comments.

ADOPT THE AMENDED RATE ORDER

The Board reviewed various proposed changes to the District's Rate Order. Director Humbert noted that Mr. Montgomery had also recommended changing the language regarding multiple connections versus master meter connections for multi-family customers. Some discussion ensued regarding additional changes. Director Gourley inquired what days the solid waste collection is scheduled within the District, and he noted that they have been inconsistent. He suggested that the Board confirm with the contractor that they are picking up solid waste based on a specific schedule.

After no further discussion, Director Gourley motioned to approve the Amended Rate Order, subject to revision of Exhibit "A" as applicable based on the updated rates. Director Fusca seconded the motion, which passed unanimously.

REVIEW BOOKKEEPER PROPOSALS

Mr. Roach noted that he had transmitted five (5) requests for proposals for bookkeeping services and had received proposals from Municipal Accounts & Consulting, LP ("MAC"), Clarity,

and Artesian Financial Services (“AFS”). He further indicated that he did not expect to receive any other proposals for bookkeeping services at this time based on initial responses.

The Board reviewed the various proposals and noted that the current Bookkeeper would be leaving at the end of May so a quick transition would be needed. Director Humbert reviewed the budget, rates, and bond fees from MAC and AFS’ proposals. He then noted that he was unsure if Clarity had the resources to cover what the District needs and would like to discuss this further with them. The Board continued to discuss the experience Clarity has had with the District and agreed that Clarity understands the Board’s needs.

Mr. Desilets then entered the meeting, and gave an overview of his experience, company, and staff qualifications. Then, a lengthy session of questions and answers ensued regarding various services provided by Clarity.

Mr. Desilets exited the meeting.

After further discussion, Director Fusca motioned to engage Clarity as the new Bookkeeper for the District, subject to an acceptable contract to be reviewed by RAPLLC. Director Gourley seconded the motion, which passed unanimously.

DISTRICT ADMINISTRATION BUILDING OPTIONS

Ms. Hurd presented a proposal for a design-build contract, which would permit C-F to move forward with sending Requests for Qualifications (“RFQs”) to various contractors. Ms. Hurd further indicated that the design builder would prepare all the plans and submissions while C-F would supervise the process. Director Gourley inquired if the project would include both the construction of the building and the corresponding parking lot. A lengthy discussion ensued regarding the proposal and fire protection of the building. Ms. Hurd confirmed that Montgomery County has been less lenient recently on the requirements for fire protection.

Ms. Hurd inquired if the Board would like to schedule a special meeting or create a committee with two Directors to discuss the RFQs and the project's details further. Director Gourley noted that a special meeting would be more beneficial so that all Directors could discuss specifics. Then Ms. Hurd pointed out that the specific details of the building layout would be addressed with the design-build contractor so it would be their responsibility to present those to the Board.

A lengthy discussion ensued regarding the location of the building. Director Fusca noted that he preferred a building in Fox Springs Park nearer the wastewater treatment plant. Director Humbert stated that the location is in a flood zone and a foundation would have to be built to keep the building from flooding, likely costing the District more money. A lengthy discussion ensued regarding the care of Fox Springs Park with the additions and replacements of existing equipment. Ms. Hurd noted they could talk to park vendors at the upcoming Association of Water Board Directors (“AWBD”) Summer Conference.

After discussion, Director Gourley motioned to authorize C-F to finalize the RFQs and send to design-build companies. Director Fusca 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

Director Humbert noted various items to be added to the District's Master Calendar and future agendas. Next, Director Humbert inquired if C-F has received the complete 40-year Capital Improvement Plans ("CIP") when they took over as the District's Engineer. Mr. Mueller confirmed that he would look to see if they had the 40-year CIP. Then the Board noted that the water distribution CIP discussion should occur at a special meeting and include the possibility of a water reclamation/re-use ("purple pipe") project.

Director Fusca inquired if any regulations require the District's water plants to be inspected a certain number of times, and Mr. Mueller responded that no specific regulations dictate the exact number of times or how frequently water plants need to be inspected. Next, Director Gourley noted his understanding that 2121 Riley Fuzzel had received funding for their project and confirmed they would attend the next Board meeting with updates.

The Board concurred to hold their next regular meeting on May 15, 2023, at 5:00 p.m. After no further discussion to come before the Board, Director Gourley made a motion to adjourn the meeting. The motion was seconded by Director Fusca and passed unanimously.

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Passed and approved this 15th day of May 2023.

/s/ Frederick Sunderman
Secretary, Board of Directors

[SEAL]

