

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

September 23, 2020

THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

A regular meeting of the Board of Directors of Block House Municipal Utility District was held via telephone conference on September 23, 2020, at 1-888-510-5505; participant code: 199914. 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
Rayan Horak	-	Secretary
Ursula Logan	-	Assistant Secretary
Byron Koenig	-	Treasurer

Also present at the meeting were Taylor Kolmodin of Municipal Accounts & Consulting, L.P. ("MAC"); Jacquelyn Smith, Andrew Hunt, and Lisa Torres of Crossroads Utility Services, LLC ("Crossroads"); Sergeant Chuck Kelley of the Williamson County Sheriff's Office ("WCSO"); Whitney Killian of Pinnacle Texas Management, LLC ("Pinnacle"); Tripp Hamby of Priority Landscapes ("Priority"); Sandy Martin of the Block House Creek Owners Association (the "OA"); Tom Davis of Lifeguard 4 Hire, LLC; Robert Young, Amanda Milani, Roger Moeller, Steve Hill, Ed Ladd, Ron Thurston, Preston Chance, Daniel Stecher, Makay Bradford, Scott Laningham, Chad Humberstone, Jerry and Sandie Faglie, Sal Reale, Beverley Stone, Jason O'Neil, John Esposito, Julie Hiegert, Michelle McCauley, Kalen Limb, Steve Powers, Glen Cheney, Tom Graf, Victor Guardado, Josh McCusker, Laurie Miller, Fred Peterson, Gary Grubb, Dan Carlson, Laurie Thompson, Ken Soule, Joel Moreno, Robert Young, Alicia Esposito, Justin Crow, Ethan Esposito, and Neil Guidra, 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 telephone and was being recorded. She requested that each speaker identify themselves when speaking and requested that anyone participating in the call mute their phone when they were not speaking.

Director Roberts then stated that the Board would receive citizens' communications.

Mr. Hill addressed the Board regarding the proposed disc golf course in Jumano Park. He inquired as to whether the Board had considered ADA considerations relating to the course, including requisite handicap access, and raised concerns relating to public health considerations, including the lack of restrooms in Jumano Park. He questioned whether or not

the disc golf course would qualify as a fire hazard. Mr. Hill stated that cars parked may pose a safety hazard and questioned the necessity of a traffic impact analysis. He concluded by requesting that all “construction” cease.

Mr. Ladd stated that he was a sixteen year resident of the District. He thanked the Board for all of the efforts in serving as local government officers. He stated that he was concerned with the costs associated with developing a disc golf course in Jumano Park and wondered how any necessary improvements would be paid for.

Mr. Thurston requested that the Board not vote on any matters relating to disc golf in Jumano Park, noting that he was not aware of any polling that had been undertaken relating to such considerations. He stated that a disc golf course was the wrong thing for the greenbelt, and advocated for a micro course on the south side of Block House Creek.

Mr. Chance stated that he was a longtime Block House resident. He stated that he had paid a premium for his house on the greenbelt and that it was his understanding that Jumano Park would remain undeveloped. He stated that he was concerned about the lack of a parking plan, and concluded by stating his opposition to disc golf in Jumano Park.

Mr. Stecher agreed with previous sentiments expressed against disc golf in Jumano Park. He noted that the land is in a flood plain, which is environmentally sensitive and could become compromised by additional foot traffic and would also make parking and restrooms more difficult to construct. He stated that he would like to see professional engineering integrated into the project.

Mr. Bradford stated that he has lived near Jumano Park since 2001. He stated that he loves greenspace and was opposed to disc golf in Jumano Park.

Mr. Laningham stated that he agreed with the sentiments expressed against the location of disc golf in Jumano Park. He stated that additional expertise was necessary to undertake such an effort, and noted that Jumano Park was too environmentally sensitive to be developed in an improper fashion.

Mr. Humberstone stated that he has lived in the District since 2001. He stated that his family loved the area the way it currently exists and that they hike there all the time. He further stated that he agreed with the other points made by residents opposed to disc golf in Jumano Park.

