

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

April 28, 2021

THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

A regular meeting of the Board of Directors of Block House Municipal Utility District was held via video conference on April 28, 2021 at <https://abaustin.zoom.us/j/83409758033?pwd=MUlhaitiZTNNWGIVQXJGTzhqcjRxQT09>, Zoom Meeting **834 0975 8033** and passcode **BHmud21!**. The meeting was open to the public and notice was given pursuant to the Texas Open Meetings Act, as modified by Governor Greg Abbott, and the related guidance from the Office of the Attorney General of the State of Texas. A copy of the Certificate of Posting of the Notice is attached as **Exhibit "A"**. An electronic agenda packet for the meeting was provided on-line via the link included in the meeting notice and the meeting was recorded and made available at the same link after the meeting.

All of the Directors were present, as follows:

Cecilia A. Roberts	-	President
Steve Bennett	-	Vice President
Byron Koenig	-	Secretary
Stuart McMullen	-	Assistant Secretary
Ursula Logan	-	Treasurer

Also present at the meeting were Taylor Kolmodin of Municipal Accounts & Consulting, L.P. ("MAC"); Jacquelyn Smith, Patricia Rinehart, and Lisa Torres of Crossroads Utility Services, LLC ("Crossroads"); Ben Turner, Jim Cicchini, and Annie Atkinson of Consort; Sandy Martin of the Block House Creek Owners Association (the "OA"); Chester Davis of American Fireworks; Sergeant Chuck Kelley of the Williamson County Sheriff's Office ("WCSO"); Tom Davis of Lifeguard 4 Hire, LLC ("L4H"); Tripp Hamby of Priority Landscapes, LLC ("Priority"); Jack Baker of Community Association Management ("CAM"); Terri Hutton, Robert Young, and Ethan Traeder, residents of the District; and Sean Abbott of Armbrust & Brown, PLLC ("A&B").

Director Roberts called the meeting to order at 6:30 p.m. and welcomed those present. She confirmed that the meeting was being conducted via Zoom and was being recorded. Director Roberts then stated that the Board would first receive citizens' communications and requested that each speaker identify themselves when speaking and that anyone participating in the call mute their devices when they were not speaking. Ms. Hutton addressed the development of the Knight Tracts and stated she was opposed to Block House Drive being turned into a main thoroughfare and was concerned about traffic related to the development. She then expressed concern relating to the District's enforcement of restrictive covenants and stated that she was aware of situations where homeowners had not sought the approval of the Architectural Control Committee when repainting their homes. Ms. Hutton added that she wanted to ensure that there is consistent and uniform enforcement of restrictive covenant issues by the District.

Director Roberts then stated that the Board would receive a report from the OA and recognized Ms. Martin. Ms. Martin stated that the OA had recently concluded "Green Month" which had been very successful. She noted that there had been electronic waste disposal and bulk

pickup events. Ms. Martin then stated that there would be a dedication of a memorial tree in the District soon.

Director Roberts stated that the Board would next discuss the development of the Knight Tracts. Mr. Turner stated that the development planned for the Knight Tracts was an “exciting project” and would be similar to other developments his firm had worked on in the area. He stated that the project fits into the City of Cedar Park’s master plan and represented a denser style of development that the City desired. He explained that the project was moving through the zoning process in the City as a “planned unit development.” Mr. Turner added that the City desired 40 units per acre and that the project was proposed as a “live/work/play” development. He stated that the developer wanted to integrate a significant walking/hiking path and an impressive boulevard into the development. He then noted that the developer intended to limit the height of buildings on the edges of the project and that there were 12 to 13 story buildings planned for the middle of the development. Mr. Turner stated that he had researched documentation relating to the primary utility lines running next to the property and that he would provide such documentation to the District.

Director Roberts stated that the Board would next discuss the request for temporary waiver of use restrictions contained in Declaration of Covenants, Conditions, and Restrictions for Block House Commercial Areas (the “Commercial Covenants”). Mr. Abbott reviewed the proposal from American Fireworks relating to the Commercial Covenants, attached as Exhibit “B”, and stated the same request had been considered on three previous occasions by the Board. Mr. Davis addressed the Board and thanked them for the opportunity to work with the District, requested that the Board grant a temporary waiver of the use restrictions for the commercial property within the District for the purpose of operating fireworks sales stands on the property indicated in his proposal, and confirmed that American Fireworks could provide a fireworks display on July 4, 2021 and July 4, 2022. Director Roberts stated that such shows would benefit all District residents. Mr. Davis reminded the Board that American Fireworks still “owed” the District a show from 2020 and offered to put on a show on Labor Day or new Year’s Eve, if desirable. After discussion, upon motion by Director Bennett and second by Director Logan, the Board voted unanimously to approve the permitted temporary use of no more than three fireworks stands at the retail sales areas indicated in the proposal from June 20 to July 8 in 2021 and 2022 and December 16 to January 5 in 2021/22 and 2022/23 (ending on January 5 in 2023), with the understanding that the fireworks displays would also be a permitted temporary use, subject to receipt of all necessary permits.

