

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

September 27, 2023

THE STATE OF TEXAS §
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COUNTY OF WILLIAMSON §

A meeting of the Board of Directors of Block House Municipal Utility District was held on September 27, 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, except Directors Johnson and Roberts, thus constituting a quorum. Also present at the meeting were: Taylor Kolmodin of Municipal Accounts & Consulting, L.P. ("MAC"); Ben Ingallina and Lisa Torres of Crossroads Utility Services, LLC ("Crossroads"); David Gray of Gray Engineering, Inc.; Sandy Martin of the BHC Owners Association ("OA"); Tripp Hamby of Priority Landscapes ("Priority"); Deputies Lovato and Boggs of the Williamson County Sheriff's Office ("WCSSO"); Chris Stanfield, resident of the District; Marc Marroquin of Premier Recreation Management Services, LLC; and Sean Abbott of Armbrust & Brown, PLLC ("A&B").

Director Logan called the meeting to order at 6:30 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. There being none, Director Logan stated that the Board would next consider approving the minutes of the August 15, 2023 special meeting and the August 23, 2023 regular meeting. Director Logan then suggested that the August 23, 2023 meeting minutes be amended to correct the vote that was taken on subcommittee assignments and to note the recess that was taken during the meeting. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve the August 15, 2023 minutes, as drafted, and the August 23, 2023 minutes, as amended.

Director Logan then stated that the Board would receive a report from the OA and recognized Ms. Martin, who stated that the OA would be holding a decorating contest for Halloween and a disc golf competition. She also noted that the OA would hold its annual meeting on November 11, 2023.

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"**. She stated that she had received a request for use of District facilities for a "movie night" hosted by the District on October 14th to coincide with the opening day of the Pumpkin Patch hosted by the OA and for the planned disc golf competition to last until 10:00 p.m. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve the requests.

Ms. Torres then stated that she had received several proposals, including a proposal from DigDug Construction, LLC for widening of the ADA ramp at the Sports Courts (tennis court entry) (Estimate #266SH) attached as **Exhibit "C"**. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve Estimate #266SH.

Ms. Torres then reviewed a proposal from DigDug Construction, LLC for repairs to the deck at Apache Pool and removal of the existing wooden frame pergola at Apache Pool (Estimate #268SH) attached as **Exhibit "D"**. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve Estimate #268SH.

Ms. Torres next reviewed information for electrical work on monument lights at the old 183 entryway. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve the work in an amount not to exceed \$3,000.

Ms. Torres then stated that she had received three proposals for fence replacement and repairs on Creek Run Drive, collectively attached as **Exhibit "E"**, and reviewed them with the Board. She then recommended approval of the proposal from Sagamore Fence & Deck ("*Sagamore*"), which she noted did not include staining. Discussion ensued, with the Board noting that it would be prudent to establish a schedule for how the entirety of the fence would eventually be replaced. Mr. Torres confirmed that she would bring back a new proposal from Sagamore for each phase of the project. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve the Sagamore proposal.

Ms. Torres then stated that she had undertaken due diligence relating to the transporting and cutting of tree wood for a future table top project. She confirmed that the District had a couple of trees that were soon to be removed and that Director Young expressed interest in saving the wood in order to undertake furniture projects that would benefit the District. Director Young noted that the wood would need to go to a sawmill and then be cured over the course of a few years. Director Torres confirmed that she had reviewed pricing and it would cost approximately \$3,000 to transport and mill the wood. After discussion, upon motion by Director Young and second by Director Shoemaker, the Board voted 3-0 to approve expenditures up to \$3,000 to transport and mill the wood from the District's parks to be used in future District projects.

Director Logan stated that the Board would next receive a report from WCSO and recognized Director Lovato, who stated that WCSO had made a significant narcotics stop within the District. He also noted that the WCSO deputies had attended a boy scouts event and had brought an armored vehicle for the scouts to explore. Deputy Lovato then described an interaction that Deputy Bartlett had had with Director Young in Jumano Park relating to applicable District park hours. He described the conversation that had occurred during the exchange, including an implication that District parks should be closing at 10:00 p.m. as opposed to dusk. Deputy Lovato then stated that he had not received any confirmation from the District about altering park hours and that it was his understanding that such communications from the District would flow through the General Manager. Director Logan noted that a new District subcommittee would have oversight of the WCSO and that she hoped that communication would

improve. She also noted that the curfew for the community gardens may be confusing the park curfew issue. Director Shoemaker thanked the WCSO for their work in the District and noted that the WCSO didn't attend every minute of every meeting and, hence, could not be held responsible for all statements made at a meeting. Discussion ensued relating to the interaction and Deputy Lovato confirmed that the interaction had been taped via the Deputy's body camera. Director Logan reiterated her desire to improve communication and suggested that the subcommittee meet with Deputy Lovato. Deputy Lovato confirmed that he could attend such a meeting and stated that he would like for his chief to also take part in the meeting. Director Logan also noted that she would like to conduct a town hall meeting at which the WCSO would be present and available to residents.