Mr. Faglie stated that he didn't realize Jumano Park was a park — he thought it was just a greenbelt. He questioned where disc golfers would park and noted that there were no restrooms or trashcans in Jumano Park. Mr. Faglie then stated that he agreed with other comments that were opposed to disc golf in Jumano Park. He noted that his family had intentionally moved to a street that was not a through street and that he did not want additional traffic on his street.

Mr. Reale stated that he was opposed to disc golf in Jumano Park, and agreed with all the other comments against disc golf in Jumano Park. He stated that he didn't want to see strangers in the neighborhood and commented that no good would come from disc golf in Jumano Park.

Ms. Stone stated that she has been a Block House resident since 2002. She stated that her family loves the greenbelt and noted that it was very peaceful. She added that you can hear the birds and observe animals in Jumano Park. Ms. Stone confirmed that there is overgrowth in

Jumano Park that needed to be tended to. She stated that disc golf would bring more trash to Jumano Park and that she was concerned about animal habitat and privacy. She further stated that a disc golf course would bring outside residents to Jumano Park and that she had safety concerns relating to discs flying near pedestrians in Jumano Park. Ms. Stone stated that she agreed with the other points made by residents opposed to disc golf in Jumano Park.

Mr. O'Neil stated that he was sad when the previous course was removed. He stated that he understood the concerns of his neighbors, but noted that they shouldn't be surprised by a disc golf course being located in Jumano Park because it is a large portion of raw land. He further noted that the best idea might be to construct a micro course in Jumano Park. Mr. O'Neil stated that all Block House residents want to use Jumano Park, and he felt it would be used by more residents—instead of just a few—if a disc golf course was located in Jumano Park.

Mr. Esposito stated that there was a huge misconception of what had been done relating to the temporary disc golf course. He noted that there had not been any clear cutting and that the disc golfers had just used the existing space. He stated that the disc golfers had simply cleared branches and removed trash. Mr. Esposito stated that he was not aware of any noise complaints relating to the temporary disc golf course. He then addressed concerns offered by other residents and noted that Jumano was already a public park and that there are other parks without restrooms in the District. He concluded by stating that everyone should be able to share the park and be happy.

Ms. Hiegert stated that she agreed with all of the comments offered by those opposed to disc golf in Jumano Park, noting that she is not opposed to disc golf, but that she is opposed to locating a course in Jumano Park. She stated that she had been a Block House resident since 2003. She further stated that she really doesn't like the plan for an 18-hole course and noted that, conceptually, an 18-hole course was much different than a few holes. Ms. Hiegert then thanked the Board for their time and offered to work with the District on disc golf moving forward.

Ms. McCauley stated that her family enjoyed disc golf and that for the Board to remove the existing course during the pandemic was cruel. She stated that she liked the original course, but that she would support disc golf anywhere in Block House Creek. She further stated that disc golfers could park near the Jumano Community Center and that she thought disc golf in Jumano Park could deter bad behavior.

Mr. Limb stated that he had lived in Block House for eight years and that he had chosen his house because of its proximity to the greenbelt. He stated that he was concerned about parking, and that a new disc golf course should be located somewhere where parking already exists.

Mr. Powers stated that he had moved to Block House in 2001 and that his family had intentionally purchased their home because of its proximity to the greenbelts. He stated that he agreed with the sentiments expressed by residents opposed to disc golf in Jumano Park and noted that he was concerned about parking.

Mr. Cheney stated that he had no idea about the potential for disc golf to be located in Jumano Park. He noted that he walks in the park often. He stated that the clearing undertaken by the disc golfers had helped, but that he felt the plans for an 18-hole course were too ambitious and cited concerns about parking. Mr. Cheney opined that a large course would attract non-residents and that there were other courses close by. He further stated that a couple of baskets would likely be acceptable.

Mr. Graf stated that he was opposed to the proposed 18-hole disc golf course. He stated that he agreed with Mr. Cheney's point that a couple of holes might be okay. He added that he had lived in Block House since 2002 and that they enjoy the greenbelt. Mr. Graf stated that he agreed the greenbelt should be cleared of dead brush, and concluded by restating his opposition to the 18-hole course.

Mr. Guardado stated he was opposed to the course and inquired as to why the baskets were removed from Tumlinson Park. He pointed out that the same issues could be present in Jumano Park and that someone walking on a trail could be hit by a disc. He added that he loves nature, privacy, and the greenbelt and that a course of smaller scale might be okay.

