

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

March 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/91336678995?pwd=OXlsTVJ0ejJV aU13VFRxaEVwdEV2Zz09>, Zoom Meeting 913 3667 8995 and passcode 937027. 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"); Andrew Hunt, 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"); Jack Baker of Community Association Management ("CAM"); Michelle McCauley, Neil Guidera, Justin Crow, Joel Moreno, Cassie Cooper, Robert Young, and Scott Carpenter, 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. McCauley stated that she would like for the Board to continue with Board meetings via Zoom calls going forward. She stated that it was in the best interest of the neighborhood to continue with Zoom calls, which provided for greater transparency. Ms. McCauley then requested that the Board consider Comanche Park for a micro disc golf course, citing to analysis in the HouckDesign report.

Mr. Guidera stated that he agreed with all of the comments and recommendations made by Ms. McCauley.

Mr. Crow stated that he had been working with the District's disc golf subcommittee to evaluate available land for a disc golf course in the District. He stated that the HouckDesign report

presented some great options. He reported that many families in Block House would favor a micro course. Mr. Crow then stated that he favored the Community Gardens site and would prefer to see a full par 3 recreational course. He concluded by stating that he would like to see the District move forward with a plan soon.

Ms. Martin stated that she believed there were two errors in the minutes of the Board's February meeting. One relating to the approval of OA requests and the other to a directive offered to the District's General Manager relating to the repair of the E-sign in the District.

Mr. Moreno stated that he appreciated that the Board meetings were being conducted via Zoom. He thanked the Board for working with HouckDesign on the most recent disc golf report. He then questioned whether additional land in Jumano Park should be considered for a disc golf course. Mr. Moreno stated that Tonkawa Park would be good for a micro course and that the Community Gardens parcel would likely make for a good course. He reiterated that he would like for all possible location options to be considered.

Ms. Cooper stated that she had two children that participated in the Tidal Waves swim team. She stated that her family loved swimming and that their family had met many neighbors as a result of participating in Tidal Waves. She added that swimming was safe during a pandemic. Ms. Cooper concluded by advocating for the opening of the District's pool facilities.

Mr. Carpenter stated that he would like to see clearing out of undesirable trees along Block House Creek. He requested that the Board consider such clearing of the creeks and wondered whether the park bond proceeds could be utilized for such efforts.

Director Roberts then stated that the Board would receive a report from the OA and recognized Ms. Martin. Ms. Martin stated that a kite festival would be held on Saturday at Tonkawa Park. She confirmed that the Easter Bunny would be present and that free ice cream would be served. She reviewed the Green Month activities and confirmed that the OA had requested the approval of a tree planting for a memorial. After discussion, upon motion by Director Logan and second by Director Roberts, the Board voted unanimously to approve payment for the proposed tree memorial. Ms. Martin and Director Roberts then offered comments on the ways the OA and the District could optimally work together to benefit the neighborhood. Director McMullen requested that the Board consider an agenda item relating to District communication with the OA. Director Roberts then recognized Director McMullen to speak on the item. Director McMullen discussed an email that was distributed by the OA relating to the collection of fallen tree limbs in the District. He stated that such emails made it difficult for the District and the OA to work together. Ms. Martin confirmed that the OA Board had approved the message. Director McMullen stated that the email painted the Board in a bad light. Director Roberts then suggested that the Board and the OA try to learn from the experience and use it as a lesson to communicate more effectively in the future.

Director Roberts stated that the Board would next consider approving the minutes of the February 24, 2021 meeting. Director Logan then moved and Director McMullen seconded that the minutes be approved with the suggested amendments, including an edit to the subcommittee that Director McMullen desired to serve on and the issues raised by Ms. Martin. Mr. Abbott stated that he would need to research the issues raised by Ms. Martin and that he would report back to the Board.

Director Roberts then stated that the Board would discuss emergency coronavirus preparedness and protocols. Ms. Smith stated that Governor Abbott had rolled back several COVID-related restrictions. She added that COVID cases were declining and that Williamson

County had established a COVID vaccine hotline. She then provided an update on District facilities affected by storm-related damage.

