

**BLOCK HOUSE MUNICIPAL UTILITY DISTRICT  
MINUTES OF BOARD OF DIRECTORS' MEETING**

April 26, 2023

THE STATE OF TEXAS           §  
  §  
COUNTY OF WILLIAMSON       §

A meeting of the Board of Directors of Block House Municipal Utility District was held on April 26, 2023, at 2600 Block House Drive South, Leander, Texas. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act. A copy of the Certificate of Posting of the Notice is attached as **Exhibit "A"**.

The roll of the members of the Board of Directors was called, as follows:

Ursula Logan	-	President
David Shoemaker	-	Vice President
Robert Young	-	Secretary
Cecilia Roberts	-	Assistant Secretary
David Johnson	-	Treasurer

All of the Directors were present, thus constituting a quorum. Also present at the meeting were: Nur Labardini of Municipal Accounts & Consulting, L.P. ("MAC"); Lisa Torres and Andrew Hunt of Crossroads Utility Services, LLC ("Crossroads"); Erik Diesner of Lifeguard4Hire ("L4H"); Deputies Lovato and Boggs of the Williamson County Sheriff's Office ("WCSO"); Amanda Stanfield of Tidal Waves; Sandy Martin of the BHC Owners Association ("OA"); David Gray of Gray Engineering, Inc.; Chris Stanfield, Steve Bennett, and Don Toohey, residents of the District; and Sean Abbott of Armbrust & Brown, PLLC ("A&B").

Director Logan called the meeting to order at 6:31 p.m. and welcomed those present. She announced that public comments were taken during designated portions of the meeting only and asked that anyone who wished to address the Board complete a Community Comment form. Following the Pledge of Allegiance to the U.S. flag, the Board and those present at the meeting observed a moment of silence or prayer. Director Logan noted that the meeting was being videotaped and requested that Board members and consultants limit "side discussions" as they diminished the quality of the recording.

Director Logan then stated that the Board would receive citizens' communications. Mr. Toohey addressed the Board to follow up on comments provided to the Board at the regular meeting of the Board of Directors in March. He noted that there were still some restrictive covenant issues with a home on Snelling Drive. He confirmed that some trash that had spilled in front of the home in question had been picked up by an employee of Waste Management, for which he was thankful. He noted that there were still some issues at the home which concerned him, including a building in the backyard of the home that was completely covered in mold.

Mr. Bennett then addressed the Board and noted that there were recreational trails in Jumano Park that were currently unpassable due to damage caused by the winter storm in February. He confirmed that he would be happy to assist the District in cleaning up the trails.

Director Logan stated that the Board would next consider approving the minutes of the March 8, 2023 special meeting and the March 22, 2023 regular meeting. After discussion, upon motion by Director Shoemaker and second by Director Johnson, the Board voted unanimously to approve the minutes.

Director Logan then recognized Ms. Martin for purposes of receiving a report from the OA. Ms. Martin stated that the OA continued to work on event planning, including the back to school bash and a disc golf event. She noted that the OA would like to hold the disc golf event on May 13, 2023 at Jumano Park. Upon motion by Director Roberts and second by Director Johnson, the Board voted unanimously to confirm the date of May 13, 2023 for the OA's disc golf event at Jumano Park.

Director Logan stated that the Board would next receive the general manager's report and recognized Ms. Torres, who reviewed the general manager's report attached as **Exhibit "B"**. Ms. Torres noted that she had received one request for use of District facilities from the Girl Scouts to use the Jumano Community Center on April 30<sup>th</sup> for CPR training, and that they had requested a waiver of fees. After discussion, upon motion by Director Roberts and second by Director Shoemaker, the Board voted unanimously to approve the request.