Mr. McCusker stated that he agreed with a lot of his neighbors and that it was telling that most of the opposition is from neighbors who lived on or near the greenbelt. He noted that using existing open space could be cool, but efforts should be made to keep "the charm" of Jumano Park. Mr. McCusker stated that Block House was a community and that adding for one is taking away from another. He noted that privacy and beauty would go away and that he could not support disc golf in Jumano Park. He concluded by stating that he thought a micro course would work well for Block House.

Ms. Miller stated that she had lived in Block House since 1997, adding that the natural environmental features make Block House special. She stated that she agreed with the others that were opposed to the course in Jumano Park and suggested that a micro course would be an appropriate compromise.

Mr. Peterson stated that he agreed with the sentiments expressed by those opposed to a disc golf course in Jumano Park, noting that it would be a shame to destroy a greenspace that is so pristine. He stated that he felt disc golf would be better in a county park, and wondered if water quality issues would be created with increased foot traffic in Jumano Park. He further hypothesized that non-residents would not be respectful of the park.

Mr. Grubb stated that he agreed with the majority of the anti-disc golf sentiments. He noted that Jumano Park wouldn't be natural anymore. Mr. Grubb stated that he advocated for the preservation of the natural areas, and noted that it might be difficult for WCSO to patrol in Jumano Park.

Mr. Carlson stated that he moved to Block House two years ago and that his house backs up to the greenbelt. He stated that he got a note on his door that said "this was in the works" and that he wasn't sure why the original course was closed. Mr. Carlson stated that he would consider moving out of Block House if disc golf was moved to Jumano Park. He concluded by stating he was opposed to disc golf in Jumano Park.

Ms. Thompson stated that she had lived in Block House for almost 20 years and that she had paid a premium for their home on the greenbelt. She stated that any safety concerns that existed in Tumlinson Park would be replicated in Jumano. She further stated that she agreed with the sentiments expressed by the others that opposed disc golf in Jumano Park.

Mr. Soule asked if the District would continue to meet telephonically after COVID and requested that the Board meet via zoom call. Director Roberts responded that the Board would take his request under consideration.

Mr. Moreno stated he had lived in Block House for eight years and that one of the big draws for him in the neighborhood was the disc golf course. He stated that he had enjoyed

listening to concerns of the residents and thanked the Board for the opportunity for everyone to be heard. Mr. Moreno then opined that there had been misconceptions about the temporary course in Jumano Park and noted that there had been no construction, just the clearing of dead trees and mowing of grass. He stated that the temporary course was in very early stages and that parking and restrooms could be addressed later. Mr. Moreno then stated that disc golf is fun and about and being in nature. He stated that the disc golfers want to preserve the natural beauty of Jumano Park and respect the privacy of nearby residents. He stated that, if the community could come together, a disc gold course in Jumano Park could be an elite amenity that benefitted the whole community. He concluded by stating that he simply wants to clean up the park.

Mr. Carlson then followed up on his previous comments and stated that, as long as disc golf was limited to Jumano Park and that no oaks were removed, he thought it would be okay. He added that a disc golf course may even enhance Jumano Park.

Mr. Young thanked the Board and the time that the Board members had spent learning about disc golf. He stated that he was "about safety" for disc golf in Block House, and added that the disc golfers had been playing at the temporary course in Jumano Park and there had been no problems. He noted that they had designed their work with consideration to existing residents and stated that they had pulled down vines from oak trees and hauled off dead branches, which were positive changes. Mr. Young stated that he would love to hear feedback from residents on how to improve the temporary course. He added that they had only been using a few temporary baskets and, if problems arose, the Board could scale back the temporary course. He then opined that Jumano Park would be better with disc golf.

Ms. Esposito stated that this was not the first public meeting held by the Board about disc golf. She stated that she appreciated the Board's work, and questioned why disc golf would cause fire hazards in Jumano Park or security issues, noting that having a disc golf course might actually prevent such issues. She pointed out that homeless people had been living in the area and that the disc golfers had found a used campfire in Jumano Park. Ms. Esposito then stated that injuries relating to disc golf simply were not common and that privacy issues near Jumano Park shouldn't change as trails already existed in the park.

