

MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS  
OF TRAVIS COUNTY WCID – POINT VENTURE

November 16, 2019

STATE OF TEXAS §

COUNTY OF TRAVIS §

The Board of Directors of the District met in regular meeting, open to the public, at the WCID Office located at 18606 Venture Drive, Point Venture, Texas 78645, on the 16th day of November, 2019 at 9:00 a.m., with the Directors present being Fred Marshall, Barry Pasarew, Chris Lippe, and Brian Probst. Absent was Director Cindy Clemons.

Others in attendance were Allen Douthitt of Bott and Douthitt, PLLC, Scott Swiderski of Trihydro Corporation, Jean Cecala, Mike Bamer, Hal and Brett Lanham of AWR Services, Inc., Matthew McPhail of Willatt & Flickinger, PLLC, and four Point Venture property owners, Roy Ables, Tex Tubbs, Stan Retrum, and Frank Engels.

1. CALL TO ORDER.

Board President Fred Marshall called the meeting to order.

2. ROLL CALL OF DIRECTORS.

Jean Cecala called roll of Directors.

3. PUBLIC COMMENTS. No Public Comments.

This is an opportunity for members of the public to address the Board of Directors concerning any issue that is not on the agenda. The response of the Board to any comment under this heading is limited to making a statement of specific factual information in response to the inquiry, or, reciting existing policy in response to the inquiry. Any deliberation of the issues is limited to a proposal to place it on the agenda for a later meeting. Each speaker offering public comment must sign an Attendance Sheet at or prior to commencement of the meeting and shall be limited to 3 minutes, unless more than 10 members of the public have signed up to speak during this meeting. In such case, speakers offering public comment shall be limited to 1 minute each.

President Fred Marshall let the Board of Directors know that he had received a letter from Director Cindy Clemons resigning her Board position effective November 20, 2019.

4. OCTOBER 17, 2019 SPECIAL MEETING MINUTES AND OCTOBER 19, 2019 REGULAR MEETING MINUTES.

The proposed minutes of the October 17, 2019 special meeting minutes and the October 19, 2019 regular meeting minutes were presented for approval. Motion was made by Director Brian Probst to approve the minutes as presented. Motion was seconded by Director Barry Pasarew. Motion unanimously approved.

5. CONSIDER ADOPTION OF AN ORDER CANVASSING RETURNS AND DECLARING RESULTS OF BOND ELECTION.

President Marshall announced the results of the recent Bond Election in the District. Voting for the Bond were 159; voting against the Bond were 112. Motion was made by Director Chris Lippe for Adoption of an Order Canvassing Returns and Declaring Results of the Bond Election. Director Pasarew seconded the motion. Voting in Favor 4, Voting Against 0. Motion approved.

## 6. ENGINEER'S REPORT – TRIHYDRO CORPORATION.

Scott Swiderski of Trihydro Corporation gave the Engineer's Report. He went through the written report provided to the Board and answered questions from the Directors. Mr. Swiderski began with problems and concerns at the Water Treatment Plant ("WTP"), which includes the need to dive the barge to assess the intrusion of zebra mussels and create a barge maintenance system to address this invasive species. Mr. Swiderski recommended divers be used every quarter. Hal Lanham of AWR Services said that he and Mr. Swiderski would work together to put together quotes for divers. Director Lippe reported on a recent workshop he attended on zebra mussels. Director Lippe recommended visiting with other water Districts and municipalities to find out what they are doing to combat the mussels. Mr. Swiderski recommended taking the intake line apart to figure out how far the mussels have encroached, cleaning it and possibly putting a chemical feed system in to prevent continued growth. Additional permitting with TCEQ would be required to add this chemical feed at the barge.

Mr. Swiderski also discussed repairs at the Wastewater Treatment Plant ("WWTP") that need immediate attention to maintain Texas Commission on Environmental Quality ("TCEQ") compliance. In October, AWR Services self-reported the exceedance of average total suspended solids (TSS) to TCEQ. The inefficiency of the clarifier's lower rake is causing issues. This results in an unbalanced blanket material rising to the surface and moving through the chlorine contact chamber. Mr. Swiderski recommended repairs as soon as possible. Mr. Lanham said AWR Services personnel will do everything possible to stay in compliance while the new WWTP is being built; but the old current plant will periodically have permit compliance issues. Mr. Lanham said the clarifier needs to be de-watered, the squeegees and rake mechanisms replaced and the old sludge pumped out at an estimated cost of \$35,000. Mr. Swiderski believes the costs to do the minimum on the current WWTP to keep it running and in compliance with TCEQ standards would be between \$50,000 and \$100,000. After much discussion, the Board agreed repairs will be done once funds are available. Mr. Swiderski said he would work with AWR Services to create a timeline of when and how the plant will be shut down to complete this project. Mr. Swiderski also recommended the second pump be pulled at the WWTP and replace the strainer baskets on both pumps. The Board agreed to have this done in mid-December.

