

August 13, 2019

The Board of Directors of Brown County Water Improvement District No. 1 convened in a regular meeting at 4:00 pm, August 13, 2019, in the office of the District at 501 E. Baker, Brownwood, Texas. This meeting was called to order by Mr. Dennis Graham, pledge led by Mr. James McMillian; and invocation by Mr. Ted Simpson. Mr. Bert Massey and Mr. Jimmy Jones were also present. District's Legal Counsel, Mr. Bart Johnson Jr., was present. District staff members present: Mr. John Allen, Ms. Kay Silva, Ms. Alveza Marin, Mr. Dale Weaver, Mr. Cody Shannon and Mr. Troy Henderson.

MINUTES

Board considered minutes from the regular meeting held on July 9, 2019. Motion to approve was made by Mr. Massey, seconded by Mr. Jones. Motion carried unanimously.

CLAIMS & ACCOUNTS

Claims, accounts & checks issued August 9, 2019, in a total amount of \$165,348.57 consisting of checks 27586-27654 were reviewed and approved by motion by Mr. Massey, seconded by Mr. Simpson. Motion carried unanimously.

INVESTMENT REPORT

Financial & investment reports for July 2019 were considered. Motion was made by Mr. Simpson, seconded by Mr. Jones, to approve as presented. Motion carried unanimously.

CITIZEN PRESENTATIONS:

Mr. Danny Armstrong of 350 Circle P Heights Rd., Brownwood, TX 76801, was present to briefly address the Board regarding the District's courtesy boat slips and dock located at the District's ramp at the dam. Mr. Tim Ruple then briefly addressed the Board regarding his need of additional time to bring his dock up to code and his thoughts on water rights.

REQUEST FOR EASEMENT
ACROSS OLD IRRIGATION
LINE BY BIG G PROPERTY
APPROVED TO GO TO HIGH
POINT ASSET MGMT LLC

General Manager and Legal Counsel both addressed the Board regarding a request from the City of Early and High Point Asset Management, LLC, regarding an Access and Parking Easement and Maintenance Agreement between High Point Asset Management, LLC, City of Early and the Brown County Water Improvement District for property across what is known as the Big G property in Early. After discussion, Mr. Massey moved to grant the easement request directly to High Point Asset Management, LLC, with the City of Early, by agreeing to maintain and perform repairs on the District's buried irrigation line, seconded by Mr. Jones. Motion carried unanimously.

MATT SOUTHALL ADDRESSES Mr. Matt Southall of 524 CR 16D, Hallettsville, Texas 77964 leases a space at McCartney Island and was present to address the Board sharing his thoughts on large wake boats, the damage he feels they cause and safety. Mr. Tommy Davis of 762 Spillway Rd, Brownwood, Texas 76802, then came forward and shared his thoughts regarding the same and shared the opposite opinion. He indicated he felt dock owners must build sturdier docks and exercise greater caution out on the lake as many boats, skiers and the like are present on the water at all times. Mr. Ronnie Carranza of 1900 CR 152, Brownwood, Tx 76802, came forward and stated he is also concerned with the larger wakes, as well as the potential damage to property and bodily injury that can be caused. Lastly, a Mr. David McKamey of 400 Elm Street in Bangs, Tx., came forward and also shared his concerns with the hazards of large wakes on the water.

APPOINTMENT OF AUDITOR FOR FISCAL YR 2018/2019

Board approved appointment of Burl D. Lowery, CPA, as the District's auditor for the fiscal year ending August 31, 2019. Motion was made by Mr. Simpson, seconded by Mr. Jones, to approve hiring Burl D. Lowery, CPA, at a gross fee not to exceed \$14,000. Motion carried unanimously

2019-21 BANK DEPOSITORY CONTRACT AWARDED TO CITIZENS NATIONAL BANK

After discussion, Mr. Massey moved to retain the District's depository with Citizens National Bank, seconded by Mr. Jones, as recommended by the District's Finance Director, Kay Silva. The depository contract shall be for a three year term from September 1, 2019, through August 31, 2021, with no charges for services rendered; and pre-printed checks or deposit slips in style desired at bank cost. Motion carried unanimously.

18/19 BUDGET TRANSFER APPROVED

Board then reviewed budget transfers presented for the 2018/2019 fiscal year budget: *TRANSFER from Lake Patrol to Treatment Plant \$55,000

It was noted that this transfer was to cover treatment plant chemicals and unexpected equipment maintenance. Motion was made by Mr. Simpson, seconded by Mr. Jones, to approve the transfer as presented. Motion carried unanimously.

REPORT ON THE UPCOMING DOCK ENCAPSULATION DEADLINE

General Manager then reported on the current status of the upcoming dock encapsulation deadline stating that approximately 149 docks remain out of compliance with the encapsulation requirement. He reported the following numbers:

*149 remain that do not have encapsulated flotation.

*58 have been reported to be under contract and on a dock building waiting list.

*91 docks remain unreported.

After continued discussion, it was agreed that additional work and time would be needed to determine how to address the docks that are not encapsulated upon the arrival of the deadline and to work out the details of how the District will move forward. No action.