Mr. Crow thanked the Board for its attention to disc golf and stated that a disc golf course is a desirable amenity that kids enjoy. He stated that he understood the concerns, but that the disc golfers wanted to accentuate the beauty of Jumano Park. He added that no one wanted to vastly modify Jumano Park and that any permanent course should be constructed in the least invasive way possible.

Mr. Ethan Esposito stated that he liked disc golf and that he wanted to bring it back.

Mr. Laningham spoke again and desired to offer closing thoughts after listening to both sides. He then stated that Jumano Park was a different sort of park than Tumlinson Park or Comanche Park, and recommended that the Board seek professional assistance before the consideration of a permanent location of disc golf in Jumano Park to ensure the use is appropriate, given the environmental considerations. Mr. Laningham questioned whether disc golf was a good fit for Jumano Park.

Mr. Guidra stated that he was in favor of disc golf in Jumano Park, noting that ample space already exists and is already cleared. He stated that nature is required for a disc golf course and that obstacles are often intentionally not removed. He further stated that the previous disc golf course was not a good disc golf course, that natural space was desirable, and

that Jumano Park was a perfect site for disc golf. Mr. Guidra added that the park could easily accommodate nine holes. He stated that all of the concerns raised were valid, but that the community could come together with a “we instead of me” attitude.

Ms. Stone spoke for a second time and added that she appreciated the enthusiasm for disc golf. She stated that those opposed to disc golf don’t have reservations about the proposed course, but that they opposed it. She then expressed concern about noise, traffic, and non-residents in Jumano Park.

Director Roberts then thanked everyone for coming and participating. She noted that the Board had heard from both sides and that they were grateful to hear from their constituents. She then stated that the Board wanted to listen and would not take any action on disc golf at the meeting.

Mr. Hill then requested that construction in Jumano Park stop and noted that clearing and mowing had occurred.

Director Roberts then suggested that the Board should study the proposal from the disc golfers after hearing comments from residents and discuss further at the regular October meeting. She thanked the ad hoc disc golf subcommittee for its service and invited Board discussion. Director Logan requested that the ad hoc disc golf subcommittee provide an update on the temporary course. Director Bennett suggested that no additional clearing or mowing should occur, including the removal of trash, and noted that people may misunderstand what is occurring. He then recommended that Jumano Park could still be used as a temporary course and explained that the disc golfers brought temporary baskets each time they visited the park. Director Koenig added that they were trying to appease everyone. He noted that there seemed to be a lot of misunderstanding about what had actually occurred thus far in Jumano Park. He stated that no one wants to harm the park and that he wanted to keep all residents happy. Director Logan then stated that Director Koenig knew the trails better than anyone and asked if continuing with four baskets was appropriate. Director Koenig responded that the amount of land that had been cleared would accommodate four holes and analogized the use of the land to kids going to the park to throw a football. He noted the Board would never tell kids that they could not throw a football at a District park. Director Koenig pointed out that permission had not been granted to cut down oak or any other hardwood trees. He concluded by stating that he wanted to work with all parties and that it was important to have everyone’s opinion. Director Roberts concluded by stating that no more clearing of brush or mowing should occur but that disc golfers could still set up temporary baskets in Jumano Park to use on a temporary basis. Director Koenig then stated that a District resident had been mowing grass in Jumano Park well before the disc golfers started removing brush and trash. He repeated that no trees had been cut and that volunteers had simply removed dead branches.

Director Roberts then stated that the Board would receive a report from the OA and recognized Ms. Miller and noted that the Board would also discuss agenda item 12(b) at the same time. Ms. Miller stated that the OA was working to coordinate a shred day and that it was currently planned for October 3, 2020. She then noted that the OA’s annual meeting was planned for October 7, 2020. Ms. Miller then stated that she had spoken with Ms. Smith about having more than ten people at an outdoor event and that she had communicated with the County Judge’s Office about the matter. She stated that she could not confirm the amount of people that would be present at the OA’s annual meeting. Ms. Miller then stated that the OA would like to have more than ten people present at their Zumba classes. She then noted that the kiosk outside the Walker House had been down since June and suggested that the situation needed to be remedied. Upon motion by Director Logan and second by Director Horak, the

Board voted unanimously to approve the waivers of fees requested by the OA for the OA meeting and the shred event, and to approve more than ten participants in each Zumba class held at the District's pavilion at Tumlinson Park, subject to the use of masks and proper social distancing policies and contingent upon the confirmation that the plans for all events comply with all applicable COVID policies of Williamson County and the State of Texas.