Director McMullen expressed a preference for returning to in-person meetings, including hybrid meetings whereby Board members and consultants could participate telephonically or by video call, and moved that the Board consider returning to in-person meetings. The motion was seconded by Director Koenig. Director Logan questioned whether a Board meeting could be conducted at the Walker House with proper social distancing protocols. She confirmed that she was not comfortable with attending a Board meeting in person, given the current COVID situation. Upon question from Director Logan, Mr. Abbott confirmed that the Office of the Attorney General had confirmed that “hybrid meetings” were acceptable. He recommended that any hybrid meetings that the District undertake should use telephonic methods for remote connections. Director Logan noted that the facilities of other local governments were considerably larger than the District’s facilities. Director Roberts then confirmed that there was an active motion up for consideration for in-person meetings in a hybrid format. The Board then voted 4-1, with Director Logan voting “no”, to resume hybrid in-person meetings.

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 confirmed that noise complaints should be handled by the WCSO and that such complaints should not be referred to the OA. He then confirmed that the District’s limb collection event went very smoothly.

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”**. She stated that almost 97% 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 transfers, as presented. Upon question from Director Roberts, Ms. Kolmodin confirmed that a total of \$18,300 had been spent by the District to respond to a recent public information act request from Robert Young. Director Bennett then stated that there were significant expenditures incurred by the District as a result of the winter weather event and suggested that the Board may need to revisit the budget soon to evaluate the effect the storm expenditures have had on the budget. He then noted there may be positive budget adjustments forthcoming as result of payouts from the Texas Municipal League Intergovernmental Risk Pool (“*TML*”). Director Logan then stated that the District may be able to apply for federal relief relating to the storm. She requested that Mr. Abbott assist Ms. Smith in researching such matters. Mr. Abbott then summarized the arbitrage rebate review and compliance summary from BLX Group for \$5,800,000 Unlimited Tax Refunding Bonds, Series 2016, attached as **Exhibit “C”**.

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 confirmed that the 9-1-1 callboxes had been installed at the District’s pools. Mr. Davis then reviewed the proposal from 360 Aquatics for Tumlinson Pool maintenance attached as **Exhibit “E”** and the 360 Aquatics proposal for Apache Pool maintenance attached as **Exhibit “F”**. After discussion, upon motion by Director Logan and second by Director Bennett, the Board voted unanimously to approve the proposals.

Director Roberts then stated that the Board would discuss District operations and recognized Ms. Torres, who presented the report attached as **Exhibit “G”**. Ms. Torres reviewed the report from and directives to Crossroads. She stated that all lab results were satisfactory and that the water loss for the previous month had been 2.5%. Ms. Torres stated that there were two

write-offs included in her report. She confirmed that collections had been trending in a positive direction since the District had resumed disconnection for non-payment policies. Ms. Torres then recommended that February not be included in the winter wastewater rate averaging period. After discussion, upon motion by Director Bennett and second by Director Logan, the Board voted unanimously to approve the write-offs and to exclude the month of February from the District's winter wastewater averaging period for 2021.

Ms. Smith then stated that she had received a proposed schedule from Tidal Waves for their pool use during 2021 attached as **Exhibit "H"** and recommended approval of the schedule. After discussion, upon motion by Director Logan and second by Director Roberts, the Board voted unanimously to approve the proposed Tidal Waves schedule. Director Logan then asked Ms. Smith if capacity limitations had been established for the summer pool season, and if such capacities were still applicable after the Governor's order. Upon question from Director McMullen, Director Logan stated that attendance at swim meets could vary. She confirmed that the visiting team, including coaches and parents, were always outside the fence. Director Koenig then expressed confidence that, although swim meets do get crowded, that he thought that everyone would be respectful of COVID considerations. Director Roberts then directed Ms. Smith to confirm the capacity and protocol with the Fire Marshall and to research proper COVID protocol, per the Governor's order, and for Ms. Smith to confirm such findings with the Pools Subcommittee.