Director Roberts then recognized Mr. Traeder to discuss his Eagle Scout project. Mr. Traeder stated that he would like to establish a “box forward flag drop off” at Tumlinson Park as part of his Eagle Scout project. He explained that Boy Scouts could regularly check the box for retired flags that would end up back at the local troops. He further noted that the project would be accomplished in phases, including the construction of the box. After discussion, upon motion by Director Logan and second by Director Koenig, the Board voted unanimously to approve the proposed project. Director Roberts then requested that Directors Bennett and Koenig work with Mr. Traeder to evaluate and approve the plans for the project.

Director Roberts stated that the Board would next consider approving the minutes of the March 24, 2021 regular meeting and the April 7, 2021 special meeting. After discussion, upon motion by Director Bennett and second by Director Logan, the Board voted unanimously to approve the minutes, as presented.

Director Roberts stated that the Board would next receive a report from the WCSO and recognized Sgt. Kelley. Sgt. Kelley reported that deputies continued to patrol the neighborhood

and that there had been nothing unusual to report. He noted that the WCSO would increase its patrols during the summer months.

Director Roberts then stated that the Board would discuss restrictive covenant enforcement, including pending or contemplated litigation. Director McMullen stated that the subcommittee had been evaluating “regular issues” and that there were no instances of pending litigation. Mr. Baker stated that he continued to work closely with the Restrictive Covenant Subcommittee and that things seemed to be going well. Director Logan then requested that she be given access to CAM’s restrictive covenant database. Mr. Baker stated that he would work with A&B regarding the fulfillment of the request.

Director Roberts stated that the Board would next receive the bookkeeper’s report and recognized Ms. Kolmodin. Ms. Kolmodin presented the check register attached as Exhibit “C”. She stated that approximately 98% of the District’s 2020 property taxes had been collected. After discussion, upon motion by Director Logan and second by Director Roberts, the Board voted unanimously to approve payment of the bills and invoices and the three fund transfers, as presented. The Board then discussed economic impact of the winter weather event and Ms. Kolmodin noted that the Board would likely need to consider a budget amendment to account for expenses relating to the event. Director Logan then suggested that the Board assemble an accounting to show all expenses relating to the winter storm, including any reimbursements from the Texas Municipal League Intergovernmental Risk Pool (“TML”), and Ms. Kolmodin stated that she was happy to assist in such efforts.

Director Roberts stated that the Board would next discuss pool operations, maintenance, repairs and management and recognized Ms. Smith. She reviewed the report from L4H attached as Exhibit “D” and stated that she continued to work with L4H and Williamson County relating to the inspections of the District’s pool. Mr. Davis then stated that there were several items that needed to be addressed relating to the inspection of the District’s pools and referenced in the list of items noted by the pool inspector attached as Exhibit “E”. He then stated that all of the items could be addressed for less than \$6,000. After discussion, upon motion by Director Logan and second by Director McMullen the Board voted unanimously to approve an amount not to exceed \$6,000 to address maintenance items relating to the inspections of the District’s pools by Williamson County. Ms. Smith then confirmed that the Williamson County Fire Marshall would be visiting the pools soon to confirm maximum capacity at each pool.

Director Logan then stated that the Pools Subcommittee had been working on communication for the upcoming pool season that they hoped to distribute soon. She stated they were attempting to prepare “FAQs” that might come up during the pool season, including issues relating to the role of a lifeguard, pool cleaning, age of swimmers, weather, and registration. She further noted that they would be posting a QR code at the pool to link to the FAQs. **Director Logan then directed Ms. Rinehart to complete the draft of the FAQs so that the Subcommittee could distribute the document by May 9, 2021.**

Director Roberts then stated that the Board would discuss landscape maintenance, including the report from Priority attached as Exhibit “F”. Mr. Hamby then presented the proposal for cleanup of the dry creek area in Jumano Park behind the homes on Cabernet Way (Proposal #235), attached as Exhibit “G”; the proposal for cleanup of Spumanti Lane greenbelt and fence line (Proposal #236), attached as Exhibit “H”; and the proposal for trimming limbs and growth from the fence line of homes backing up to the creek on Cabernet Way (Proposal #240), attached as Exhibit “I”. Ms. Kolmodin confirmed that there were available surplus funds to use to cover the proposals. Upon motion by Director Bennett and second by Director McMullen, the Board voted unanimously to approve the proposals, as presented. Director

McMullen stated that the Board did not need to consider Proposal #237 for cleanup of resident dumping behind the home at 1401 Paustino Cove. The Board then discussed Proposal #238 for spread of mulch from storm-damaged trees, and Director Bennett suggested that the Board wait on consideration of that proposal.