Director Logan then stated that the Board would receive a report from the PR/Communications Subcommittee and discuss the District's newsletter. Ms. Torres noted that the September newsletter was in process. She noted that the newsletter would need to be a separate mailing from the next utility bill and requested Board approval. Upon motion by Director Young and second by Director Shoemaker, the Board voted 3-0 to approve an expense not to exceed \$2,500 to produce and mail the next District newsletter.

Mr. Abbott then reviewed the proposal from CD&P, attached as **Exhibit "F"**, which he noted had been approved at the March 22, 2023 Board meeting. He noted that the proposal was a "time and materials" proposal and that all work performed pursuant to the proposal needed to be approved in advance by the District's General Manager. He also noted that the proposal could be terminated with seven days' notice by either party. Director Young then described a recent meeting that had occurred between the PR/Communications Subcommittee, Ms. Torres, and a representative with CD&P. He stated that the meeting was not productive. Discussion ensued. Director Logan noted that the last newsletter, which was produced by Crossroads, was excellent work product. The Board members collectively expressed moving forward with the District-wide survey with urgency. After further discussion, upon motion by Director Young and second by Director Shoemaker, the Board voted 3-0 to formally terminate the proposal with CD&P and **directed Mr. Abbott and Ms. Torres to provide notice of termination to CD&P.**

Director Logan stated that the Board would next receive a report from and directives to Community Association Management, Inc. ("CAM"). Ms. Torres reviewed the report from CAM with the Board.

Director Logan stated that the Board would next receive a report from and directives to Municipal Accounts & Consulting, L.P. and recognized Ms. Kolmodin. Ms. Kolmodin presented the check register, attached as **Exhibit "G"**, and the supplemental check register, attached as **Exhibit "H"**. She then reviewed the two proposed fund transfers and recommended approval. After discussion, upon motion by Director Young and second by Director Shoemaker, the Board voted 3-0 to approve the fund transfers and payment of the bills and invoices.

Director Logan then noted that Ms. Kolmodin would be participating in future Board meetings remotely. Mr. Abbott noted that the Water Code provided that the Board could grant the District Bookkeeper authority to sign checks relating to approved expenditures on behalf of the Board. **The Board directed Mr. Abbott to draft a resolution to undertake the same.**

Director Logan then recognized Mr. Marroquin for purposes of receiving a report from Premier Recreation Management Services, LLC. Mr. Marroquin stated that it had been a "good summer" at the District's pools. He stated that the splash pad and waterfall at Tumlinson Pool were not functional, but that he expected ProAquatics to resolve the situation expeditiously.

Director Logan stated that the Board would next discuss the Pool Services Agreement with Premier Recreation Management Services, LLC set to expire on September 30, 2023. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve the renewal of the Pool Services Agreement, attached as **Exhibit "I"**.

Director Logan stated that the Board would next discuss landscaping issues and recognized Mr. Hamby, who reviewed the report from Priority, attached as **Exhibit "J"**, and confirmed that Priority Landscapes continued to undertake its typical maintenance around the District.

Mr. Hamby then reviewed Proposal #2863 for boulders for the Disc Golf Course (material only) attached as **Exhibit "K"**. After discussion, upon motion by Director Young and second by Director Shoemaker, the Board voted 3-0 to approve Proposal #2863.

Mr. Hamby then reviewed Proposal #2867 for the purchase of an infield grooming machine attached as **Exhibit "L"**. After discussion, upon motion by Director Young and second by Director Shoemaker, the Board voted 3-0 to approve Proposal #2867. Discussion ensued relating to storage of the grooming machine and Mr. Hamby offered to haul the machine back and forth from Jumano Park when use was necessary.

Mr. Hamby next reviewed Proposal #2938 for Jumano trail cleanup attached as **Exhibit "M"**. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve Proposal #2938.

Mr. Hamby next reviewed Proposal #2964 for Walker House back porch plants (material only) attached as **Exhibit "N"**. After discussion, the Board collectively decided to table consideration of Proposal #2964.

Mr. Hamby then reviewed Proposal #2965 for Certified Arbor three days of pruning attached as **Exhibit "O"**. After discussion, upon motion by Director Young and second by Director Shoemaker, the Board voted 3-0 to approve Proposal #2965.

Mr. Hamby next reviewed Proposal #2969 for the purchase of new trees (materials only) attached as **Exhibit "P"**. After discussion, the Board collectively decided to table consideration of Proposal #2969.

Mr. Hamby then reviewed Proposal #2971 for tree and brush cleanup services attached as **Exhibit "Q"**, which he noted was work to install a firebreak along the greenbelt. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve Proposal #2971.