Ms. Torres then reviewed the proposal from DigDug Construction, LLC for railing repairs near the pavilion (Estimate 123SH), attached as **Exhibit "C"**, and the proposal from DigDug Construction, LLC for sidewalk repairs near the pavilion (Estimate 124SH) attached as **Exhibit "D"**. After discussion, the Board took no action on Estimates 123SH and Estimate 124SH, but **directed the Amenities Subcommittee to work with Ms. Torres to identify a solution for railing and sidewalk repairs at the location in question that did not exceed \$10,000.**

Ms. Torres next reviewed the proposal from Most Dependable Fountains, Inc. for three conversion kits for the existing water fountains (Quote QTE68534) attached as **Exhibit "E"**; the proposal from Most Dependable Fountains, Inc. for the water fountain at the bike trails (Quote QTE68529) attached as **Exhibit "F"**; and the proposal from Mike Krischke Plumbing for installation of a pad and water fountain at the bike trails (Estimate 1159) attached as **Exhibit "G"** (collectively, the "*Water Fountain Proposals*"). After discussion, upon motion by Director Roberts and second by Director Johnson, the Board voted unanimously to approve the Water Fountain Proposals. Upon question from Director Roberts, Ms. Torres confirmed that the new water fountains were built to ensure that they would not be damaged during a freeze. She separately confirmed that the fountains had a five year warranty.

Ms. Torres then requested approval to purchase water fountains with bottle fillers for Apache Pool and Tumlinson Pool. After discussion, **the Board directed Ms. Torres to purchase the water fountains with bottle fillers in an amount to exceed \$5,000.**

Director Logan then stated that the Board would discuss the Highway 183 Block House entrance "pony" fence. Mr. Abbott reported on his directive relating to the fence. He confirmed that while the District did not own the land where the fences were erected, he noted that a License Agreement with Williamson County was in place on the land. He then noted that the License Agreement provided that the District could install, maintain, and remove landscaping features, such as fencing on the land. Thus, he concluded, the District had all necessary authority to either repair, replace, or remove the fence. Ms. Torres then reviewed the proposal from DigDug Construction, LLC (Estimate 153SH), attached as **Exhibit "H"**, which she noted was to repair the existing fence, and the proposal from Empire Fence Co. attached as **Exhibit "I"**, which she confirmed was to replace the existing fence. She reminded the Board that she had reviewed a

proposal from DigDug Construction, LLC at the Board's regular March meeting to remove the existing fence for \$6,278. Discussion ensued. Director Young stated that he would like to remove the fence. Director Johnson stated that he appreciated the aesthetics of the fence and that he favored repairing the fence. Director Roberts agreed with Director Johnson. Director Shoemaker stated that he was not in favor of replacing the fence as he had concerns about longevity issues. Director Logan stated that she favored removal of the fence. Upon motion by Director Roberts and second by Director Johnson to repair the fence and approve Estimate 153SH, the Board voted 2-3, with Directors Young, Shoemaker, and Logan voting "no". Director Logan confirmed that the motion failed. After discussion, upon motion by Director Young and second by Director Shoemaker to remove the fence and approve the DigDug proposal in the amount of \$6,278 to do the same, the Board voted 3-2, with Directors Roberts and Johnson voting "no". **The Board then directed Ms. Torres to work with District consultants, including Trent Rush, to identify alternative landscaping to install once the fencing was removed.**

Director Logan stated that the Board would next discuss the proposal from Empire Fence Co. for replacement of damaged fence at 3117 Port Anne Way attached as **Exhibit "J"**. Ms. Torres confirmed that a hit and run accident had occurred at the site and that making a claim on the District's insurance policy was cost prohibitive. After discussion, upon motion by Director Roberts and second by Director Johnson, the Board voted unanimously to approve the proposal from Empire Fence Co.

Director Logan then stated that the Board would discuss the proposal from Empire Fence Co. to repair the District fence at 1323 Mojave Bend attached as **Exhibit "K"**. After discussion, upon motion by Director Roberts and second by Director Shoemaker, the Board voted unanimously to approve the proposal from Empire Fence to repair the fence at 1323 Mojave Bend.

Director Logan stated that the Board would next discuss renting of the Walker House and stated that, as the District's uses of the Walker House had evolved—including the use of the front room as a space for Board meetings—the renting of the Walker House was not practical. She advised that the District's park rules would need to be updated to reflect the same. Directors Johnson and Roberts agreed.

