

January 10, 2023

The Board of Directors of Brown County Water Improvement District No. 1 convened in a regular meeting at 4:00 pm, January 10, 2023, in the office of the District at 501 E. Baker, Brownwood, Texas. This meeting was called to order by Mr. Bert Massey; pledge led by Mr. Brad Simpson; and invocation by Mr. Jimmy Jones. Mr. Johnny Hays and Mr. James McMillian were also present. District's Legal Counsel, Bart Johnson, Jr., was present. Other District staff members present: Mr. John Allen, Mr. Dale Weaver, Mr. Mark Davis, Mr. Cody Shannon, Ms. Kay Silva, Ms. Alveza Marin, Mr. Joshua Holmes, Ms. Samantha Morell, and Mr. Marcus Lively.

MINUTES

Board considered minutes from the regular meeting held on December 13, 2022. After review, Mr. Hays moved to approve the minutes as presented, seconded by Mr. Simpson. There being no further discussion, motion carried.

CLAIMS & ACCOUNTS

Claims, accounts & checks issued January 9, 2023, in a total amount of \$113,132.32 consisting of checks 30459-30530 were reviewed and approved as presented by motion by Mr. McMillian, seconded by Mr. Jones. There being no further discussion, motion carried.

INVESTMENT REPORT

Investment Report for December 2022 & Revenue and Expenditure Report for November 2022 were considered. After a brief discussion, Mr. Hays moved to approve these reports as presented, seconded by Mr. Jones. There being no further discussion, motion carried.

CITIZEN PRESENTATIONS:

There were none.

NEW BADGES FOR LAKE PATROL DEPARTMENT PRESENTATION OF CERTIFICATE OF APPRECIATION TO THOSE THAT PARTOOK IN THE BADGE DONATION

General Manager then addressed the Board regarding acceptance of new badges for the District's Lake patrol Department and recognize those local citizens that donated them. Mark Davis, Lake Patrol Chief, was present to address the Board, accept the badges, and present certificates of appreciation to those that took part in the badge donation: Ms. Cassandra Evers, Mr. Charles Lockwood, Mr. Bart Johnson, Mr. Robert Porter, Mr. Paul Waldrop, and Judge Harold Hogan. Ms. Evers, Mr. Johnson, and Judge Hogan were present and accepted their certificates as Judge Hogan addressed the Board. The District expressed its great appreciation for the donation.

LEASE TERMINATION APPROVED AGAINST LESSEES THAT FAILED TO MEET THE 3 YEAR DOCK PLACEMENT REQUIREMENT

General Manager continued to the matter of McCartney Island lessees that failed to meet the three (3) year dock placement requirement. The deadline was December 31, 2022, after being given three (3) years from December 31, 2019, to have a dock moored on the leased space on McCartney Island, Lake Brownwood. He informed that six (6) McCartney Island space lessees had reached the three (3) year dock placement deadline and failed to meet the requirement. As stated in the One Year Dock Mooring Lease Agreement, the Lease, Section 17. Special Provisions, Item D: Failure to comply with this requirement will result in denial of the continued dock mooring lease. Due to this, fees for Year 2023 were not assessed to these six (6) continued General Manager had also spoken to General Counsel regarding this matter. After some discussion Mr. Massey moved to instruct General Counsel to draft a letter informing of the lease termination and to instruct the District to send this letter to each of the six (6) space lessees advising that their lease is terminated by the terms of the Lease, seconded by Mr. Jones. Mr. Hays then moved that the motion be amended to provide that instead of notice of forfeiture of lease, that a letter informing that the lease will be forfeited within 30 days if arrangements were not made. This amendment then failed due to lack of a second. Returning to the vote on the original motion, and there being no further amendments or discussion, the first and original motion carried.