Director Roberts stated that the Board would next consider the consent items: (i) minutes of the August 19, 2020 special meeting and August 26, 2020 regular meetings (collectively, the "Minutes"). Director Logan noted the following corrections: a reference on page 1 of the August 19, 2020 minutes changed from "Mr. Smith" to "Ms. Smith" and a reference on page 2 of the August 26, 2020 minutes relating to the Pumpkin Patch to confirm that it was Ms. Miller that confirmed the paperwork relating to the Pumpkin Patch, not Ms. Patrick. Upon motion by Director Logan and second by Director Bennett, the Board voted unanimously to approve the Minutes with Director Logan's corrections.

Director Roberts then stated that the Board would consider the emergency coronavirus preparedness and protocols, including: (a) reopening of certain District facilities and related health and safety restrictions for use of such facilities; (b) recreation activity and related matters; (c) utility operations and related matters; and (d) authorizing General Manager to take further action in response to evolving conditions. Ms. Smith recommended that all facilities currently open should stay open and that playscapes should be opened with signs requiring proper social distancing. She then discussed water fountains and Director Logan noted that schools still had water fountains closed and then opined that water fountains should not be opened. **The Board then directed Ms. Smith to re-open the District's playscapes, as recommended.**

Director Roberts next stated that the Board would receive a report from the WCSO and recognized Sgt. Kelley. Sgt. Kelley stated that there had been an arrest for possession of marijuana in the District on September 1, 2020. He added that there had been a theft of a political sign, and that the WCSO would be present at the upcoming community cleanup.

Director Roberts then stated that the Board would receive a report from Pinnacle and discuss restrictive covenant enforcement, including pending or contemplated litigation. Ms. Killian stated that overgrown landscaping had been addressed at a house on Snelling. She then stated that a home on Gabriel Mills Drive still had some architectural control committees ("ACC") issues, including some unapproved changes, but that many other issues had been addressed. Ms. Killian then discussed some ACC issues relating to construction at a home on English River Loop and noted that construction should not have begun. She then stated that Pinnacle was assisting with bulk pickup announcements and that weeds were growing high and had garnered attention throughout the neighborhood.

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 reviewed the District's investments and budget comparison and recent bills and invoices listed in her report, and requested approval of three fund transfers. Director Logan stated that there had been an error in the invoice relating to Crossroads' utility services to the District. Ms. Torres then stated that she had audited and corrected the invoices and Ms. Kolmodin stated that the credits would offset with the erroneous charges. After discussion, upon motion by Director Horak and second by Director Logan, the Board voted unanimously to approve payment of the bills and invoices and the fund transfers.

Director Roberts then stated that the Board would discuss the pool operations, maintenance, repairs and management, including: (a) report from Pools Subcommittee; and (b) report from and directives to Lifeguard 4 Hire, L.L.C. Ms. Smith stated that the last swim day at Tumlinson Pool would be September 30, 2020 and that she had been working with AT&T to implement the 9-1-1 phones required by the Williamson County and Cities Health District.