Mr. Swiderski also said that he has received only one quote to repair both the Elevated Storage Tank ("EST") and the ground storage tank. He has contacted Prota and expects a quote from them next week. A motion was made by Director Probst to authorize repairs to the EST and the ground storage tanks not to exceed \$15,000. Director Lippe seconded the motion. Motion was unanimously approved.

The Board then discussed the communication lines between the EST and the WTP. Brett Lanham said that AWR Services personnel have made numerous attempts to have AT&T give pricing for new technology but received no response. After discussion, Director Probst made a motion to approve spending \$10,950 for replacing and upgrading the communication system between the Elevated Storage Tank and the Water Treatment Plant. Director Pasarew seconded the motion and it was unanimously approved.

Additionally, Mr. Swiderski reported that he had met with Prota this past week to review roadway repair areas. He and Prota marked 12 locations, including the golf course parking lot, which need repairs. He also had Prota include in the work repairs on Cedar Circle. Prota will coordinate with its subcontractor and keep Trihydro updated.

Finally, Mr. Swiderski relayed that Trihydro is working on TCEQ Bond Reports and his goal is to have them ready to present to the Board by the February 2020 meeting.

## 7. BOOKKEEPER'S REPORT ON THE FINANCIAL AFFAIRS OF THE DISTRICT, INCLUDING AUTHORIZATION OF PAYMENT OF BILLS – BOTT AND DOUTHITT, PLLC.

Allen Douthitt of Bott and Douthitt, PLLC gave the bookkeeper's report. He went over the printed report given to the Directors. This report was through the end of September 2019. Director Probst made a motion to approve payment of bills and fund transfers as recommended by Mr. Douthitt. It was seconded by Director Lippe. Motion unanimously approved.

8. APPROVAL OF CONSTRUCTION PLANS AND PAY ESTIMATES, CHANGE ORDERS AND ACCEPTANCE OF COMPLETION WITH RESPECT TO CONSTRUCTION CONTRACTS.

No action was taken on this item.

9. ADVERTISEMENT FOR BIDS AND APPROVAL, AWARD, RECOMMENDATION AND ADMINISTRATION OF CONSTRUCTION CONTRACTS.

No action was taken on this item.

10. MANAGER'S REPORT – AWR SERVICES.

Brett Lanham of AWR Services gave an overview of the written Manager's Report given to the Directors. Besides issues already addressed in the engineer's report, the WTP experienced high turbidity levels last month and AWR Services responded to and conducted emergency operations at the WTP during a house fire in the District. The plant continues to have issues when the new plant is backwashing so requires manual operation. The WTP also lost internet connectivity thus losing connection with SCADA at the plant. Additionally the water plant has been winterized.

Additional signage was added on the Raw Water Pump Barge that is required by TCEQ and cla-vals still need repairing or replacing on the barge. At the WWTP, AWR personnel noted a chlorine supply line was not functioning properly. The failed line was removed and a replacement line was installed.

The Whispering Hollow Lift Station required a replacement pump and with authorization from President Marshall, a new pump and a new dual-control panel was installed for both pumps. This replacement included the installation of approximately eight feet of rods and poles, wiring of all equipment, and verification of conduit connections.

a. Possible relocation of customer's discharge line

Recently a builder, who just purchased an empty lot on Deckhouse Drive, discovered a discharge line on the property that was coming from the home next door. He contacted the office in the District and asked what the plan was to move the line off of his property so he can begin building.

After much discussion between the Directors, AWR personnel and attorney, Matthew McPhail, the Board decided to have AWR personnel contact the builder and ask the builder to work with the homeowner to share the cost of moving the existing line out of the empty lot and onto their own property.

b. Settlement offer for service to customer's grinder pump system

In April of 2019, AWR Services personnel responded to an after-hours call of a grinder pump in alarm. Upon arrival the pump was found to be inoperable. AWR personnel pumped waste into temporary barrels overnight for the customer to have sustained service. The next morning a replacement pump was installed and all fittings, which were corroded galvanized pipe, were replaced with PVC. The customer disputed the charges for parts and offered a settlement.

After moving this for discussion during an executive session, the Board came back into regular session and agreed not to accept the settlement. The Board gave AWR personnel directives to contact the owner through email and a door hanger of a six-month payment plan that would be paid by the customer through auto draft of their bank account. The automatic payments would go into effect in December 2019.

11. GRINDER PUMP SERVICE AGREEMENTS.

Mr. Matthew McPhail, attorney for the District, began this discussion. He told the Board that due to TCEQ requirements, every customer must have a grinder pump service agreement with the District. He is drafting an

updated agreement that will need to be sent to every customer for signature.

