

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

February 24, 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 February 24, 2021 at <https://zoom.us/j/99518898493?pwd=b0c5QVhwTHZIRWRDU0ZteUlzMU51QT09>, Zoom Meeting 995 1889 8493 and passcode 579826. 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 and Lisa Torres of Crossroads Utility Services, LLC ("Crossroads"); Sandy Martin of the Block House Creek Owners Association (the "OA"); 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"); Ed Ladd and Neil Guidera, 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 complimented the City of Cedar Park during the recent winter weather event as District residents did not have to boil water. She also noted that the District had no water pressure issues and **requested that Ms. Smith send a letter of appreciation to the City of Cedar Park on behalf of the Board of Directors and she agreed to do so.**

Director Roberts then stated that the Board would first receive citizens' communications, requested that each speaker identify themselves when speaking, and requested that anyone participating in the call mute their devices when they were not speaking.

Mr. Ladd stated that he was on the citizen committee that helped evaluate the bond proposals that were voted on in November of 2020. He noted that the proposed bond for masonry walls in the District did not pass and suggested that a composite fence could be utilized as opposed to wood fencing for the same purpose. He then expressed curiosity about whether recent public

information act requests received by the District had caused additional expenditures for the District. Director Roberts confirmed that the Board would discuss such matters when the Bookkeeper's Report was received.

Mr. Guidera stated that he agreed with Director Roberts that the City of Cedar Park had done a great job during the winter weather event. He then noted that there were some potholes at Block House Drive and New Hope Drive that needed repair and stated that he believed the City of Cedar Park was responsible for such repair. Director Roberts confirmed the City was responsible for the repair and that the District had already contacted the City to address the matter. Mr. Guidera then voiced his support for the use of Jumano Park as a location to collect fallen limbs in the District on the weekend of February 27, 2021. He stated that providing flexibility to residents on when they could drop off fallen limbs would be greatly beneficial.

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 submitted a request to expand the brush collection event at Jumano Park to include the weekend of February 27, 2021 and that several comments had been received by the OA from residents supporting the request. She then stated that a kite flying contest would be held in the District on Easter weekend and that ice cream would be made available to all attendees in a COVID-compliant manner. She further stated that a garage sale and shred day were planned for the spring.

Director Roberts stated that the Board would next consider approving the minutes of the January 27, 2021 meeting. Upon motion by Director Logan and second by Director McMullen, the Board voted unanimously to approve the minutes.

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 was nothing unusual to report. He noted that a new officer would soon be joining the group that patrols in the District.

Director Roberts then stated that the Board would discuss restrictive covenant enforcement, including pending or contemplated litigation. Mr. Abbott stated that all District address information had been provided to Community Association Management ("CAM") to upload into their system. He noted that A&B had continued to work with CAM to refine the violation letters that would be utilized to communicate with District residents. He then confirmed that, as CAM had yet to initiate restrictive covenant enforcement services in the District, they would not be billing the District for the month of February.

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 "B"** and the supplemental check register attached as **Exhibit "C"**. She stated that 92% of the District's 2020 property taxes had been collected. Upon question from Director Logan, Ms. Kolmodin stated that the collection rate was in line with historical averages. 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 transfers, as presented. Director Roberts then confirmed to Mr. Ladd that approximately \$14,000 of expenditures had been incurred by the District in responding to a recent Public Information Act request. Mr. Abbott clarified that the administrative rules and regulations of the Office of the Attorney General only allowed for the District to recover a small portion of expenditures related to responding to the request.

Director Roberts stated that the Board would next discuss pool operations, maintenance, repairs and management, including (a) the report from the Pools Subcommittee and (b) the report

from L4H attached as **Exhibit “D”**. Mr. Davis stated that, following the winter weather event, all pools were holding their water, but that they were still assessing all pool facilities and would not know for a while whether all the facilities were still in good working order. He stated that it might be weeks before they could finalize their investigations, noting that they had not been able to test the pumps yet. Ms. Smith then stated that the 9-1-1 call boxes would be installed at each pool facility over the next couple of weeks.

Director Roberts then stated that the Board would discuss landscape maintenance. Director McMullen stated that he had been working with Ms. Smith to finalize a plan for debris removal in the District. He confirmed that they had initially hoped to have an event on February 19, 2021, but ultimately could not make that date work. He then noted that Mr. Hamby and Priority were working diligently to remove fallen tree limbs from District parks and rights-of-way and that they had established a mulching operation next to the Community Gardens in Jumano Park. Director McMullen noted that he anticipated that Priority would need to use the site in Jumano Park through the weekend of February 28, 2021. He then stated that, given that Priority would need exclusive dedicated space for the mulching project in Jumano Park, they had planned to host an event at the same location for residents to drop off fallen limbs on the weekend of March 6, 2021. Director McMullen noted that Crossroads and WCSO employees had already confirmed their availability to assist with the event on the weekend of March 6, 2021. Ms. Smith confirmed the timeline that Priority would be utilizing for its clearing of District property and noted that ingress and egress to the mulching site for Priority would be extremely important. Mr. Hamby then stated that Priority was working with an arborist on the clearing project and that they had been very productive. He confirmed that they were currently working on the “three mile loop” and that they were working hard to clear fallen limbs throughout the District. Director Roberts asked Mr. Hamby whether there was flexibility to share Jumano Park for the upcoming weekend. Mr. Hamby stated that he anticipated that Priority would need full use of Jumano Park for the upcoming weekend in order to complete its clearing of District property. He opined that it could be complicated to share the space with residents of the District and that he would have liability concerns for the District with such an arrangement. Upon question from Director Logan, Mr. Hamby confirmed that he did anticipate that Priority’s use of Jumano Park would continue through the weekend. The Board then discussed options available to District residents for Texas Disposal Systems to pick up fallen limbs from homes.