Director Roberts stated that the Board would next discuss landscaping in the District and noted that Priority's report, attached as **Exhibit "D"**, had been included in the electronic meeting packet provided to the Board. She reviewed the proposals for: (a) removal of disc golf basket areas in Tumlinson Park and Comanche Park (Estimate #3678) attached as **Exhibit "E"**; (b) Jumano Park Disc Golf Clearing (Estimate #3679) attached as **Exhibit "F"**; (c) split irrigation zone across Block House Drive from Apache Park (Estimate #3680) attached as **Exhibit "G"**; (d) split Tumlinson Park Zone 1 irrigation (Estimate #3681) attached as **Exhibit "H"**; (e) new tree installation in Tumlinson Park (Estimate #3688) attached as **Exhibit "I"**; (f) installation of soil and sod along road near Tonkawa Park (Estimate #3689) attached as **Exhibit "J"**; (g) additional tree pruning of low canopies (Estimate #3690) attached as **Exhibit "K"**; and (h) Jumano Park Disc Golf Phase 2 and trail widening (Estimate #3691) attached as **Exhibit "L"**. Director Logan asked why the trees included in Estimate #3688 were being added. Mr. Hamby stated that the trees were intended to backfill trees that had been removed. Director Horak stated that the work in Estimate #3688 was part of a tree replacement project that had been ongoing for two years. After question from Director Logan, Director Horak confirmed that Estimate #3688 would be paid from the current budget. After discussion, upon motion by Director Horak and second by Director Koenig, the Board voted 4-1, with Director Logan voting "no", to approve Estimates #3678, #3680, #3681, #3688, #3689 and #3690, and not approve Estimates #3679 and #3691 relating to disc golf in Jumano Park.

Director Roberts then stated that the Board would discuss District operations, including: (a) report from and directives to Crossroads Utility Services, LLC; (b) system maintenance and repairs; (c) write-offs, and (d) delinquent account policies, and recognized Ms. Torres, who presented the report attached as **Exhibit "M"**. Ms. Torres stated that water loss for the previous month had been 7.23% and presented a write-off for consideration. After discussion, upon motion by Director Horak and second by Director Bennett, the Board voted unanimously to approve the write-off as presented.

Ms. Torres then stated that lead and copper sampling was ongoing in the District and that she needed a few additional households to participate. She then addressed delinquent account policies, including termination of service, and hardship applications. Ms. Torres noted that the District had unpaid bills dating back to 2019 and that Crossroads' concern typically starts at 90 days past due. Director Roberts stated that she was in favor of reinstating the District's normal delinquent account procedures and noted that residents could still work with Crossroads if there were hardship issues. Director Logan stated that the District ought to move forward but wanted to ensure that proper communication occurred. Ms. Torres stated that Crossroads had been sending their "nice letter" and that Crossroads had many different organizations to refer residents to that provide assistance to households having difficulties in paying their utility bills. Director Logan asked if a formal letter had gone out from the District relating to the District's disconnection policies. Ms. Torres confirmed that the "nice letter" had gone out on all past due accounts. Director Logan stated that she didn't want to blindside residents with letters threatening to disconnect service. Director Koenig opined that such residents wouldn't be blindsided because they had been given notice of their balances. Ms. Torres noted that many past due balances were attributable to renters and that, in many instances, deposits had already been applied to past due accounts and, thus, there would be no

financial recourse for the District. Director Logan stated that the termination of service was a strong remedy and that she wanted to know exactly how many customers would lose service. Ms. Torres confirmed that payment plans would still be available to residents but noted that certain residents were proposing plans that were not significant enough to reduce the existing past due amounts. Upon motion by Director Bennett and second by Director Koenig, the Board voted 4-1, with Director Logan voting “no”, to resume the District’s normal delinquent account procedures, including disconnection.

Director Roberts stated that the Board would next discuss general management items, and recognized Ms. Smith. Ms. Smith stated that site development was done for the District’s website and stated that she would have a proposal for website hosting at the Board’s next meeting. She then presented the proposal for District Video Surveillance Systems Refresh/Audit from Trinity AV Solutions attached as **Exhibit “N”**. Upon motion by Director Koenig and second by Director Bennett, the Board voted unanimously to approve the proposal. Ms. Smith then reviewed Quote 9152020 from Elite Computing LLC, attached as **Exhibit “O”**, regarding communications software necessary for the District newsletter. Upon motion by Director Logan and second by Director Koenig, the Board voted unanimously to approve the quote.

Director Roberts stated that the Board would next discuss engineering matters. Ms. Smith presented the engineer’s report attached as **Exhibit “P”** and reviewed it with the Board.

Director Roberts then stated that the Board would discuss property maintenance, repairs, and replacements, including: (a) report from Maintenance and Engineering Subcommittee on current projects; and (b) storage facility for all terrain vehicle. Ms. Smith reviewed her report and noted that the shade structure at Tonkawa looked “really good”. Director Roberts inquired why another storage shed was necessary to store the District’s all-terrain vehicle (“*ATV*”). Ms. Torres noted that the ATV had previously been stored in one of the District’s pump stations and, as the ATV ran on gasoline, storage in such a facility was not recommended.

