

**MINUTES OF MEETING
MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 1**

January 12, 2021

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

The Board of Directors of Montgomery County Water Control and Improvement District No. 1 of Montgomery County, Texas, met in special session, open to the public, beginning at 2:00 P.M., at the District's office, 25611 Spreading Oaks Lane, Spring, Texas 77380, on Tuesday, January 12, 2021 and the roll was called of the duly constituted officers and members of the Board, to-wit:

James Jacobs	President
Wayne Stringer	Vice President
Christine Rife	Secretary
Janet Young	Treasurer
Jack Curtis	Assistant Secretary / Treasurer

All directors were present, thus constituting a quorum.

Other persons present included: Mr. Steve Kennedy, Mrs. Debbie Kennedy, Resident; Jackie Chance, Carol Garrett, Rick Hughes, John Borowski, District Staff; Attending remotely Michael A Cole, P.C., Attorney for the District; Mark Galan, MCR IT Services; Debbie Kennedy, Brian Bisbee, Michael Townsend, Laura Newman, Jennifer Cartwright, Leslie Hawthorn, District Residents

The meeting was called to order at 2:01 PM

1. Customer Comments to Address the Board

President Jacobs opened the meeting to receive public comments. There being no one present for comment, President Jacobs closed the meeting for public comments.

2. Review Items Written in the TCEQ Water Code Title; Chapter 49 that specifies what Authority and the Responsibility of a Director of a Utility District

President Jacobs distributed copies on of the Water Codes of General Laws of the Districts; Chapter 49 "Provisions applicable to all Districts" and gave discussion on the responsibilities and rules for a Board of Director.

3. Review Items Written in the TCEQ Water Code Title; Chapter 54 that specifies what Authority and the Responsibility of a Director of a Utility District

President Jacobs distributed copies on of the Water Codes of General Laws of the Districts, Chapter 54 "Municipal Utilities Districts". It was noted that by signing up with the TCEQ there an abundant amount of information regarding the laws for Utility Districts including the requirements of creating by-laws. No other discussion was had at this time.

4. Review the Utility Contractor Costs by CDM and other Contractors on the Quality of Work Performed within the District

Mr. Cy Sturm, a long-term contractor was available to answer questions from the board. The following items were discussed:

- 1.) Job performance and a review of the rates charged to the District;
- 2.) His current contract on file and an inquiry was made as to if CDM was bonded on behalf of the district in case any damages were incurred while performing work for the District;
- 3.) Costs for the use of District's equipment versus if CDM use his own equipment;
- 4.) It was requested to include more details on the invoicing;

No other discussion was had at this time.

5. Expenses for the District Operating Cost and Possible Cost Saving Measures

Discussion was had regarding techniques contractors use for boring jobs required for repairs and ways to cut down on costs. No other discussion was had on the matter.

6. Review District Contract with MCR Services and the Cost of District Security Program and Actions to be Taken to Save on the Costs

The following items were discussed regarding District expense and the requirements for IT security programs:

- 1.) Mr. Galan assured the board that he is using every opportunity possible to cut costs pertaining to computer and security expense;
- 2.) Purchasing costs for IT licenses in comparison to actual fees that are charged to the District;
- 3.) A copy of Mr. Galan's credential was requested for the files.
- 4.) Temperature alarms for the computer server room;
- 5.) Reasoning regarding the infiltration of malware.

No other discussion was had at this time.

7. Consider and Authorize and Inspector and if Necessary, use a Director to Act as an Inspector for Jobs Performed by Contractors Hired by the District to Install and or Repair Water and Sewer Lines of the District's Infrastructure

President Jacobs made mention of hiring a Director as an inspector to over-see utility contractors for work performed for the District as a cost saving measure. Mr. Chance advised that there is no need to hire a person as an inspector because every contractor hired has always been (and always will be) monitored by staff who is knowledgeable and familiar with the District's infrastructure. On another matter, discussion was had regarding the invoicing and the current rate of the excavation contractor. No other discussion was had at this time.

8. Maintenance on the District Infrastructure

Discussion was had to clarify the effects it will have on the utility infrastructure in the event Lift Station No. 3 is relocated. It was noted that in the future, if new homes are built on the property adjacent to Lift Station No. 3, which is in the flood plain, the costs of installing the required water and sewer lines will be at the expense of the property owner and treated the same as any other parcel of property within the subdivision. No other discussion was had on the matter.

9. Discuss the Possibility of Hiring a New Operator Trainee

Matters regarding the possibility of hiring a person as a trainee for a new District operator was discussed.