Director Logan then stated that the Board would discuss the Williamson County road and park bond election. Mr. Gray confirmed that the County was soliciting input from local governments on certain road, park, and drainage projects. He confirmed that the majority of the County's contemplated projects would not be in the vicinity of the District and opined that there was likely not much benefit for the District to formally propose any projects for consideration to the County. Discussion ensued and the Board agreed with Mr. Gray that no action was necessary. **The Board then directed Ms. Torres to monitor communication from Williamson County relating to the bond election and any news on any Williamson County trails or parks being constructed in close proximity to the District.**

Director Logan stated that the Board would next receive a report from WCSO and recognized Deputy Lovato. Deputy Lovato noted that a hit and run accident occurred in the District and that Deputy Bartlett promptly responded to the scene of the accident. Deputy Lovato then stated that, in order to facilitate clear and concise communication with the Board, he would attempt to better plan his comments made to the Board at meetings. Discussion ensued and **Director Logan directed the PR/Communications Subcommittee to meet with Deputy Lovato and Ms. Torres.** Director Young stated that subcommittee meetings were an optimal way to discuss policy considerations prior to full Board meetings. Director Roberts noted that it had been the standard practice of the WCSO to make a fairly standard report of events in

the District at Board meetings. She also requested to be included on any emails relating to WCSO issues affecting the District.

Director Logan stated that the Board would next receive a report from the PR/Communications Subcommittee, attached as **Exhibit “L”**, and discuss the District’s newsletter. Ms. Torres confirmed that the newsletter had been sent for the month of May. She confirmed that work had already begun on the June newsletter and suggested that CD&P’s assistance may be appropriate for the July newsletter. Director Logan requested that the Tidal Waves meets be included in future newsletters. Director Young then noted that a community leader had been identified to help with volunteer tasks at the Community Gardens. He offered to work with the individual and confirmed that Ms. Torres would be made aware of all volunteer opportunities undertaken by volunteers relating to the Community Gardens.

Director Logan stated that the Board would next discuss the District’s Social Media Policy, attached as **Exhibit “M”**. The Board discussed Item 6 of the Policy. Mr. Abbott stated that the intended purpose of the proposed standard was to confirm that only “approved” social media accounts could be utilized by the District and new accounts or social media platforms would need to be approved by the Board. Director Johnson then expressed concern about Item 11 relating to elected Board members “blocking” Block House residents on social media. **The Board then directed Mr. Abbott to research relevant law relating to elected officials blocking a constituent on social media.** After discussion, upon motion by Director Young and second by Director Johnson, the Board unanimously approved the Social Media Policy, subject to revisions Item 6 to clarify its intended purpose. **Director Young then directed Mr. Abbott to include an item on the agenda of the Board’s next regular meeting to discuss the Texas Public Information Act and text communication between directors.**

Director Logan stated that the Board would next discuss restrictive covenants and recognized Ms. Torres. Ms. Torres noted the Restrictive Covenants Subcommittee report attached as **Exhibit “N”**. She confirmed that she had corresponded with Community Association Management, Inc. (“**CAM**”) regarding the removal of trees in the District—more particularly on properties where the District enforces restrictive covenants. She noted that the restrictive covenants are fairly complicated as it pertains to replacing trees and that health and safety issues associated with dead or damaged trees in the wake of the February winter storm were further complicating the consideration and enforcement of restrictive covenants. Ms. Torres suggested that, if there was a bona fide health or safety reason for removing a tree, no punitive action should occur. Further, she suggested that leeway be given on the replacement of trees. Mr. Abbott agreed. Discussion ensued and Director Shoemaker noted that the summer is not an optimal season for tree planting. Director Logan suggested that residents be given a year to replace trees—at least until next spring—and the Board agreed.

Ms. Torres noted that there was no update relating to 15361 English River Loop.

Director Logan stated that the Board would next receive the bookkeeper’s report and recognized Ms. Labardini. Ms. Labardini presented the check register, attached as **Exhibit “O”**, and the supplemental check register, attached as **Exhibit “P”**. She then reviewed the three proposed fund transfers and recommended approval. Director Roberts then inquired about the invoice relating to work to be performed by T&T Stars and Stripes. Ms. Torres confirmed that a more detailed proposal had been received that provided more specific descriptions of the work to be performed and that the contractor had requested payment of half of the proposal in advance to pay for materials associated with the work. She then confirmed that the work performed by T&T Stars and Stripes would be fully reimbursed from insurance payments received from the Texas Municipal League Intergovernmental Risk Pool. After discussion, upon motion by Director

Johnson and second by Director Shoemaker, the Board voted unanimously to approve payment of the bills and invoices, the fund transfers, and the payment to Stars and Stripes, as presented.