Director Roberts stated that the Board would next receive the report from the Communications Subcommittee. Ms. Smith stated that emails blasts should be going out shortly.

Director Roberts stated that the Board would next discuss the Storm Water Management Program (“*SWMP*”) under TPDES General Permit TXR040000, including: (a) proposal(s) from Round Rock Hydromulch for proposed MS4 waterway clearing projects; and (b) use of volunteer groups for waterway clearing projects. Director Bennett described the proposals from Round Rock Hydromulch and the areas that would be addressed. He noted that the proposals were intended to give the District a “ballpark estimate” for the required expenditures and that he was not seeking approval of the proposals at the meeting. Director Bennett then stated he was inclined to hold off on instituting any projects for volunteer groups at the current time. **Director Roberts requested that Director Bennett bring back a proposal relating to volunteer groups in October.**

Director Roberts then stated that the Board would discuss District parks and facilities, including a bike trails update. Director Bennett stated that the first round of repairs at the bike trail site went really well and that additional dirt would be added to the trails soon. He thanked everyone who assisted in the project. Director Logan thanked Director Bennett for his efforts and stated that kids in the neighborhood were very excited. Director Roberts also thanked Director Bennett for his efforts. Director Bennett stated that they had a wide array of volunteers

from several different groups. Director Logan noted that the story of the bike trails was great and that it should be included in a District newsletter in the future.

Director Roberts stated that the Board would next receive the report from and directives to Armbrust & Brown, PLLC. Mr. Abbott stated that several District consultant contracts concluded their terms at the end of September and that he had been working with each consultant relating to the renewal of each contract. Mr. Abbott then noted that Priority's contract does not need to be renewed until the Board's October meeting. Ms. Smith stated that she would like to minimize the monthly paperwork and Board consideration relating to Priority's contract. After question from Director Roberts, Mr. Abbott clarified that Ms. Smith had suggested format changes in the contract that would be considered by the Board in October. Mr. Abbott then reviewed the Pool Services Agreement with Lifeguard4Hire and noted that the compensation under the renewal contract would be \$28,287.52 monthly for the basic services, for a total of \$339,450.24, that any additional services not contemplated under the contract would be provided at a rate of \$23.32 per hour, and that the District's Coronavirus Policies, which were previously agreed to by Lifeguard4Hire via contract amendment, were also integrated into the Agreement. Upon motion by Director Bennett and second by Director Koenig, the Board voted unanimously to approve the Pool Services Agreement, including the changes noted by Mr. Abbott, attached as **Exhibit "Q"**.

Director Roberts then stated that the Board would next discuss the General Management Services Agreement that expires September 30, 2020. Director Logan expressed concern relating to the proposed compensation included in the Agreement and noted that the District really needed to control costs in the current budget cycle. She noted that Ms. Smith had been doing a good job and likely needed additional support. Director Logan then stated that Crossroads should be able to provide such assistance at an affordable amount. Director Roberts then stated that 30 hours per week was not enough for general management of the District. She noted that Ms. Smith had lots of work on her plate and that she needs additional support. Director Logan stated that the District's previous general manager had provided more services for a comparatively lower cost. Director Koenig stated that Ms. Smith had gotten a lot of work done for the District. Mr. Hunt stated that he had prepared a memorandum, attached as **Exhibit "R"** (the "*Crossroads GM Proposal*"), which contained proposed changes relating to the consideration of a contract renewal. He stated that he empathized with the pricing included in the proposed agreement and confirmed that the amount was greater than the previous contract. Mr. Hunt explained that Crossroads had attempted to utilize a single person in the general manager role in an attempt to curb expenditures. He stated that the proposed price could be dropped if the hour requirement in the contract could be reduced. Director Bennett suggested that the new Crossroads contract should be renewed and that the Board could review performance on the contract after six months. Director Roberts agreed with Director Bennett. Director Roberts asked Mr. Hunt if the proposed compensation under the contract could be reduced. Mr. Hunt stated that reducing the requirements in the contract would be the easiest way to reduce compensation. He also stated that Ms. Smith will have oversight over the day-to-day operations of any additional Crossroads employees working for the District. Upon motion by Director Bennett and second by Director Logan, the Board voted unanimously to approve the Crossroads GM Proposal and **directed Mr. Abbott and Mr. Hunt to prepare a finalized contract for the Board to consider at the Board's September 28, 2020 meeting.**