LEGAL ACTION TO BE FILED AGAINST DELINQUENT ACCOUNTS REFLECTING YEAR 2022 FEES THAT HAVE NOT BEEN PAID

General Manager then addressed the Board regarding three (3) dock accounts with outstanding balances from fees assessed for Year 2022. General Counsel, Bart Johnson Jr., indicated he had contacted General Counsel for the Lower Colorado River Authority, LCRA, to inquire on what their course of action was on similar situations. It was recommended to file action for the delinquent customer's breach of lease. District's General Counsel thus recommended the District take the following recommended steps: draft a letter; send letter to each customer, certified; file letter at the Brown County Court House; and serve each customer. After discussion, Mr. Jones moved to authorize General Counsel to file such action he deems appropriate against these delinquent payers seeking judicial termination; that they are delinquent; and that the District is authorized to proceed with this action; seconded by Mr. Hays. There being no further discussion, motion carried.

UPDATE ON ZEBRA MUSSELS AT LAKE BROWNWOOD

General Manager informed that zebra mussels clusters continue to be found and reported. Zebra Mussel Abatement Project: Construction meeting with engineers and contractors was held on December 12, 2022. Plans and specs for the project have been submitted to and approved by engineers. Construction is expected to begin sometime in February or March 2023.

ACTIVITIES REPORTS FROM DISTRICT'S SUPERVISORS

Department supervisors then came forward and informed the Board of their recent and ongoing projects: Mr. Dale Weaver, Field Operations; Mr. Cody Shannon, Treatment Plant Superintendent; and Mr. Mark Davis, Chief Lake Patrol.

GENERAL MANAGER REPORT

- General Manager proceeded to inform the Board of the following:
1. Current lake level: 1416.88 or 8 feet 2 tenths feet below Spillway level
Stage 2 Drought Restrictions remain in place.
Next drought stage will be reached at 11 feet low.
Lake level one month ago 12.13.22: 1417.2 or 7 feet 9 tenths below Spillway level
Capacity: Current 61.4% / 1 year ago, 91.8% / Last month 62.2%
 2. Current Drought Restrictions Recap:
 3. *July 15, 2022 Lake Brownwood reached Stage 1 of the drought restrictions as it fell to 1419.10, below 1420msl due to no rainfall. In this first stage of drought restrictions in which the public is asked to voluntarily conserve water.

*November 8, 2022 Lake Brownwood reached Stage 2 of the drought restrictions when it reached 8 feet low or 1417msl. Restrictions include mandatory time of day and day of week watering schedules.

*Media and customers are being updated weekly regarding lake levels.
*Average lake capacity percentage statewide: 71.8%

*Year to date totals: Precipitation information not available.
Treatment Plant totals-December 2022- Avg 5.324mgd / Min 4.273mgd / Max 9.071mgd

4. The District continues to wait on a final bill from the cleanup crew from Ranger, Texas, on the oil spill in Early, Texas, last year.

6. Brad Tyson's new lease for the additional RV spaces at Kirklands is ready. Waiting on his review and signatures. Should attend February 2023 board meeting.

7. Retirement party plans for 41+ year District employee, Jerry D. Loyd, with the Field Operations Department set to take place on Thursday January 19, 2023, at the District's Field Operations Department. Arrive between 5:30pm and 5:45 pm.

8. Brownwood Legislative Day in Austin is February 8, 2023. General Manager and Director James McMillian are scheduled to attend.

9. Upcoming Holiday: Monday January 16, 2023, Martin Luther King Day. District offices will be closed. Essential personnel on duty only.

10. Membrane Plant Rehab Project: Meeting last week with Freese & Nichols as they work to move forward with the project. Representatives with Pall Corporation, filtration solutions company, are scheduled to be at the plant in the spring to perform cleanings and monitor the filtration system to gather information regarding needed updates.
11. Due to current drought restrictions, construction companies and contractors are not being allowed to draw raw water from Lake Brownwood to use in their projects.

ADJOURNMENT

Therefore, at approximately 5:02 p.m., Mr. McMillian moved to adjourn, seconded by Mr. Hays. There being no further discussion, motion carried unanimously.

Adjourned:


Bert Massey, President


Jimmy Jones, Secretary