Director Logan then stated that the Board would receive a report from the Finance/Audit Subcommittee and recommended that the Board consider modeling an amended budget. She noted that since the current budget was adopted, the District had: three new Board members elected; experienced a significant winter weather event with notable fiscal considerations; considered significant revisions to the General Management Services Agreement; and entered into an agreement with BGE for asset management. She noted that reviewing the current budget would provide optimal guidance for the upcoming consideration of the budget for the next fiscal year.

Director Logan stated that the Board would next receive a report from L4H and recognized Mr. Diesner, who reviewed the proposal from L4H for lane line replacements at Tumlinson Pool and Apache Pool (Quote #4169) attached as **Exhibit “Q”**. He then reviewed the proposal from L4H for pool covers at Apache Pool (Quote #4172) attached as **Exhibit “R”**. After discussion, upon motion by Director Roberts and second by Director Johnson, the Board voted unanimously to approve the proposals. Mr. Diesner then discussed lifeguard considerations and the District’s pools, including considerations relating to the use of lifeguards at Tidal Waves’ practices. Mr. Abbott noted that the Texas Department of State Health Services had recently amended its administrative code to add additional provisions relating to lifeguard services at public pools. **The Board then directed Mr. Abbott to work with L4H and Tidal Waves and consider the drafting of a letter agreement with Tidal Waves relating to amended administrative rules, as necessary.** Ms. Stanfield then noted that they had officially changed the name of their organization and suggested that the letter agreement also formally recognize the name change. She then reviewed Tidal Waves’ proposed schedule with the Board, attached as **Exhibit “S”**. The Board accepted and approved the proposed schedule.

Director Logan then stated that the Board would discuss landscaping issues and recognized Ms. Torres, who noted that Tripp Hamby was unable to attend the meeting. Ms. Torres then reviewed the report from Priority Landscaping with the Board, attached as **Exhibit “T”**, and confirmed that Priority Landscaping continued to undertake its typical maintenance around the District. She presented Proposal #2402 for mosquito treatment in Tumlinson Park and Tonkawa Park prior to the July 4<sup>th</sup> celebration attached as **Exhibit “U”** and Proposal #2407 for tree removal by Certified Arbors attached as **Exhibit “V”**. After discussion, upon motion by Director Roberts and second by Director Johnson, the Board voted unanimously to approve Proposal #2402 and Proposal #2407.

Director Logan stated that the Board would next receive the report from the Amenities Subcommittee, attached as **Exhibit “W”**. Ms. Torres reviewed the report and discussed practice fields usage and the possible consideration of fees relating to the use of the Luther Chance Practice Field. Director Young opined that the field needed to be maintained at a higher level, noting that the surface around home plate was not level. He then suggested that if the District charged a fee for use of the field, any funds received could help defray maintenance costs for the field. **Director Logan then directed Ms. Torres to undertake research to confirm whether other governmental entities were charging fees for such usage of facilities.** Director Shoemaker then requested that Ms. Torres provide a listing of the teams and/or leagues that were utilizing the Field.

Director Logan then stated that the Board would discuss the replacement of the Tumlinson Park playscape. Ms. Torres stated that it would be prudent to consider a replacement of the Tumlinson Park playscape soon. Upon question from Director Roberts, she confirmed that such

a project would need to be competitively bid. Ms. Torres then suggested the appointment of a subcommittee to study the issue. Director Shoemaker stated that he would like to include questions about the playscape in the District-wide survey. Director Roberts suggested obtaining recommendations from Trent Rush, and Ms. Torres confirmed such an approach would be prudent.