Director Roberts then stated that the Board would conduct a performance review of Pinnacle Texas Management Services and discuss the Restrictive Covenant Enforcement Services Agreement that expires on September 30, 2020. Director Roberts asked the Board if

they wanted to go into executive session to conduct the review of Pinnacle. Director Logan stated that they should conduct the review in public. Director Roberts then stated that the Board conducts regular reviews of consultants to provide feedback on performance and apologized to Ms. Killian that the review had not occurred sooner. She then invited the members of the Board to provide comments or ask questions regarding Pinnacle's performance under its contract. Director Bennett stated that he would like to hear from the Restrictive Covenant Subcommittee regarding Pinnacle's performance as they regularly interact with Pinnacle. Director Horak stated that Pinnacle had done an excellent job keeping the subcommittee members informed of the status of existing issues. She noted that sometimes things moved slow with restrictive covenants and that that wasn't the fault of Pinnacle. Director Horak then stated that Pinnacle had done well in coordinating enforcement of restrictive covenants with Armbrust and Brown, PLLC, and had kept the subcommittee well advised on such cases. She further stated that Pinnacle had documented all violations properly and communicated effectively with the subcommittee members to keep them advised on such matters. Director Koenig agreed with Director Horak's comments and added that Pinnacle had done well under the current term of its contract. Director Horak stated that occasionally there had been issues when Crossroads or Board Members had passed along restrictive covenant issues to Pinnacle. She requested that the subcommittee be kept in the loop in such instances. Director Bennett questioned whether Pinnacle needed a "bigger hammer" to deal with restrictive covenant violations and noted that there seemed to be more violations during the COVID epidemic. Director Logan stated that an issue with RV's had occurred several years ago and noted that the Board could be more creative in directing restrictive covenant enforcement. She then noted that other companies do not document violations as well as Pinnacle had. Director Roberts stated that she sometimes sees violations that have not been addressed, like vehicles that hadn't moved in years. She then stated that she wants to see a focus on derelict properties. Director Roberts then suggested that it would be beneficial to provide messaging in the District's newsletter to remind residents that they had to solicit approval for certain cosmetic changes to their homes or yards.

Director Roberts then requested that Ms. Killian provide feedback on the current management structure at Pinnacle. Ms. Killian stated that Tanya Emmons has started a gradual retirement and had eased out of her duties with the District. She then stated that her workload would continue to be reduced but that she was an excellent resource because of her experience. Director Logan then asked Ms. Killian what could be different in their processes to assist the District. Ms. Killian stated that she had undertaken additional supplemental drives in the District and that she has stayed in closer communication with Pinnacle's driver in the Block House neighborhood. She then noted that she is attempting to stay on top of violations after they have been referred to Armbrust and Brown, PLLC, and stated that sometimes such violations sit for too long. Director Roberts then concluded the review.

Director Roberts then stated that the Board would consider the Restrictive Covenant Enforcement Services Agreement that expired September 30, 2020. Mr. Abbott reviewed the proposed renewal of the agreement, attached as **Exhibit "S"**, and noted the changes when compared with the current agreement. He stated that the current agreement had a provision that provided for "stepped up" compensation for each year of the agreement and that Pinnacle had continued to invoice the District for the original amount of Pinnacle's agreement. Ms. Killian confirmed that Pinnacle had never invoiced the District for the "stepped up" rate. Director Roberts then asked if the provision was necessary. Ms. Killian stated that she would research the provision. **The Board directed Mr. Abbott to work with Ms. Killian regarding the remaining unresolved provisions of the proposed agreement and to**

prepare a finalized agreement for the Board to consider at the September 28, 2020 special meeting.

Director Horak then reviewed the meeting notes attached as Exhibit "T".

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

* * *



[SIGNATURE PAGE TO SEPTEMBER 23, 2020 MINUTES]



Ryan Horak, Secretary
Board of Directors

Date: 10-28-20