Director Roberts then stated that the Board would discuss landscape maintenance, including the report from Priority attached as **Exhibit "I"**. Mr. Hamby stated that Priority had addressed all of the safety concerns relating to tree damage caused by the winter storm. He confirmed that the Parks Subcommittee was evaluating what the next rehabilitation steps should be. He added that many plants were "coming back" after the storm. Mr. Hamby then presented the proposal for removal of the elm trees on Creek Run Drive (Estimate #165), attached as **Exhibit "J"**. After discussion, upon motion by Director McMullen and second by Director Koenig, the Board voted 4-1, with Director McMullen voting "no", to approve Estimate #165. Director McMullen suggested that the District should request that TML cover the costs of removing the elm trees. The Board then directed Ms. Smith to notify affected residents that the declining elm trees on Creek Run Drive would be removed.

Director Roberts then stated that the Board would discuss restrictive covenant enforcement, including pending or contemplated litigation. Mr. Baker stated that he had met with the Restrictive Covenant Subcommittee the previous week. He confirmed that he had driven the District two times in the month of March and had sent violation letters on approximately 20 violations. Mr. Baker noted that he had discussed whether or not to issue violations for certain instances of non-compliance with the Subcommittee. Director Logan requested that CAM document all violations with photographs, even if violation letters were not sent.

Director Roberts stated that the Board would next discuss general management items, and recognized Ms. Smith. Ms. Smith reviewed her report attached as **Exhibit "K"** and the directives to the General Manager and noted several of her directives were still pending. Ms. Smith confirmed that she continued to work on the implementation of the District's new website. She stated that there were no new requests for reservations. She stated that she would like to focus her time exclusively on implementing the District's new website in the near future. Director Logan stated that the Communications Subcommittee believed rolling out the new website should be a priority. She then stated that the initial agreement with Granicus was approved in October of 2019 and that a website rollout should usually take 6 to 9 months. She further stated that Granicus had been done with its portion of the work since September of 2020 and that Granicus was waiting on the District to finish its work. Ms. Smith confirmed that branding and quantifying

survey results had slowed things down on the District's side. Director Logan recognized the delays, but stated a desire to ascertain exactly what needed to be completed on the District's side. Ms. Smith then described functionality issues with the website that were affecting the transition. Director McMullen asked Ms. Smith if she had the expertise to perform the needed work and if the District should seek another consultant to perform the work. Ms. Smith confirmed that she had subject matter expertise to do the work and that she would prefer to do the work personally. Director McMullen confirmed that he did not want Ms. Smith to feel overwhelmed with the work. Ms. Smith stated that the District had several recent priorities to complete, including storm cleanup and pool maintenance. Director Logan suggested that work should be delegated, as appropriate. Director Roberts directed Ms. Smith to work exclusively on the website in an attempt to complete the transition. Director Koenig requested that all Board members give Ms. Smith the space she needed to complete the website work.

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 had completed the repair of the e-sign in early March. Director McMullen confirmed that Crossroads had looked into pricing for shirts and vests and suggested that each Director choose their desired colors. Director Roberts confirmed that, historically, Board members had personally assumed responsibility for the payment of District-branded clothing. Ms. Smith then discussed guidelines for use of the District's logo. She confirmed that she would have recommendations for the Board at the regular meeting of the Board of Directors in April.

Director Roberts then stated that the Board would discuss the District's Storm Water Management Program. Mr. Bennett reviewed the MS4 Annual Report Permit Year 2: 2020, attached as **Exhibit "L"** (the "2020 MS4 Report"), and recommended approval of the 2020 MSR Report and submission to the Texas Commission on Environmental Quality. He then reviewed the proposed stormwater flyer, attached as **Exhibit "M"** (the "Stormwater Flyer"), and recommended distribution of the Stormwater Flyer with utility bills by Crossroads. He then reviewed the proposal from Jones and Carter for Block House Creek Maintenance—Bid and Construction Services, attached as **Exhibit "N"** (the "Project Management Proposal"), and recommended approval. Upon motion by Director Bennett and second by Director Logan, the Board voted unanimously to approve the 2020 MS4 Report, the Stormwater Flyer, and the Project Management Proposal. Ms. Smith confirmed that the Block House Creek Swim Team (Tidal Waves) had offered to assist in the clean-up of the Susan Lane Channel as a service project. The Board then directed Director Bennett to coordinate with the Tidal Waves on the Susan Lane Channel service project.

