

March 14, 2023

The Board of Directors of Brown County Water Improvement District No. 1 convened in a regular meeting at 4:00 pm, March 14, 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 was also present. Mr. James McMillian was not 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, and Ms. Alveza Marin.

#### MINUTES

Board considered minutes from the regular meeting held on February 14, 2023. After review, Mr. Hayes moved to approve the minutes as presented, seconded by Mr. Simpson. There being no further discussion, motion carried.

#### CLAIMS & ACCOUNTS

Claims, accounts & checks issued March 10, 2023, in a total amount of \$145,555.86 consisting of checks 30614-30690 were reviewed and approved as presented by motion by Mr. Jones, seconded by Mr. Hays. There being no further discussion, motion carried.

#### INVESTMENT REPORT

Investment Report for February 2023 & Revenue and Expenditure Report for January 2023 were considered. After a brief discussion, Mr. Simpson moved to approve these reports as presented, seconded by Mr. Hays. There being no further discussion, motion carried.

#### CITIZEN PRESENTATIONS: There were none.

#### STARK REQUEST FOR REINSTATEMENT OF TERMINATED SPACE LEASES DENIED

Andrea Ingram and Alan Stark, children of District customer Weldon Stark, were present to address the Board and request a 30 day reinstatement of their terminated leases for spaces 109, 110 and 112 at McCartney Island, Lake Brownwood, to allow for sale of lease rights or transfer. These spaces were terminated on December 31, 2022, due to failure to comply with Section 17 Special Provisions, Item D, in the One Year Dock Mooring Lease Agreement. Item D reads as follows: The aim of making dock mooring spaces available to the public is for the purpose of mooring a dock. Therefore, any individual who leases a dock mooring space will be required to place and maintain a dock associated with such space no later than three (3) years from the date that the lease commences. Failure to

comply with this requirement will result in denial of the continued dock mooring lease. Weldon Stark transferred these spaces on December 26, 2019, to Andrea Ingram, Alan Stark, and Wanda Stark. The three (3) year dock placement term expired on December 31, 2022. After a lengthy discussion, Mr. Jones moved to honor only the space leases that are currently in effect at this time, which are bound by the terms of the One Year Dock Mooring Lease Agreement, seconded by Mr. Massey. After continued discussion, Mr. Simpson voted in favor of the motion. Mr. Hays voted against the motion. Andrea Ingram did speak again requesting the Board reconsider a notice to customers in similar situations as this in the future. Mr. Hays indicated it would be included in the April 2023 Board Meeting Agenda. There being no further discussion, motion carried.

GENERAL MANAGER  
AUTHORIZED TO VISIT  
WITH ENGINEERS  
REGARDING REQUEST FROM  
ZEPHYR WATER TO  
INCREASE CONTRACTED  
AMOUNT OF WATER

General Manager then addressed the Board on a request from Zephyr Water Supply Corporation for an increase in the contracted treated water amount in their Treated Water Supply Contract with the District. In 2022, Zephyr Water Supply Corporation used and reached 85% of the amount of water contracted with the District. In this event, Texas Commission on Environmental Quality, TCEQ, has a rule set that in the event that 85% of the water that is contracted is used and reached, action must be taken to secure more water, or increase the contracted amount of treated water. General Manager indicated it would require visiting with engineers to determine if the District's microfiltration plant has the capacity to meet the increased water needs. After discussion, Mr. Hays moved to authorize the General Manager to visit with engineers to begin working on this request, determine if the District is able to meet the water needs of its municipal water customers, and return to the Board when a determination is made, seconded by Mr. Jones. There being no further discussion, motion carried.

VOLTUS ENERGY  
PROPOSAL TO INCREASE  
DISTRICT'S PARTICIPATION  
IN ENERGY SAVING  
PROGRAM DECLINED

General Manager was contacted regarding a possible amendment to the District's current Distributed Energy Resource Agreement with Voltus Energy. General Manager explained that the District is still enrolled in the program and already earns funds for participating during the high volume season. The amendment proposes the District increase its participation by shutting down the treatment plant more times in a month and for longer periods of time. After a brief discussion, General Manager indicated that the District cannot curtail its water production more than it does now and recommended declining the proposal. All Directors present were in agreement. No action was taken.