Mr. Scott Swiderski, Trihydro engineer, discussed the new guidelines the District is planning to implement for all grinder pumps installed in new homes. Mr. Swiderski had provided sketches and guidelines to the Directors. Builders will be given exact specifications by the District for the complete grinder pump system. If builders wish to use something other than what is recommended by the District, the design, type, etc. will have to be submitted to Trihydro engineers for review and a possible variance. Any costs incurred for this review by the engineers will be at the expense of the builder. After much discussion it was decided that builders will also be required to have District representatives inspect the installation of the grinder system and all lines from the grinder pump to the main wastewater line. Other changes were discussed and the engineers will present those changes at next month's Board meeting.

#### 12. DISPOSAL OF EFFLUENT AND GOLF COURSE IRRIGATION.

President Marshall asked Point Venture Property Association President, Frank Engels, to address this item first. Mr. Engels asked that watering of the trees along the fringes of the golf course would begin to help disperse effluent. Mr. Engels also asked that the hoses for this watering would be run under the cart paths rather than over them. He requested the WCID take care of this as soon as possible. The Board discussed these requests. Placing the hoses under cart paths most likely will not begin until February 2020. AWR Services and the Board will work together on getting a cost for the project.

Director Probst related that the hoses were originally put out a couple of years ago as an emergency measure to reduce the water levels in the wet weather storage tanks. He asked Mr. Engels if more water could be put on the course during the cooler weather to try to alleviate the need for hoses crossing the cart paths to water the trees. Mr. Engels said that the increase of effluent being produced by the community in a day has more than doubled from several years ago; therefore, the tanks are filling faster than the golf course's needs.

Also addressed was the possible sludge in the pond. Director Probst asked management what is needed to inspect and assess the pond for sludge. President Marshall asked Mike Bamer, operations manager for AWR Services, if Mr. Bamer could use a sludge judge to test the level in the pump sump. Mr. Bamer said he would try to get several samples from the pump sump. Mr. Bamer said that he believes there is a substantial build up in the pond. Director Probst asked AWR Services management to get proposals together for inspecting the pond. Mr. Brett Lanham said he would have those ready by the December meeting.

#### 13. CELL TOWER LEASES AND AMENDMENT PROPOSAL.

Attorney Matt McPhail received a communication from a third party representing AT&T about the cell tower leases. He wanted to make the Board aware of the communication and said that the proposal is not optimal and recommends the Board do nothing in regards to the letter at this time.

#### 14. CONTRACT AMENDMENT WITH AWR SERVICES INC.

Mr. McPhail asked AWR Services management if they had comments, desires, or clarifying language they would like to submit about the current contract between the two entities before the Board went into executive session. Mr. Hal Lanham said that he believes the base fee is fair and accurate. On the grinder pump maintenance, management is exploring whether an outside company doing the maintenance would be more cost efficient than AWR Services personnel. Mr. Lanham concluded that he would be happy to sit down with the Board's committee and work with them.

#### 15. RATE ORDER.

Matthew McPhail said the rate order is also connected to the grinder pump maintenance. Mr. McPhail believes the rate order should be fairly easy to update. He stated that clearer language will be incorporated into the new order to make it easier to understand. He will continue to be worked on updating the rate order over the next several months.

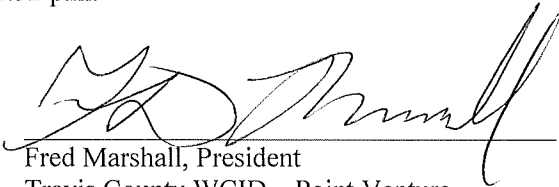
President Marshall asked the Board their desire for changing the December meeting to December 14 due to the holidays. The Board agreed to move the meeting to December 14 beginning at 9:00 a.m.

President Fred Marshall announced that the Board of Directors will now go into closed session for consultation with the District's attorney pursuant to Sections 551.071 of the Texas Government Code regarding matters related to Agenda Item Nos. 10b and 14. The Board entered into a closed session at 12:35 p.m.

At 12:49 p.m., President Marshall announced that the Board of Directors has concluded its closed session and is returning to open meeting, and that no action was taken during the closed session.

16. ADJOURN THE MEETING.

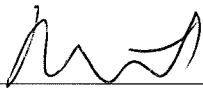
Motion was made by Director Probst to adjourn the meeting. The motion was seconded by Director Pasarew. The motion carried unanimously. Meeting adjourned at 12:52 p.m.



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Fred Marshall, President  
Travis County WCID – Point Venture

ATTEST:



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Brian Probst, Secretary  
Travis County WCID – Point Venture

(SEAL)