Director Roberts stated that the Board would next discuss District parks and facilities, including disc golf. Director Bennett stated that he and Director Koenig had decided on three different locations for HouckDesigns to evaluate. He confirmed that some of the areas recommended for use in the HouckDesigns report were outside the areas initially defined by the Subcommittee. Director Logan stated that she was impressed with the report and that she enjoyed reading it. Mr. Abbott then reviewed the report from HouckDesigns attached as **Exhibit "O"**. He noted that there were various considerations relating to each location evaluated and that it would be important to undertake community outreach to solicit feedback on the proposed sites. Director Bennett suggested that the Board consider a special meeting in the near future to take a detailed look at the sites and the corresponding benefits and concerns. He noted that a lot of time and effort had been spent on the disc golf issue and that he would like to move forward with a decision soon. Director Roberts stated that she supported community engagement on the issue and Director Bennett stated that it would be important to undertake thorough due diligence. Director Bennett also noted that he would like to solicit feedback from Justin Crow. Director

Logan noted that residents had noticed that progress was being made on disc golf in the District. After discussion, upon motion by Director Logan and second by Director Koenig, the Board voted unanimously to extend the temporary ban on disc golf in District parks to April 28, 2021.

Director Roberts then stated that the Board would discuss the proposed use of Proposition A bond funds. Mr. Abbott confirmed that the District's Park Plan relating to Proposition A had been included in the meeting packet. Director Roberts then suggested that Directors McMullen and Logan work with Public Finance Group, LLC, to propose a path forward on considering the issuance of a park bond.

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 then recognized Director McMullen to discuss Director per diems. Director McMullen stated that he is self-employed and that serving on the Board takes away from time he could spend on professional matters. He then stated that he does not want to give up his per diem. Director Logan noted that the Board had previously discussed per diems and any suggestions she had made to forego Director per diems were simply an attempt to save money for the District. The Board then discussed the submission of expense reports for reimbursement. Director Bennett stated that serving on the Board was a really hard job and that all Board members serve because they love doing so, not for the money. He confirmed that Board service required a lot of effort. After discussion, upon motion by Director McMullen and second by Director Logan, the Board voted 1-4, with Director Logan voting "yes", against giving up director per diems.

Director Roberts stated that the Board would next discuss subcommittee assignments and recognized Director McMullen. Director Roberts stated that she desired to move off the BHC OA Subcommittee. Director McMullen offered to take Director Roberts place on the BHC OA Subcommittee. Director Roberts stated that the Board would revisit subcommittee assignments soon to ensure that the assignments were equitable.

Director Roberts then stated that the Board would discuss open records requests and transparency. Director McMullen noted that a recent open records request had requested certain texts and emails from Directors Roberts, Bennett, and Koenig, but not from Director Logan. He then suggested that Director Logan should make similar records available for the same time period. Director Logan requested that Director McMullen clarify exactly what he was requesting. Mr. Young then attempted to address the Board and the Board requested that Mr. Young not address the Board during the course of the meeting.

At 8:55 p.m., Director Roberts stated that the Board would convene in executive session to receive legal advice from the District's attorney regarding personnel matters, as permitted by Section 551.071 of the Texas Government Code.

At 9:45 p.m., the Board reconvened in open session, and Director Roberts stated that no action had been taken during executive session.

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

Director Roberts stated that the Board would next discuss the Board's future meeting schedule and agenda items. Director Roberts stated that the Board desired to call a special meeting on either April 7, 2021 or April 14, 2021 and requested that Mr. Abbott poll the Board to

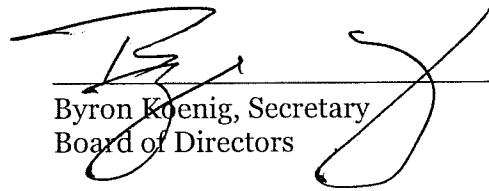
determine which date worked best. Mr. Abbott then confirmed the next regular meeting of the Board of Directors would occur on April 28, 2021.

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

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[SIGNATURE PAGE TO March 24, 2021 MINUTES]


Byron Koenig, Secretary
Board of Directors

Date: 4-28-21