UPDATE ON ZEBRA  
MUSSELS AT LAKE  
BROWNWOOD

General Manager informed once again that zebra mussels reports have slowed down due to the winter weather and low lake level. Zebra Mussel Abatement Project: Work continues with the contractor. Forms and document submittals continue. Construction is expected to begin sometime in late 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 and Mark Davis, Lake Patrol.

GENERAL MANAGER REPORT

1. General Manager proceeded to inform the Board of the following:  
Current lake level: 1416.5' or 8 feet 6 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 on February 14, 2023: 1416.71 or 8 feet 3 tenths below Spillway level.
2. Capacity: Current 60.2%. One (1) year ago, 90.2%. Last month 60.8%.
3. Current Drought Restrictions Recap:  
\*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 continue to be updated weekly regarding lake levels.  
\*Average lake capacity percentage statewide: 75.3%  
\*Year to date totals: Precipitation information still not available.  
Treatment Plant totals-February 2023- Avg 4.722mgd / Min 3.778mgd / Max 5.656mgd. Rural customer water use has not slowed down.
4. The District has received the final bill from DSC Environmental, the cleanup crew from Ranger, Texas, on the oil spill in Early, Texas, last year, in the amount of \$12,485.22. Have talked to Mr. Wyman Kelcy regarding this. He has assured that he will submit payment.

6. Brad Tyson's new lease for the additional RV spaces at Kirklands is ready. He has requested to be added to the March 2023 Board Meeting agenda. He has also informed that he will discontinue the brush pile he has had available to residents as he is having difficulty controlling the dumping that is done. What is there is scheduled to be burned on March 26, 2023.
7. Region F Water Planning Group was Thursday February 23, 2023 in Big Spring. Working on filling one of the vacant seats as a voting member.
8. Water Development Board's Water Use Report and Water Conservation Report; and the Texas Comptroller of Public Accounts Eminent Domain Report are all complete for year 2023.
9. General Manager to speak at the upcoming Republican Women's Luncheon at the Brownwood Country Club this April.
10. Dam inspection report has been received. Dale Weaver, Field Operations Supervisor, continues to work on updating and finalizing the Emergency Action Plan within the report to be submitted to TCEQ. He is also getting prices to seal the roadway cracks on the road crossing the dam at Lake Brownwood.
11. General Manager continues to work with Pat Ann Wilson with Oncor on new signs Oncor will provide to be placed at all public boat ramps at Lake Brownwood.
12. Attended a Texas AWWA, American Water Works Association, legislative update webinar on February 28, 2023, to hear about news coming from the Texas Legislature on water issues. Nothing to report. This is one of three scheduled sessions. The next should have information on what bills will continue. Jacob & Martin Engineering GIS Mapping trainees from Abilene will visit the District on March 23, 2023.
14. Cast Fishing Tournament to take place at Lake Brownwood on April 15, 2023, and headquartered at Wild Duck. District's Lake Patrol will be assisting.
15. The Texas 4H Center has scheduled a shooting event at the District's shooting range as discussed at approved a previous board meeting. Liability waivers will be signed by all.
16. Freese & Nichols engineers and a Pall Corporation representative visited the District's microfiltration plant last week and spent March 7, 8 and 9<sup>th</sup> looking at processes and equipment with Cody Shannon, Dale Weaver, and General Manager. The Pall Corporation representative indicated the District has a very good water treatment system.

EXECUTIVE SESSION

At approximately 5:29 pm, the Board convened into a closed executive session pursuant to Section 551.071 of the Texas Open Meetings Act to consult with its attorney regarding legal matters.

RECONVENE

At approximately 5:40 pm, the Board reconvened into regular session and had nothing to discuss regarding matters in Executive Session.

ADJOURNMENT

Therefore, at approximately 5:41 p.m., Mr. Jones moved to adjourn, seconded by Mr. Simpson. There being no further discussion, motion carried unanimously.

Adjourned:

  
Bert Massey, President

  
Jimmy Jones, Secretary