Mr. Hamby then reviewed Proposal #2972 for irrigation controller replacements attached as **Exhibit "R"**. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve Proposal #2972.

Mr. Hamby next reviewed Proposals #2982 and #2983 relating to prepping the area and installation of synthetic turf at Tumlinson Pool attached as **Exhibit "S"** and **Exhibit "T"**, respectively. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve Proposals #2982 and #2983.

Mr. Hamby then reviewed Proposal #2984 for a water barrel install and filling for October attached as **Exhibit “U”**. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve Proposal #2984.

Director Logan then recognized Mr. Gray in order to receive the engineer’s report. Mr. Gray reviewed his report, attached as **Exhibit “V”**, with the Board. He stated that his office had noted that the City of Cedar Park (the “*City*”) would be undertaking work on Block House Creek, south of the District. He noted that it was his understanding that the City was evaluating improvements to control historical flooding and that his office would continue to monitor any information that the City makes available. Mr. Gray then stated that he had reviewed the site plan for the Nebraska Furniture Mart (“*NFM*”) tract that had been filed with the City. He reminded the Board that discussions had occurred with NFM relating to certain portions of the NFM tract draining into the District’s stormwater system. He noted that the District had its own MS4 system relating to water quality and that any agreement with NFM would need to address water quality issues. He suggested that it would be beneficial to review the District’s current MS4 plan for considerations relating to the inlets that the NFM tract would be draining into. Mr. Gray reminded the Board that the District was essentially required to accept a certain amount of natural flow from the NFM tract, but confirmed that the District could insist on water quality considerations relating to such stormwater flow.

Director Logan then stated that the Board would next receive a report from Crossroads and recognized Mr. Ingallina. Mr. Ingallina reviewed the operations report, attached as **Exhibit “W”**. He stated that all lab results were satisfactory and that he had no write-offs to present. He noted that the District’s water loss was 7.32%, which he noted was down from last month. He confirmed that Crossroads continued to undertake due diligence relating to “lead and copper rule” considerations.

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. He then recapped the 2023 Legislative Session and highlighted certain legislation affecting water districts and encouraged the Board to contact him if they had any questions.

Director Logan stated that the Board would next discuss the Operations Services Agreement with Crossroads set to expire on September 30, 2023. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve the renewal of the Operations Services Agreement attached as **Exhibit “X”**.

Director Logan then stated that the Board would discuss the Restrictive Covenant Enforcement Services Agreement with Community Association Management set to expire on September 30, 2023. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve the renewal of the Restrictive Covenant Enforcement Services Agreement attached as **Exhibit “Y”**.

Director Logan then stated that the Board would discuss the Code of Ethics, Travel and Professional Services Policy. After discussion, upon motion by Director Shoemaker and second by Director Young, the Board voted 3-0 to approve the revised Code of Ethics, Travel and Professional Services Policy attached as **Exhibit “Z”**.

Director Logan stated that the Board would table discussion on the policy/procedure regarding interaction between Directors and District contractors and Subcommittees and Subcommittee meetings.

Director Logan stated that the Board would next discuss miscellaneous and Board/Subcommittee directives. The Board discussed considerations relating to the District survey, expressing a preference to undertake the survey sooner as opposed to later. After discussion, upon motion by Director Young and second by Director Shoemaker, the Board voted 3-0 to create an ad hoc "Survey Subcommittee", composed of Directors Young and Johnson, with Director Shoemaker serving as an alternate member.

Director Logan then stated that the Board would discuss issues relating to the enforcement of restrictive covenants. At 8:48 p.m., Director Logan stated that the Board would convene in executive session in order to receive legal advice from the District's attorney in connection with the enforcement of restrictive covenants, as permitted by Section 551.071 of the Texas Government Code.

At 8:55 p.m., the Board reconvened in open session, and Director Logan stated that no action had been taken during executive session relating to the enforcement of restrictive covenants.

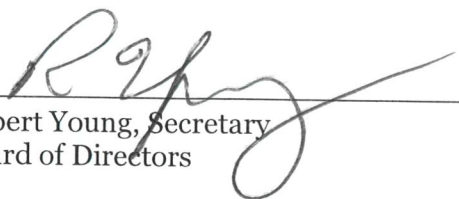
Director Logan stated that the Board would next discuss the Board's future meetings/agenda items. Mr. Abbott stated that the Board's next regular meeting date was scheduled for October 25, 2023.

There being no further items to come before the Board, upon motion by Director Young and second by Director Shoemaker, the Board voted 3-0 to adjourn the meeting.

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[SIGNATURE PAGE TO SEPTEMBER 27, 2023 MINUTES]


Robert Young, Secretary
Board of Directors

Date: 10-25-23