The Board then discussed the need to undertake additional remedial landscaping work relating to the effects of the winter weather event in February. Mr. Hamby confirmed several additional trees would need to be removed from District properties. He also noted that there were many dead plants in the District that did not survive the winter weather event. He stated that Proposal #241 provided in the meeting packet was no longer accurate. Mr. Hamby then stated that as many as 80 trees may need to be removed in the District. Director Roberts expressed concern about the costs associated with removing so many trees from the District and suggested that the District should solicit bids from multiple vendors to ensure competitive pricing. Director Koenig agreed with Director Roberts, given the sheer volume of trees that needed to be removed. The Board then discussed Proposal #241, attached as **Exhibit "J"**, given Mr. Hamby's comments that it was no longer accurate. After discussion, upon motion by Director McMullen and second by Director Koenig, the Board voted unanimously to approve the removal of dead plants affected by the winter weather event, as contemplated in Proposal #241, in an amount not to exceed \$30,000. **Director Roberts then directed Ms. Smith to determine if the replacement of plants was covered by the District's insurance.** Director Bennett then stated that it might be necessary to have a special meeting on the District's budget to reconcile expenses relating to the winter weather event. Ms. Kolmodin then noted that the year-to-date expenditures for landscaping were in line with the budget.

Director Roberts then stated that the Board would discuss District operations and recognized Ms. Torres, who presented the report attached as **Exhibit "K"**. Ms. Torres reviewed the report from Crossroads. She stated that all lab results were satisfactory and that the water loss for the previous month had been 6.72%. Ms. Torres stated that there were no write-offs included in her report. She then presented the proposal from Crossroads in the amount of \$13,847.22 to clean and repair drainage inlets and outfalls, attached as **Exhibit "L"**, and the proposal from Crossroads in the amount of \$10,020.85 to survey the remaining inlets and outfalls, attached as **Exhibit "M"**. After discussion, upon motion by Director Bennett and second by Director McMullen, the Board voted unanimously to approve the proposals. Ms. Torres then reviewed a proposal from Streamline Commercial Painting to power wash playscapes, related park facilities, and the back deck at the Walker House, attached as **Exhibit "N"**. After discussion, upon motion by Director Bennett and second by Director Koenig, the Board voted unanimously to approve the proposal from Streamline. Ms. Torres then reviewed a proposal from Fazzone Construction to repair and replace gutters and downspouts at the Apache storage building and the Tumlinson Pool Pump Room, and repair the roof at the Apache storage building, attached as **Exhibit "O"**. After discussion, upon motion by Director Bennett and second by Director Koenig, the Board voted 4-1, with Director McMullen voting "no", to approve the proposal from Fazzone Construction. **Director McMullen then directed Ms. Smith to work with Mr. Abbott to submit an insurance claim to TML relating to the recent hail storm in the District.** Director Bennett then discussed the necessity of constructing a wooden structure to house the District's all-terrain vehicle ("ATV"). He proposed the construction of a carport. After discussion, upon motion by Director Bennett and second by Director Koenig, the Board voted unanimously to approve expenditures not to exceed \$3,000 in the construction of a carport for the ATV.

Director Roberts stated that the Board would next discuss general management items, and recognized Ms. Smith. Ms. Smith reviewed her report attached as **Exhibit "P"** and the directives to the General Manager. She noted that her directives were either complete or still pending. She

stated that the Tumlinson Park restroom had been reopened and that she had placed a sign on the door of the restroom that confirmed that the restroom was not being sanitized after each use. Ms. Smith then stated that there had been no requests for use of District facilities, except for the sports fields. She confirmed that the new reservation policies for the sports fields were working well. She then reported that she hoped the new website would be rolled out by Tuesday, May 4, 2021. Ms. Smith then reviewed the Visual Standards Guide for the District's logo, attached as **Exhibit "Q"**. Upon motion by Director McMullen and second by Director Bennett, the Board voted unanimously to approve the Visual Standards Guide. **Director Roberts then directed Mr. Abbott to investigate the necessity and prudence of the District obtaining a trademark for the District's logo.** Mr. Abbott then confirmed to the Board that the District's contract with Jan-Pro for cleaning services was set to auto-renew at the end of May. He presented a Contract Revision from Jan-Pro, attached as **Exhibit "R"**, for additional cleaning of certain District facilities and noted an increased cost of approximately \$8 per month. Upon motion by Director Logan and second by Director Bennett, the Board voted unanimously to approve the renewal of the District's contract with Jan-Pro and the Contract Revision, as presented.

