

MINUTES OF MEETING OF THE BOARD OF
DIRECTORS OF WILLIAMSON-TRAVIS COUNTIES
MUNICIPAL UTILITY DISTRICT NO. 1

August 15, 2007

THE STATE OF TEXAS §
§
COUNTIES OF WILLIAMSON AND TRAVIS §

[Attachments for this Meeting \(pdf file\)](#)

A regular meeting of the Board of Directors of Williamson-Travis Counties Municipal Utility District No. 1 was held at 6:00 p.m. on August 15, 2007, at the District office at The Park at Lakeline Oaks, 1000 Old Mill Road, Cedar Park, Texas 78613. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act.

Director Rocco called the roll of the members of the Board:

Chris Rocco - President
Steve Davies - Vice President
Linda Garrett - Secretary
Brian T. Hardin - Treasurer
Luis Zervigon - Assistant Secretary/Treasurer

All the directors were present, thus constituting a quorum. Also present at the meeting were Bill Fry, Kristi Hester, Becky Stathos, and Gary Binderim with Severn Trent Services; Bill Flickinger with Willatt & Flickinger; Don Bayes with Gray-Jansing & Associates; Greg Vinella with EcoSystems; and District residents Kelly Ross, John & Janet Kinniell, and Beverly Zervigon

Director Rocco called the meeting to order at 6:14 p.m. and stated that the Board would first consider Agenda Item 1: Minutes from July 18, 2007 meeting. On a motion by Director Garrett, seconded by Director Davies, the Board unanimously approved the minutes of July 18, 2007.

Director Rocco then called for Agenda Item 2: Reconsideration of Minutes previously approved with oral revisions. The correction was made to the June 13, 2007 minutes and no further approval was needed.

Director Rocco then called for Agenda Item 3: Report from the District's engineer.

a) Complaints by residents regarding drainage problems and the impact of District's CMU fence on such areas

- b) Procedures for addressing drainage complaints
- c) New commercial development; Starfish; WCAD Reference No. R314445; Terriville 2 El Salido

Mr. Bayes said he has not received any additional complaints about drainage.

Starfish has not been in contact with Mr. Bayes about the commercial development.

Mr. Bayes said he was told by Phil Henderson of STES that the City of Cedar Park is planning to upgrade El Salido and wants to extend the water line that runs down it and stubs out. An additional master meter will be installed.

Mr. Bayes reported that RFPs for deed restriction enforcement were sent out and proposals are due at Noon on August 24. GJA closes at Noon on Fridays, so Director Rocco will pick up the proposals.

Director Rocco then called for Agenda Item 5: Newsletter. Director Hardin did not receive a copy of the newsletter. Ms. Stathos will resend it. Director Rocco said he was speaking for himself and not the Board when he wrote the article in the newsletter and apologized if he offended anyone.

Director Rocco will work on an article explaining the responsibilities of HOAs, counties, and the MUD.

Director Rocco then called for joint consideration of Agenda Item 6: Management Services Agreement and Deed Restriction Enforcement Management Services Agreement with Severn Trent Environmental Services, Inc.; Agenda Item 7: Agreement for Deed Restriction Enforcement Services; and Agenda Item 8: Request for qualifications and request for proposals to management companies for deed restriction enforcement. Director Zervigon said the RFP specifies deed restriction enforcement in Anderson Mill West, Hunter's Glenn II, and Volente Hills. The Management Committee will review the proposals and make a recommendation to the Board. The proposal will be considered at the special meeting for setting the tax rate or, if necessary, at another special meeting. Director Rocco said he has promised STES their deed restriction enforcement services will no longer be needed by September 30.

Director Rocco then called for Agenda Item 9: Repairs to District's CMU fence. There have not been any recent repairs to the CMU fence.

Director Rocco then called for Agenda Item 10: District Website. There was no action taken on this agenda item.

Director Rocco then called for Agenda Item 11: Fire Protection Services. There was no action taken on this agenda item.

Director Rocco then called for Agenda Item 12: Solid Waste Disposal Contract. Waste Management representatives did not show up for the meeting. It has been rescheduled for Wednesday, August 22 at Noon. At Director Hardin's suggestion, Mr. Fry will reschedule the meeting place to the WM office.

Director Rocco then called for Agenda Item 13: District Depository, bank accounts. There was no

discussion on this agenda item.

Director Rocco then called for Agenda Item 14: Proposal for Strategic planning services. Director Rocco would like to include input from neighborhood associations in the strategic planning. He introduced Ms. Ross who will head up the strategic planning committee for AMWNA and will work with other neighborhood associations. He would like to be able to present a recommendation at the next Board meeting.

Director Rocco then called for Agenda Item 28: Report from the District's landscape contractor and related action. Director Garrett moved to accept proposals from EcoSystems to 1) renovate entryway beds and parks without mulch for a total of \$5,866.50 and 2) mulch all existing beds and tree wells at all parks (including the new beds and Anderson Mill West Park and The Park at Lakeline Oaks) and the El Salido entryway for a total of \$2,635. Director Hardin seconded the motion which passed unanimously.

Director Rocco then called for Agenda Item 16: Annexation of the District by the City of Cedar Park. Mr. Flickinger was asked to prepare a brief summary for Ms. Ross.

Director Rocco then called for Agenda Item 17: Amended Information Form. Director Davies moved, Director Zervigon seconded, and the Board voted unanimously to approve the amended information form.

Director Rocco then called for Agenda Item 18: Crime Shield Policy. No action was taken on this agenda item.