10. Request for Waste Disposal Access to the Sewer Plant for the Dumping of Septic Waste by Creekline Septic Services

Mr. Chance made mention that Creekline Septic Services has requested the use of the District's sewer treatment plant and to pay the charges to dump waste. The request was tabled until the January 19 board meeting.

11. Open Directors' Discussion on Issues Related to the District

- a. Comments
- b. Thoughts
- c. **The Future of Montgomery County WCID #1**

An inquiry was made on the status of the valve repair survey at which time it was advised that the survey was put on hold until after the holiday season and will resume soon. On another matter, discussion was had on the necessity for the survey, and that it is to show proof to the TCEQ for the use of bond money for the repairs or for the replacement of the 60-year valves. On another matter, the purpose for change orders were discussed. No other discussion was had at this time.

12. Discuss Customer Complaints Concerning Holiday Trash Pickup

Mr. Alan Schmidt, and Mr. James Ballowe, Operations Managers of Texas Pride Disposal Solutions was present to address concerns and to give an explanation as to why the District has received such undesirable trash service prior and during the holiday season. Mr. Schmidt advised on the following:

- *Texas Pride had lost Seven Drivers due to the Covid virus during the holiday alone, requiring substitute drivers who were not familiar with the routes contributing to missed pickups;
- * The dumpsite where the trucks go to empty the debris, was overwhelmed due to extra heavy loads stimming from the Holidays (among other things), proved to be at least a two hour wait. It was noted that there were several other trash service companies were also in the same predicament of waiting to unload;
- *massive cardboard that had not been broken down amounted to three times more the normal;
- * Larger than normal volumes of heavy furniture, cabinets, and debris other than normal household trash making it impossible for the trucks to accommodate the extra items for pickup;

The discussion was opened for public questions and comments at which point President Jacobs inquired as to what is being done to correct these issues at which point Mr. Schmidt advised on the following:

- *Some of the drivers and crewmen had been replaced which has recently improved service;
- *Permanent crews will be assigned to TL/TR exclusively for familiarity for routes and special services;
- *A supervisor will be in the area on every route day to address the driver on any issues in real time;
- *a new electronic mapping program is being put into place that will alleviate missed pick-ups;
- *He also noted that that GPS and cam systems have been installed on the trucks to monitor actions of the driver's and crew;
- *Tagging the receptacles for non-acceptable items, and also for non-recyclables items.

On another matter, it was agreed by the board that the Water District will send another mass communication notice regarding policies and procedures regarding trash and recycling and to better educate the residents. No other discussion was had on the matter was had at this time.

13. Recent HOA Developments and Issues caused by Communications by the District Directors

President Jacobs opened the discussion to inform the board of accusations circulating among the residents of Timber Lakes/Timber Ridge citing that the District has plans of assuming all responsibilities of the HOA for dissolution. President Jacobs sternly advised that there is no truth regarding these accusations what-so-ever.

Ms. Christy Alexander, President and Ms. Cherie Chapeaux of the HOA were present for discussion regarding these matters in which she mentioned that she determined that the one person is who is making such statements of an "HOA take-over" is a Director on the Water Board and requested answers to these issues and at which time the Director denied all allegations. Ms. Alexander made the request that the Director in discussion will remove himself from all future HOA business when it concerns other residents other than himself and all concerns that involve the Water Board. Upon discussion on the matter, the members of the HOA present, were assured that the District have no intentions or interest in the dissolution of the HOA. All present agreed on the importance of each local entity meaning the HOA, Fire Department, and the Water Office; the operation of each entity in its own capacity which is vital for the betterment of the community. It was requested to add an agenda item for the next board meeting for a recorded vote to be on record that the District has no intention of a take-over of the HOA.

On another matter, an inquiry was made on the possibility of Leasing the HOA building for the District's use for future board meetings that can house a larger capacity of attendees which will be more suitable during the ongoing pandemic. Ms. Alexander replied that it had been already noted their log-book that it is permissible for the use of the HOA facilities by the District. She advised of the requirement of scheduling the meeting in advance through their main office to insure there will be no other conflict. No other discussion was had on the matter.

There being no other items to discuss, the Chair entertained a motion for adjournment the meeting at 4:37 PM. Director Rife made the motion for adjournment, seconded by Director Young and motion carried by unanimous vote.



James Jacobs
James Jacobs, President / Board of Director

2/23/2021
Date of Approval

RECORDED
INDEXED
2/23/2021