Director Logan then asked Ms. Smith about welcome packets. **Director Roberts then directed Ms. Smith to work with Ms. Torres on formatting changes to the welcome packets that may be beneficial.** Director Logan then requested that additional discussions occur with the Board before any major changes to the distribution of welcome packets. Ms. Smith then stated that she had established a proposed annual structure and schedule for the District's newsletters. She then confirmed that she had reprogrammed the phone tree verbiage for the District's phone system at the Walker House. Ms. Smith then stated that the baseball fields at Tonkawa Park required new backstops. She stated that she had researched backstops constructed from chain link fence and recommended the approval of two such backstops. After discussion, upon motion by Director Bennett and second by Director Koenig, the Board voted unanimously to approve the purchase of two chain link backstops for Tonkawa Park for a total amount not to exceed \$6,000. Director Logan then requested that Ms. Smith regularly check her voicemail to ensure that her voicemail mailbox was not constantly full.

Director Roberts then stated that the Board would discuss the District's Storm Water Management Program ("**SWMP**"), including the use of volunteer groups for access trail and creek clearing projects. Director Bennett stated that the Tidal Waves had assisted with cleaning the Susan Channel and that they had done a great job. He noted that he anticipated having additional proposals relating to the District's SWMP to present at the May meeting.

Director Roberts stated that the Board would next receive the report from and directives to Armbrust & Brown, PLLC. Mr. Abbott confirmed that all of his directives were complete.

Director Roberts stated that the Board would next discuss District parks and facilities, including disc golf, and recognized Director Bennett to provide an update. Mr. Bennett stated that the Disc Golf Subcommittee had met with HouckDesign ("**Houck**") to walk the previously identified potential disc golf site at the Community Gardens in Jumano Park. He stated that Houck was very receptive to the available property, but noted that some existing trails could cross the proposed areas of the disc golf course. He confirmed that none of the land adjacent to the homes on Catalina Drive that backed up to Jumano Park would be used for the disc golf course. He stated that Houck should be able to design a challenging and fun course. Director Bennett then reviewed the proposal and scope of services from Houck, attached as **Exhibit "S"**. He then confirmed that Priority would take direction from Houck for landscaping adjustments needed to accommodate the course.

Directors Roberts and Logan both thanked the subcommittee for their efforts relating to the disc golf course. Director Logan noted that funds had been reserved in the budget for the disc golf course. She further noted that it was important to communicate with residents about the planned course and that residents should be able to provide feedback with the Board to ensure all voices were heard. Director Roberts then suggested that FAQs relating to the design and construction of a disc golf course be posted on the District website. Director Logan agreed, and reiterated that residents should be able to find the facts relating to the planned disc golf course. Director Koenig then stated that the subcommittee had put in a lot of work and that he was excited about the direction of the project. He complimented Houck and their experience on such matters. Director McMullen thanked the subcommittee for their work and stated that everything appeared to be moving in a positive direction. Upon question from Director Roberts, Mr. Abbott confirmed that the Houck proposal could serve as the basis for a relatively simple contract between Houck and the District. Director Bennett stated that Houck was extremely busy and recommended that the District engage Houck as soon as possible. He then confirmed that he would assist with project management on the project and that there would likely be ample opportunities for volunteers on the project. After discussion, upon motion by Director Bennett and second by Director Koenig, the Board voted unanimously to accept the proposal from Houck to design a disc golf course at the Community Gardens site in Jumano park **and directed Mr. Abbott to draft a contract between Houck and the District that memorialized the proposal, subject to the approval of Director Bennett.**

Director Roberts then stated that the Board would consider the temporary disc golf prohibition in the District. After discussion, upon motion by Director McMullen and second by Director Bennett, the Board 4-1, with Director Logan voting “no”, to continue the temporary disc golf prohibition in the District until July 28, 2021,

Director Roberts then directed Mr. Abbott to review and confirm the meeting notes attached as **Exhibit “T”**.


Director Roberts stated that the Board would next discuss the Board’s future meeting schedule and agenda items. Mr. Abbott confirmed that the next regular meeting of the Board of Directors would occur on May 26, 2021.

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

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[SIGNATURE PAGE TO April 28, 2021 MINUTES]


Byron Koenig, Secretary
Board of Directors

Date: 5-26-21