

MINUTES
TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10

February 1, 2022

The Board of Directors (the "Board") of Travis County Municipal Utility District No. 10 (the "District") met in regular session, open to the public, on February 1, 2022, at 17817 Kingfisher Ridge Drive, Lago Vista, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Vance Taylor	President
Dan Eckermann	Executive Vice President
Andrew L. Fawthrop	Vice President
Harvey Reiter	Secretary
Andi K. Tasset	Assistant Secretary

and all of the above were present, thus constituting a quorum.

Also present at the meeting were John Sneed, resident of the District; Tammy Hargett of AWR Services, Inc. ("AWR"); and Kathryn Garner of Allen Boone Humphries Robinson LLP ("ABHR").

Due to the COVID-19 virus epidemic emergency and the high threat level warnings issued by various governments and agencies, the District established a telephone option for members of the public to listen to the meeting and to address the Board.

Also present by telephone were Cathy Mitchell of Jones & Carter, Inc. ("J&C"); Hal Lanham of AWR; and Janet Swartz of ABHR.

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board considered approving the minutes of the January 4, 2022, regular meeting. After review and discussion, Director Fawthrop moved to approve the minutes of the January 4, 2022 meeting. Director Eckermann seconded the motion, which passed by unanimous vote.

FINANCIAL AND BOOKKEEPING MATTERS

The Board reviewed the bookkeeper's report, a copy of which is attached. Director Fawthrop recommended that the budget for the fiscal year ended February 28, 2024 contain specific amounts for engineering related and operational items. After

review and discussion, Director Reiter moved to approve the bookkeeper's report and the checks listed on the report. Director Taylor seconded the motion, which passed by unanimous vote.

TAX ASSESSMENT AND COLLECTION MATTERS

The Board reviewed the tax assessor/collector's report, including the delinquent tax roll, a copy of which is attached. After review and discussion, Director Taylor moved to approve the tax assessor/collector's report. Director Fawthrop seconded the motion, which passed by unanimous vote.

ADOPT RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION

The Board considered adoption of a Resolution Concerning Exemptions from Taxation. After review and discussion, Director Eckermann moved to adopt a Resolution Concerning Exemptions from Taxation, reflecting a \$10,000 exemption for persons over 65 years of age or for disabled persons and a general residential homestead exemption of fifteen percent (15%) of the appraised value (but not less than \$5,000) of the residence homestead, and direct that the Resolution be filed appropriately and retained in the District's official records. Director Reiter seconded the motion, which passed by unanimous vote.

ENGAGE AUDITOR TO CONDUCT AUDIT FOR THE FISCAL YEAR END FEBRUARY 28, 2022

The Board reviewed an engagement letter from McCall Gibson Swedlund Barfoot, PLLC ("McCall") to perform the District's audit for the fiscal year end February 28, 2022, reflecting the anticipated fee will be an amount not to exceed \$7,500. Following review and discussion, Director Reiter moved to approve and authorize execution of the engagement letter with McCall to conduct the audit for the District's fiscal year end February 28, 2022, and direct that the letter from McCall be filed appropriately and retained in the District's official records. Director Tasset seconded the motion, which passed by unanimous vote.

OPERATION OF DISTRICT FACILITIES

Ms. Hargett reviewed the operator's report, a copy of which is attached. She stated that 202 customers were billed during the month of December.

Ms. Hargett reported on the Highland Lake Storage levels.

Ms. Hargett stated that a fire hydrant was installed on Water Cliffe Drive prior to construction of the home on the lot where the fire hydrant is located. She added that after the home was constructed, dirt and sod were placed around the hydrant making it difficult or impossible to be used by the Fire Department and the District. Ms. Hargett stated that AWR sent the homeowner a letter on October 26, 2021, notifying the

homeowner of the corrective actions required to make the fire hydrant accessible and requesting that the dirt and sod around the hydrant be removed so that the fire hydrant is usable. AWR received no response from the homeowners and called on December 7, 2021 and spoke to the homeowner who requested that the October 26 letter be re-emailed to him. After no action was taken, AWR mailed a copy of the October 26, 2021 letter to the homeowners by certified mail on December 22, 2021, and was informed that the USPS tried but could not deliver letter on December 24, 2021. The Board discussed actions to be taken including notification to the homeowners that if the requested corrective measures were not taken within 10 days of the notice, the District would correct the condition of the fire hydrant and back charge the homeowners for the costs incurred by the District for the corrective measures.

Ms. Hargett updated the Board on the liner of the backwash basin. She stated that AWR is re-wiring the backwash basin pump and the lagoon is being mowed and weeded to prepare for cleaning of the lagoon. Ms. Hargett stated that AWR will schedule installation of the new liner once the lagoon has been cleaned.

Ms. Hargett discussed a proposal to remove salt cedars in the drip fields.

Ms. Hargett stated that the lift station no. 1 piping replacement is complete.

Ms. Hargett reported on two service calls by AWR to pump down a grinder pump for a home under construction. She added that the District will require an inspection of the grinder pump. The Board requested AWR send the builder and homeowner a letter regarding the inspections required by the District's Rate Order.

Mr. Lanham discussed preparation for the upcoming freeze.

Ms. Hargett reported that there were no delinquent accounts.

After review and discussion, Director Taylor moved to (1) accept the operator's report; (2) authorize ABHR to send a letter to the homeowner requesting removal of sod and dirt around a fire hydrant within 10 days of the notice; (3) authorize AWR to arrange for the dirt and sod to be removed around the fire hydrant at 912 Water Cliffe Drive if not removed by February 16, 2022 and backcharge the homeowner; (4) authorize AWR to arrange for the removal of salt cedars for a cost of \$1,400.00; and (5) authorize AWR to send a letter to the builder and homeowner regarding inspections of grinder pumps required by the District's Rate Order. Director Eckermann seconded the motion, which passed by unanimous vote.