Director Logan stated that the Board would next consider authorizing the District's general manager to purchase benches, windscreen and additional lighting at the Tennis Courts, Basketball Courts and Skate Court. **Director Shoemaker directed Ms. Torres to obtain proposals for such items for consideration at the Board's next regular meeting.**

Director Logan then stated that the Board would consider approving the proposal from Uline for new poolside tables at Tumlinson Pool (Request #87117148) attached as **Exhibit "X"**. After discussion, upon motion by Director Young and second by Director Johnson, the Board voted unanimously to approve the proposal. Ms. Torres then confirmed that the District pools required replacement lifeguard stand shades. She noted that L4H had historically worked with a vendor that produced a high quality product. **The Board then directed Ms. Torres to procure the lifeguard stand shades.** Mr. Torres then stated that residents of the District were extremely enthused about playing pickleball and recommended that additional pickleball nets be acquired to provide for additional opportunities. **The Board then directed Ms. Torres to purchase additional pickleball nets.**

Director Logan then stated that the Board would discuss HouckDesign information on the Scope of Services 3-3-20, Disk Golf Course Review 6-24-20, Community Gardens Site 4-27-21 and Scope of Services – First Year Design Review and Maintenance 8-2-22. She then noted that HouckDesign, the contractor that designed the Jumano Disc Golf Course, had expressed displeasure about how the course had been maintained after the winter storm. She noted that the owners of HouckDesign had expressed displeasure with the District on social media over the maintenance. Ms. Torres noted that it was her understanding that HouckDesign would have liked to have been consulted prior to the landscaping work. Director Logan then stated that, given the landscaping considerations, it was possible that HouckDesign no longer wanted to have their name on the course. **The Board then directed Mr. Abbott to review the District's contract with HouckDesign for maintenance-related considerations.**

Director Logan stated that the Board would next discuss the Order Establishing Rules and Regulations Governing Recreational Facilities and Related Fees and Charges attached, as **Exhibit "Y"**. Director Logan reviewed the proposed revised Rules and noted that the goal was to reduce the overall amount of rules. She noted that, generally speaking, policy considerations had been removed from the proposed changes to the Rules. Director Shoemaker noted that if a law promulgated by the State of Texas has been broken, the WCSO can enforce such laws on District property, including in District Parks. He noted that the District did not need to restate illegal actions in its park rules. **The Board then directed Mr. Abbott to review the proposed Rules and offer revisions.**

Director Logan then noted that there was serious inclement weather that was starting to affect Williamson County and suggested the Board expeditiously complete the remaining items on the agenda.

Director Logan then stated that the Board would next receive a report from Crossroads and recognized Ms. Torres. Ms. Torres reviewed the operations report attached as **Exhibit "Z"**. She stated that all lab results were satisfactory and added that the water loss for the month of December was 8.90%, which was down slightly from last month. She added that she had no write-

offs to present. Ms. Torres then reviewed the estimate from Blue Ribbon Cooling and Heating (“*Estimate 37543688*”) for the mini split package at the ground storage tank attached as **Exhibit “AA”**, noting that this estimate replaced Estimate 36496385 approved on March 22, 2023. After discussion, upon motion by Director Shoemaker and second by Director Johnson, the Board voted unanimously to approve Estimate 37543688.

Director Logan then stated that discussion of a possible amendment to the Amended and Restated Solid Waste Collection and Disposal Agreement with Texas Disposal Systems, Inc. would be tabled until a future meeting.

Director Logan then recognized Mr. Abbott for purposes of receiving the attorney’s report. Mr. Abbott reviewed the attorney directives, noting that all directives were either complete or in process.

Director Logan then stated that the Board would discuss the renewal of Jan-Pro Service Agreement, Pricing Agreement, and Addendum Attachments. Ms. Torres confirmed that Jan-Pro was willing to continue services to the District under the existing rate structure. After discussion, upon motion by Director Roberts and second by Director Shoemaker, the Board voted unanimously to renew the current agreement with Jan-Pro, including all terms included therein, for an additional year.

Director Logan then stated that the Board would discuss future Board meetings and agenda items. Mr. Abbott confirmed that the Board’s next regular meeting was scheduled for May 24, 2023.

Director Logan stated that the Board would next review meeting notes and the Board reviewed decision items discussed during the meeting.

There being no further items to come before the Board, upon motion by Director Roberts and second by Director Shoemaker, the Board voted unanimously to adjourn the meeting.

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[SIGNATURE PAGE TO APRIL 26, 2023 MINUTES]

  
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Robert Young, Secretary  
Board of Directors

Date: 5-24-23