REQUEST FOR TRANSFER OF ½ JETTY FROM ERLINE DANIELS TO JONATHAN SMITH APPROVED

General Manager addressed the Board regarding a request from Erline Daniels, current lessee of one half of a District jetty located adjacent to her personal property at 250 High Top Street, Lake Brownwood. She sent a request to transfer her jetty lease, a 15 year Multiple Year Land Lease Agreement, to Jonathan Smith of Midland, Texas. He purchased Ms. Daniels' property adjacent to this jetty. Also, Mr. Smith purchased her dock, which is moored to said jetty. After a brief discussion, Mr. Jones moved to approve the transfer as is under the terms currently in effect under the 15 year Agreement, and will end on the date of expiration noted in this Agreement, seconded by Mr. Simpson. Motion carried unanimously.

GENERAL MANAGER REPORT

General Manager proceeded to inform the Board of the following:

1. Lake Brownwood at full capacity is 1425 msl / Current lake level 1423.9 / This is 1 foot 2 tenths below Spillway / Lake level at last month's board meeting July 7, 2019 was 1425 or right at spillway level / Month of July 2019 precipitation .46 inches / evaporation 9.07 inches / Year to date precipitation as of August 1, 2019, 15.02 inches / Year to date evaporation 37.65 inches / Treatment plant July 2019 averages 7.06mgd / minimum 5.4mgd / maximum 8.9 mgd. Month to date averages, August 2019: minimum 8.7 mgd / maximum 9.8 mgd.
2. Lightning strike at treatment plant on 6/19/2019. Repairs continue. Work with insurance continues.
3. Vickie Ahrllett, property owner on Pency Dr. at Lake Brownwood, still awaiting property survey. Don King has assured he will have a report by the District's September 2019 meeting.
4. Boat races previously scheduled at Sandy Beach have been cancelled due to the passing of its promoter. Will revisit next year.
5. Inquiry about Spider-B-Gone, a spraying system currently being used at Lake Brownwood by dock owners for pest control on docks. Local licensed pest controller contacted the District with questions regarding its legality. Texas Department of Agriculture has been contacted and is currently performing an investigation because there is no currently approved pesticide on the market for use on water.
6. TWDB Regional Flood planning meeting on August 14, 2019 in San Angelo. City of Brownwood's Tim Airheart will be attending alongside the District. City of Early will be attending on August 15, 2019, in Abilene.
7. Raw water pump failure at treatment plant. This pump has been rebuilt once. Now looking at alternatives to allow pump to last more than five (5) years.
8. District received Freedom of Information Act request from Joe Cooksey regarding employment applications for District's lake patrol department dating back to January 1, 2019. Social media and emails are being used as well for comments and accusations of that the District has an employee impersonating a police officer at Lake Brownwood. District's legal counsel has been contacted.
9. Zebra mussels have been found in two (2) new lakes in Texas: Lake LBJ & Pflugerville.
10. Teresa Northcutt, current lessee District's lots 8 & 8A at Peninsula, has contacted the District and sent official notice of that she wishes to purchase the lots she leases. She will be allowed to choose an appraiser to get the process started.

11. Jason Persons, the only business owner to pump potties on docks at Lake Brownwood, will address the Board at the September 2019 board meeting regarding new equipment he is looking to purchase.
12. Former director, Johnny Hays, suffered non-life threatening injuries in a rollover accident the night of Sunday August 11, 2019. He is currently at Scott and White in Temple.
13. Participated in a Water Conservation Advisory Council Workshop meeting and conference call on July 31, 2019, with TWDB staff and other water wholesalers across the state. Workshop focused on education and outreach for water conservation plans.
14. Tommy Davis recently inquired about his interest in purchasing property in front of the Lake Dam Fire Station and the old Beck lease property. His request was denied.
15. 2nd Freedom of Information Act request from Matt Southall on an incident that occurred on July 24, 2019, at the dam over a parking incident.
16. Working with Asst Fire Chief, Darrell Johnston, and looking into swift water training with the District's lake patrol and maintenance departments possibly below the dam. Hoping for participation by local Texas Parks and Wildlife Department as well. This would be beneficial to everyone involved.
17. Mr. Massey requested an update on a dock variance previously granted to David Croft, dock owner at Lake Brownwood: David Croft did submit documentation from the FDA and EPA indicating their approval of the isophthalic corrosion resin and fiberglass material manufactured by Sawyer Industries in Brownwood for his dock as previously requested in the July 9, 2019, board meeting. Work on his dock has not been done as of yet.
18. Mr. Jones requested clarification on the District's parking area at the dam: it is an area for courtesy parking for short periods of time on a first come first serve basis. Used for launching boats during fishing tournaments as well. Lake Patrol is contacted prior to these events.

ADJOURNMENT

At approximately 5:24 p.m., Mr. Massey moved to adjourn, seconded by Mr. Simpson. Motion carried.

APPROVED:


Bert Massey, Vice President


Ted Simpson, Director