Minutes of Meeting Board of Directors Kaufman County Fresh Water Supply District No. 1-A

March 3, 2022

The Board of Directors (the "Board") of Kaufman County Fresh Water Supply District No. 1-A (the "District") met in special session by open to the public, on Thursday, March 3, 2022 at 1:00 p.m., at 2728 N. Harwood Street, Suite 500, Dallas, Texas 75201, an official meeting place outside the boundaries of the District. The roll was called of the members of the Board, to wit:

Doug Bynum Michael Regan Ronald Sorenson President

Vice President Secretary

Jordan Peterson

Assistant Secretary

All Directors were present at the commencement of the meeting. The following individuals were also present: Ms. Kerry Tovery of Dye & Tovery LLC ("D&T"); Ms. Karena Hauter, P.E., and Ms. Leslie Madison, P.E. of BGE, Inc. ("BGE"); Mr. John Kissling, member of the Board of Directors of Kaufman County Fresh Water Supply District No. 1-B; Mr. Cameron Robinson of Inframark; and Ms. Sarah Landiak, attorney, and Ms. Genny Lutzel, paralegal of Winstead PC.

- 1. The meeting was called to Order at 1:00 p.m.
- 2. <u>Public Comment and Communications</u>. The Board opened the meeting to public comment. Hearing none, the Board closed the public comment session of the meeting.
- 3. <u>Minutes of February 10, 2022 Board of Directors Meeting</u>. Following a discussion, Director Regan moved to approve the Minutes of the February 10, 2022 Board meeting. Director Peterson seconded said motion, which carried unanimously.
- 4. Order Declaring Unopposed Candidates Elected and Cancelling Election. Ms. Landiak noted that Michael Regan and Ronald Sorenson have each filed their respective applications for a place on the Ballot for the May 7, 2022 Directors Election, and no other applications have been received. Ms. Landiak stated that it would be appropriate at this time to cancel the Directors Election, and to declare Michael Regan and Ronald Sorenson elected for new four-year terms. Following a discussion, Director Peterson moved that the Board adopt an Order Cancelling Directors Election, a copy of which is attached hereto as Exhibit "A", and authorize related postings. Director Regan seconded said motion, which carried unanimously.
- Engineer's Report. Ms. Hauter presented to and reviewed with the Board copies of an Engineer's Report prepared by BGE, a copy of which is attached hereto as <u>Exhibit "B"</u>. Ms. Hauter next provided the Board with copies of a letter from BGE to Belt Construction of Texas, Inc. in response to Belt Construction's request for compensation due to work delays. Next, Ms. Hauter reviewed with the Board the following Pay Estimates and Change Orders: (i) Windmill Farms Regional Sewer Project CR 212 to Windmill Farms Regional

Lift Station (Package 1 – Force Mains & Gravity Main) - Pay Estimate No. 9 from Belt Construction of Texas, LLC in the amount of \$45,066.08; and (ii) Windmill Farms Regional Sewer Project Mustang Creek Lift Station to CR 212 (Package 2 – Gravity Main) – Pay Estimate No. 11 from Belt Construction of Texas, LLC in the amount of \$113,079.20.

Next, Ms. Hauter reviewed with the Board copies of a letter submitted to the Texas Commission on Environmental Quality regarding flows at the District's wastewater treatment plant. Following a discussion Director Peterson moved that the Board (i) accept and approve the Engineer's report including all action items recommended by BGE; and (ii) approve all pay estimates and change orders as recommended by the District Engineer. Director Regan seconded said motion, which carried unanimously.

- 6. Developer's Report. In the absence of a developer, no report was heard.
- 7. Operator's Report. Mr. Robinson reviewed with the Board copies of an Operator's Report, a copy of which is attached hereto as Exhibit "C". Mr. Robinson requested Board approval of repair work to Booster Pump #2 Motor, and authorization to increase sludge hauls following increased reports of excess solids at the wastewater treatment plant. Mr. Robinson reported that Inframark is monitoring operations to address spikes in flow rates and a report of an excursion of TXX and CBOD permitted parameters. Following a discussion, Director Regan moved that the Board accept the Operator's Report. Director Peterson seconded said motion, which carried unanimously.
- 8. <u>Bookkeeping Report, Payment of Invoices, Current and Proposed Budget Matters, Bank Resolutions, and related Bookkeeping matters.</u> Ms. Tovery reviewed with the Board copies of the Operating Expense Cash Report General Fund and Joint Utility Facilities and Operations report prepared by D&T, copies of which are attached hereto as <u>Exhibit "D"</u>. Ms. Tovery noted receipt of the deposit from Forney Independent School District for a feasibility and cost analysis to be performed by BGE in connection with a request to serve a future school site located near Windmill Farms. Following a discussion, Director Regan moved to approve the bookkeeper reports; and authorize disbursement of funds. Director Peterson seconded said motion, which carried unanimously.
- 9. <u>Draft Budgets for fiscal year ending March 31, 2023</u>. Ms. Tovery presented to and reviewed with the Board copies of draft budgets for fiscal year ended March 31, 2023. Following a discussion, Director Peterson moved to approve same. Director Regan seconded said motion, which carried unanimously.
- 10. <u>Insurance Renewal Proposal</u>. Ms. Landiak presented to and reviewed with the Board copies of the insurance renewal summary page, a copy of which is attached hereto as <u>Exhibit "E"</u>. Following a discussion, Director Regan moved to approval the renewal of the District's insurance policy effective April 5, 2022. Director Peterson seconded said motion, which carried unanimously.

- 11. <u>Consider and approve Settlement Agreement for litigation regarding nonpayment of wastewater improvement costs by Kaufman County Fresh Water Supply District No. 1-B).</u>
 The Board deferred action on the matter.
- 12. <u>Rate Order</u>. The Board deferred action on the mater.
- 13. <u>Amendments to Interlocal Agreement with Walden Pond Fresh Water Supply District.</u> The Board deferred action on the matter.
- 14. <u>Tentative Date for Next Meeting</u>. Upon motion duly made, seconded and unanimously carried, the Board scheduled the next meeting of the Board for Thursday, April 7, 2022 at 1:00 pm, or until further call.

After noting that there wa	s no further	business to	come before	the Board, the	meeting
adjourned at 1:20 pm.					δ

Secretary