ENGINEERING MATTERS

Ms. Mitchell reviewed the engineer's report, a copy of which is attached.

CAPITAL IMPROVEMENT PLAN

Ms. Mitchell presented an 18-month cost outlay schedule for up coming projects.

Ms. Mitchell updated the Board on the installation of the SCADA system. Ms. Garner stated that the WesTech has requested execution of a release agreement from the District before it will release of the software for the unit to the contractor installing the SCADA system. WesTech refused to accept comments from ABHR to the Release Agreement, including certain verifications required by state law and the treatment of the contents of the software as confidential. Ms. Garner stated that an exception to the Lone Star Verification Infrastructure Protection Act applies to companies that merely provide warranty and troubleshooting services and that with respect to the confidentiality of the software, the District, in any situation regarding confidentiality, would submit a request for an opinion from the Texas Attorney General's Office. The operator and engineer concurred that the services to be provided by WesTech were for warranty and troubleshooting services. Based on the above, the Board concurred to authorize the President to execute the Release Agreement with WesTech so that the SCADA System would be operational.

GENERATOR AT WATER PLANT SITE

Ms. Mitchell discussed the design of the generator at the water plant site.

BACKWASH BASIN LINER

Ms. Mitchell stated that she is coordinating with AWR on repairs at the backwash basin.

INSPECTIONS AND REPAIRS

Ms. Mitchell stated that she did not have a report on this agenda item.

ZEBRA MUSSEL REMOVAL AND PREVENTION

Ms. Mitchell stated that Chapman Marine will perform maintenance of the barge in the next two weeks.

CONTINGENCY PLAN FOR DISTRICT FACILITIES

Director Taylor stated that he has made updates to the contingency plan and recommended that the plan be reviewed in July.

REQUESTS FOR SERVICE OR UTILITY COMMITMENT LETTERS

There was no discussion on this item.

OTHER ENGINEERING MATTERS

Ms. Mitchell stated that she is working on a punch list for items under warranty for the water plant recoating project.

After review and discussion, Director Fawthrop moved to accept the engineer's report. Director Tasset seconded the motion, which passed by unanimous vote.

UPDATE ON EMERGENCY PREPAREDNESS PLAN AND IMPLEMENTATION TIMELINE FOR SUBMITTAL TO TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Mitchell presented the Emergency Preparedness Plan to the Board. She stated that the plan will be submitted to the Texas Commission on Environmental Quality ("TCEQ") for approval by March 1, 2022 and be implemented by July 1, 2022. After review and discussion, Director Fawthrop moved to approve the Emergency Preparedness Plan and authorize J&C to submit the Emergency Preparedness Plan to the TCEQ. Director Tasset seconded the motion, which passed by unanimous vote. Director Fawthrop recommended that the plan be reviewed by the Board and consultants every 6 months.

DISCUSS ASSOCIATION OF WATER BOARD DIRECTORS WINTER CONFERENCE, APPROVE REIMBURSEMENT OF ELIGIBLE EXPENSES AND AUTHORIZE ATTENDANCE AT SUMMER CONFERENCE

There was no discussion on this agenda item.

REPORT REGARDING DEVELOPMENT IN THE DISTRICT

Director Taylor reported on development in the District.

DISTRICT AND PROPERTY OWNER ASSOCIATIONS COORDINATION AND BOARD MEMBER INPUT REGARDING ISSUES FACING THE DISTRICT

Director Fawthrop discussed the upcoming annual homeowners' association meeting.

FACILITIES SECURITY AND THE STORAGE AREA ADJACENT TO THE DISTRICT'S WATER TREATMENT PLANT

There was no discussion on this agenda item.

REPORT ON DISTRICT WEBSITE

Director Tasset reported on the website.

REVIEW DISTRICT INFORMATION POSTED ONLINE FOR SECTION 26.18, TAX CODE AND SECTION 2051.202, TEXAS GOVERNMENT CODE

This agenda item was tabled until the next meeting.

NEWSLETTER, COMMUNICATIONS WITH RESIDENTS AND/OR PROPERTY OWNERS REGARDING UPDATES TO IRIS DISTRICT COMMUNICATION SYSTEM AND OTHER DISTRICT COMMUNICATIONS

Director Tasset on the newsletter and communications with residents.

2022 DIRECTORS ELECTION

Ms. Garner reviewed an Order Calling Directors Election. She discussed that the Notice of Election may be required to be posted or published and provided to the County Clerk and Voter Registrar of Travis County. Following review and discussion, Director Taylor moved to adopt the Order Calling Directors Election and direct that the Order be filed appropriately and retained in the District's official records and authorize the Secretary's agent to post or publish and provide the County Clerk and Voter Registrar the Notice of Election, if required. Director Tasset seconded the motion, which passed by unanimous vote.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, TO CONDUCT A PRIVATE CONSULTATION WITH ATTORNEY, AND DISCUSS PENDING OR CONTEMPLATED LITIGATION

The Board did not convene in executive session.

NEXT MEETING DATE AND LOCATION

Following discussion, the Board agreed to hold the March 1, 2022, meeting at 1845 Kingfisher Ridge Cove, and the April 5, 2022 meeting at 1405 Osprey Ridge Loop, each meeting with access by telephone.

There being no further business to come before the Board, the meeting was adjourned.



Secretary, Board of Directors

(SEAL)



ATTACHMENTS TO THE MINUTES

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