

Minutes of the Regular Meeting of the
BASTROP COUNTY WATER CONTROL AND IMPROVEMENT
DISTRICT #2

A regular meeting of the Board of Directors of Bastrop County Water Control and Improvement District #2 was held on Thursday, March 16, 2023, beginning at 6:30 p.m. The meeting was held at the District office, located at 112 Corporate Drive.

Present BCWCID #2 Board Members:

Mary Beth O'Hanlon, President
Scott Ferguson, Vice President
Ron Whipple, Treasurer
Michele Plummer, Director
Butch Carmack, Director

BCWCID #2 Staff:

Paul Hightower, General Manager
Patricia Lujan, Office Supervisor
Tyler Walsh, Senior Operations
Adam Brown, Field Manager

Absentees

Remote Participation

Tony Corbett, Attorney

- 1.) Call to Order and Establish a Quorum – O'Hanlon
- 2.) Pledge of Allegiance – O'Hanlon
- 3.) Texas State Flag – O'Hanlon
- 4.) Public Comments/Announcements (The Board respectfully requests that persons limit comments to three (3) minutes. Under the Open Meeting Act, the Board may not deliberate or take action in response to any matter raised during public comment that is not a separate agenda item.)

No public comments.

- 5.) Discussion and possible action regarding scheduling of future meeting dates:
 - a. Annual Road Meeting scheduled for Saturday March 25, 2023 at 10:00 a.m.
 - b. Regular Board of Director's Meeting scheduled for Thursday, April 20, 2023 at 6:30 p.m.

Mrs. O'Hanlon stated that the annual Road meeting is scheduled for March 25, 2023 and will take place at the District Office. Also the District's next regular Board meeting is April 20, 2023 @ 6:30pm. No further comments or suggestions.

- 6.) **CONSENT AGENDA:** *(Consent Agenda items are generally routine. Unless removed by a member of the Board or General Manager, items listed on the consent agenda may be acted on together and without prior discussion.)*
- a. Approval of minutes from the February 16, 2023 Regular Meeting of the Board of Directors;
 - b. Approval of monthly financial report for February 2023; and
 - c. Approval of Release of Liens held by District on Real Property.

No comments regarding the February Board Meeting minutes.

Mr. Hightower stated that we still had not received the full set of financials for January and we do not have financials from Inframark for February. Mr. Hightower explained that all accounts are in good standing with total cash and investments sitting at \$10.8 in all accounts. Board expressed no issues or concerns.

No further questions or comments.

Paul Hightower read the Release of Liens as noted in the report.

Mrs. O’Hanlon called the question.

Motion: Butch Carmack moved to approve the Consent Agenda items, pending adding the financial reports to the packets once they are received.

Seconded: Ron Whipple.

Vote: Five (5) in favor, motion carries.

- 7.) Discussion regarding the following items to be presented in the General Manager’s report:
- a. Update on District facilities, water plants and lift stations
 - b. Update on Water/Wastewater Maintenance & Improvement projects
 - c. Update on Roads maintenance & improvement projects
 - d. Employee Update
 - e. District Administrative Office Update

Mr. Hightower read the GM report as posted in the Board packet. No questions or comments

- 8.) Discussion and review of 2023 capital improvement projects to be funded with bond proceeds– Hightower

Mr. Hightower stated that Samco had received some information from Inframark and was getting with Jones-Heroy for future steps. No further comments.

- 9.) Discussion and possible action regarding contract with Inframark for bookkeeping services, including possible termination thereof– Hightower

The Board discussed the many issues the District is facing with not receiving financial information from Inframark. Mr. Hightower explained that we still have not received financial statements from January or February and this has been a continuing issue for several months. Mr. Hightower also explained that some of our vendor accounts have been placed on hold or services cut off due to not receiving payments in a timely manner. Mr. Hightower read an email received from the auditor, Bob West, regarding the audit information he had requested from Inframark. Out of the 23 items on the request document, 1 item had been filled, which was Bank Statements he received access too, from District staff directly. Mr. Hightower then read an email received from Andre McAden at Inframark, regarding a general update for the District. There was general discussion regarding the accounts payable, financials and that the point of creating the in-house position, was to get the District back on-track and keep all services in house instead of out sourcing. The Board decided to give Mr. Hightower the authority to send the termination letter to Inframark, once it was decided that the District had received enough information for the audit to be completed as well as a person to be hired, was decided on.

Director Carmack had concern regarding the late filing with TCEQ and the audit being late. Mr. Hightower explained that we shouldn't be fined with the pending issues we have getting the information from Inframark. Mr. Corbett explained that he had not seen TCEQ ever fine anyone regarding the audit information. Mr. Corbett did express concern filing of financial information with TCEQ and the Comptroller's office in the due times, to not receive a fine from the State. Mr. Corbett explained that we needed to check our Bond covenants and that he could assist if needed. Director Carmack inquired about whether or not we could charge Inframark any fines or fees we received, due to them being late with our financial information, making any filing deadlines late. Mr. Corbett explained the options for the best route he recommended for discontinuing the contract with Inframark, using the discontinuing for convenience clause. Mr. Hightower had stated that he had reached out to Chris Lane with Samco regarding the Bond issues and she had stated she would help as needed, to make sure we met any requirements or issues we had.

Mr. Hightower read the intended letter to be sent to the Board and all agreed to it.

Mrs. O'Hanlon called the question.

Motion: Ron Whipple moved to approve for Mr. Hightower to send the letter of termination of Inframark at a future date decided by Mr. Hightower, once we received all the information we needed for the audit.

Seconded: Butch Carmack.

Vote: Five (5) in favor, motion carries.

- 10.) Discussion and review of Master Plan for Road Improvements to be presented at annual road meeting - Hightower

Mr. Hightower reviewed the documents as presented in the Board packet for the annual road meeting.

No further comments or discussion.

- 11.) Discussion and possible action regarding monthly meetings of the District's Board of Directors – O'Hanlon

Mrs. O'Hanlon established that we would have quorum's present for both of the future meetings.

No further comments or discussion.

- 12.) Update on scheduling joint meetings with the Tahitian Village Property Owners Association and Tahitian Village Architectural Control Committee – Hightower

Mr. Hightower advised that the POA had decided on a new President and that an email had been sent to make contact. Meetings should commence back in the near future and an update be brought back to the Board.

No further comments or discussion.

- 13.) Board suggestions on future agenda items

Director Whipple asked to discuss Unit 6 and possible future needs. Mr. Hightower stated that we had received a culvert and water line quote request in the upper portion.

- 14.) Adjourn

Mrs. O'Hanlon called the question for adjournment.

Motion: Scott Ferguson moved to adjourn.

Seconded: Butch Carmack.

Vote: Five (5) in favor, motion carries.

Meeting ended at 8:26 p.m.