Director Roberts then asked Mr. Hamby if it was safe to maintain a pile of mulch without keeping it wet. Mr. Hamby stated that the mulch could be utilized immediately in the District and that he didn’t foresee a problem. Director Roberts then noted that the OA had already made public representations about utilizing Jumano Park for the upcoming weekend. Director Logan asked if the OA could use Jumano Park to receive fallen limbs from residents if Priority completes its work before the end of the weekend. Director Koenig noted that for such events, the District typically staffed the event with a WCSO deputy and, as such, cost had been a consideration in their planning. Directors McMullen and Koenig stated that it would be fine for the OA to utilize the Community Garden site to receive fallen limbs from residents if Priority had completed its brush clearing operation before the end of the upcoming weekend. Director Roberts then confirmed that she had requested that Ms. Kolmodin “code” all expenses attributable to the winter weather event. Mr. Abbott confirmed that a single claim needed to be submitted to the District’s insurance provider and recommended that the claim be made as soon as possible.

Director Roberts then stated that the Board would discuss District operations and recognized Ms. Torres, who presented the report attached as **Exhibit “E”**. Ms. Torres reviewed the report from and directives to Crossroads. She stated that all lab results were satisfactory and that water loss for the previous month had been 5.07%. Ms. Torres stated that there were no

write-offs included in her report. She confirmed that Crossroads had sent out 191 collection letters in the month of January and that service had been terminated for 27 connections in the District. She then stated that Crossroads had recently undertaken backflow testing and that a repair was necessary. Ms. Torres then stated that a District resident had blockage in their water line and that Crossroads had determined that the issue was on the District's side of the connection. She recommended that the District reimburse the resident for the \$495 repair. Upon motion by Director Bennett and second by Director Koenig, the Board voted unanimously to reimburse the resident \$495 for the plumbing repair. Ms. Torres then stated that many District residents had asked whether water use during the winter weather event would be utilized during the winter wastewater rate averaging period. Ms. Torres suggested that the Board could discard February water use and utilize the data gathered in December and January. **The Board directed Mr. Abbott to include an item on the agenda for the March meeting of the Board of Directors to finalize how winter wastewater averaging would be calculated and he agreed to do so.** Director Roberts then asked Ms. Torres if there had been any issues relating to cutting off service for residents of the District. Ms. Torres stated that she was not aware of any such issues in the District, but would bring it to the Board's attention if she was made aware of any.

Director Roberts stated that the Board would next discuss general management items, and recognized Ms. Smith. Ms. Smith reviewed her report attached as **Exhibit "F"** and the directives to the General Manager and noted several of her directives were still pending. She then reviewed the OA requests for use of facilities attached as **Exhibit "G"**, noting that a request had been received for a waiver of fees for the Kite Festival. After discussion, upon motion by Director McMullen and second by Director Roberts, the Board voted 4-0, with Director Logan abstaining, to approve the waiver of fees. Ms. Smith then stated that the "go live" date for the District's website had been pushed back as a result of the winter weather event. She stated that the "go live" date would likely be pushed until April.

Director Logan temporarily left the meeting at 7:09 p.m.

Ms. Smith then stated that she had been working with the OA to repair the District's community electronic sign (e-sign) and that the OA intended to repair the e-sign by March 1, 2021. She then reviewed the proposal from Hot Dog Marketing for the newsletter masthead redesign, attached as **Exhibit "H"**, and recommended the approval of the proposal. After discussion, upon motion from Director Bennett and second by Director Koenig the Board voted 4-0 to approve the proposal from Hot Dog Marketing.

Director Logan re-joined the meeting at 7:11 p.m.

Director Roberts then stated that the Board would discuss property maintenance, repairs, and replacements, including a report from the Maintenance and Engineering Subcommittee. Director Bennett stated that he had engaged in correspondence with David Gray and Mr. Abbott regarding the District's existing out-of-District service policy. Ms. Smith stated that a pipe had broken at one of the restrooms at Apache Pool and, as a result, per the direction of Mr. Davis, Apache Pool remained closed. The Board then confirmed that the Maintenance and Engineering Subcommittee would oversee the work undertaken to remediate damage relating to the winter weather event, including repairs to the District's pools. Director Roberts then recommended that the Board consider adopting an emergency preparedness plan for weather-related disasters in the future.

Director Roberts stated that the Board would next receive a report from the Water/Environmental Subcommittee. Director Logan suggested that a broad and comprehensive

educational campaign relating to the use and function of the District's drainage system would be beneficial for District residents. Mr. Bennett then reviewed the Dry Weather Screening Inspection Report for Permit Year 2 from Jones and Carter, attached as **Exhibit "I"**, and confirmed that Crossroads could undertake the maintenance measures recommended in the Report. After discussion, upon motion by Director Bennett and second by Director Koenig, the Board voted unanimously to approve the Report and authorize Crossroads to undertake the action items noted in the report. Director Bennett then reviewed the memorandum from Jones and Carter relating to contractual requirements for MS4 contractors, attached as **Exhibit "J"**. Upon motion by Director Bennett and second by Director Logan, the Board voted unanimously to approve the contractual requirements for MS4 contractors. Director Bennett then reviewed the proposed revisions to Rules Governing Water, Wastewater and Drainage Services and Regulating Privileges on Land and Easements Owned by the District included in **Exhibit "K"**. After discussion, upon motion by Director Bennett and second by Director Koenig, the Board voted unanimously to adopt the proposed revisions to the District's Rules Governing Water, Wastewater and Drainage Services and Regulating Privileges on Land and Easements Owned by the District.

Director Roberts stated that the Board would next discuss District parks and facilities. Mr. Abbott confirmed that he had worked with the Ad Hoc Disc Golf Subcommittee and had corresponded with HouckDesigns regarding the Board's request for HouckDesigns to evaluate land in the District for a disc golf microcourse. He added that HouckDesigns indicated that they would enjoy working with the District again. Mr. Abbott then reviewed the proposed Order Establishing Rules and Regulations Governing Recreational Facilities and Related Fees and Charges, attached as **Exhibit "L"**, with the Board and confirmed that the proposed changes represented what the Board had approved at the January meeting of the Board of Directors. After discussion, upon motion by Director McMullen and second by Director Bennett, the Board voted unanimously to approve the Order Establishing Rules and Regulations Governing Recreational Facilities and Related Fees and Charges. Director McMullen then stated that he would like for the Board to formally begin exploring options regarding the park bond proposition that was approved by voters in November of 2020, including options for building a new community center. **Director Roberts then directed Mr. Abbott to include an agenda item for the March meeting of the Board of Directors and to include the report from Gray Engineering relating to the bond proposition in the Board packet for the meeting and he agreed to do so.**

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. He then reviewed the Water Conservation and Drought Contingency Plan. After discussion, upon motion by Director Bennett and second by Director Logan, the Board voted unanimously to approve the Resolution Confirming Annual Review of Water Conservation and Drought Contingency Plan and Updating Water and Wastewater Utility System Profile attached as **Exhibit "M"**.

Director Roberts then stated that the Board would next discuss resolutions to the City of Cedar Park relating to: (a) development in the District and (b) sound ordinance considerations. Director Roberts expressed a desire for the Board of Directors to pass resolutions on matters being considered by the City Council of Cedar Park that could affect the District. Mr. Abbott stated that he could work with the Communications Subcommittee to draft resolutions to provide to the City of Cedar Park. After discussion, upon motion by Director Logan and second by Director Roberts, the Board voted unanimously to **direct Mr. Abbott to work with the Communications Subcommittee to draft resolutions from the Board of Directors expressing concern about the development of the Knight Tract and sound ordinance considerations.**

Director Roberts stated that the Board would next discuss subcommittee assignments and recognized Director McMullen. Director McMullen stated that when he had previously served on the Board that he had worked on the OA Liaison Subcommittee. He stated that he had enjoyed working on the Subcommittee and would like to do so again. After discussion, the Board agreed to revisit subcommittee assignments in six months.

Director McMullen then stated that having MUD vests, shirts and/or business cards would assist Board Members in identifying themselves to members of the community. **The Board then directed Ms. Smith to investigate obtaining MUD-branded vests and shirts and to order business cards for the Directors, as desired.**

Director Roberts then recognized Director Logan to discuss Director per diems. Director Logan discussed the importance of each Director being financially conservative in providing service and stewardship to the residents of the District. She noted that each Director can receive up to \$7,200 in per diems on an annual basis and that the combined total of per diems for all five Directors was a significant sum. Director Logan then moved that the Board collectively agree to forego the opportunity to collect Director per diems going forward. The motion was not seconded.

Director Roberts then directed Mr. Abbott to review and confirm the meeting notes attached as **Exhibit "N"**.

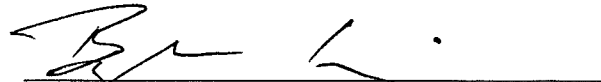
Director Roberts stated that the Board would next discuss the Board's future meeting schedule and agenda items. Mr. Abbott confirmed the next meeting of the Board of Directors would occur on March 24, 2021.

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

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[SIGNATURE PAGE TO February 24, 2021 MINUTES]

  
Byron Koenig, Secretary  
Board of Directors

Date: 4-28-21