Director Rocco then called for Agenda Items 19 and 20: Budget and Tax Rate. The Board reviewed the proposed budget. Mr. Flickinger explained that the Board will need to publish the proposed tax rate, hold a public hearing, and approve a tax rate. The entire process must be completed by September 17. It will therefore be necessary to hold at least one special meeting.

Director Rocco then called for Agenda Item 22: Report from the DRC and act on restrictive covenant enforcement. Director Zervigon said Mr. and Mrs. Kinniell attended the DRC meeting to discuss installation of political signs.

Director Zervigon moved for a temporary moratorium, effective immediately, on the enforcement of the 90-day restraint on political signs and for the DRC to work with the attorney to address any other related issues. Director Garrett seconded the motion. Following a discussion, the Board unanimously approved the motion.

Director Rocco then called for Agenda Item 21: Receive citizens' communications. Mr. Kinniell said, regarding Agenda Item 22, that he thinks the Board is opening a can of worms in dealing with First Amendment rights.

Director Rocco then called for Agenda Item 23: Approval of DRC Minutes by Deed Restriction Committee Members. On a motion by Director Zervigon, seconded by Director Rocco, the DRC unanimously approved the minutes from the August 8, 2007 Committee meeting.

Director Rocco then called for Agenda Item 24: Report from ACC. There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 25: Funding for and interaction with homeowners associations within the District to facilitate operation of Architectural Control Committee and other HOA functions. There was no discussion under this agenda item.

Director Rocco then called for Agenda Item 26: Rules for enforcement of restrictive covenants that include fines and termination of services. Director Zervigon reported that two dogs on Old Mill Road attacked and killed another dog. STES sent letters to the owner of the attacking dogs citing the dogs as a nuisance and requesting the fence be repaired.

Director Zervigon moved adoption of a revised policy on anonymous complaints and Director Garrett seconded the motion. Following a discussion, Director Zervigon revised his motion to include some of the changes discussed. Director Garrett seconded the revised motion, which passed unanimously. The newly adopted policy reads as follows:

“Persons who submit deed restriction violation complaints and request anonymity will be informed of the following policy:

Paragraph #1

‘The WTC MUD #1, to the extent permitted by law, will maintain the anonymity of persons requesting anonymity when filing a complaint of a Deed Restriction violation.’

Paragraph #2

‘Remaining anonymous may prevent resolution of your complaint. Do you still wish to remain anonymous?’

Paragraph #3

‘To process such complaints the identity and contact information of the complainant may be known to the persons who will process the complaint including Deed Restriction enforcement personnel and, possibly, the appropriate Architectural Control Committee and the MUD Board of Directors. The identity of the complainant may be revealed to any of those parties only if, and when, necessary to investigate the complaint.’

Paragraph #4

‘We have received legal advice that details regarding complaints, including the identity of the Complainant, are subject to disclosure under the requirements of the Texas Public Information law.’

Paragraph #5

‘Persons may submit anonymous complaints by not identifying themselves. Such complaints can only be investigated if it is possible for WTC MUD#1 or the relevant ACC to confirm the existence of the violation.’ ”

Instructions for using this policy are to read Paragraph #1 to the complaining party.

If the complaining party does not want his/her identification to be revealed to the party being complained about, skip Paragraph #2 and go to Paragraph #3. If however the complaining party wishes to be totally anonymous, read them Paragraph #2. If they still want to remain anonymous, skip Paragraph #3 and read them Paragraphs #4 and #5.

Director Rocco then called for Agenda Item 27: Maintenance of PEC easement areas. Director Zervigon said PEC walked the easements and agreed to clear them at their own expense due to the high growth caused by all the recent rains. This item can now be removed from the agenda.

Director Rocco then called for Agenda Item 29: Report from the Park Subcommittee regarding park improvements. There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 30: All matters related to the District’s parks, fields and office building. There was no discussion under this agenda item.

Director Rocco then called for Agenda Item 15: Emergency Response Plan and Vulnerability Assessment and compliance with statutory and regulatory requirements in connection with same. Mr. Fry introduced Mr. Binderim, who works with all STES clients on emergency response plans. The Committee recommended Board members review the draft, as proposed by the Committee, so it can be voted on at the next meeting. If a special meeting is held, this item will appear on that agenda.

A discussion followed, with Director Hardin suggesting that a cover sheet be added summarizing the responsibilities of directors as well as STES employees.

Mr. Fry will send e-file the latest revisions to all Directors.

Director Rocco then called for Agenda Item 4: Report from District’s Manager and Affected Persons, including payment of bills and invoices and transfer of funds.

- a) review and discussion of pending Board directives to Manager, attorneys, Board members and subcommittees
- b) water and wastewater system report
- c) billing report and financials
- d) security issues and vandalism
- e) security measures for the water system
- f) builder and aged receivables
- g) detention pond and related issues
- h) fire hydrant survey
- i) RBC Dain Rauscher

- j) solid waste collection and disposal service
- k) marquees
- l) customer and resident complaints
- m) adjustment of delinquent accounts
- n) review changes made to Standard Operating Procedures (SOP) Manual
- o) collection of delinquent property taxes
- p) preventative maintenance program
- q) quarterly investment reports
- r) committee reports
- s) District patrols

Mr. Fry briefly reviewed the General Manager's packet. Director Rocco will research possible deterrents to skateboarders using the picnic tables in Anderson Mill West.

On a motion by Director Zervigon, seconded by Director Davies, the Board unanimously accepted the proposal from STES to grade the access road to the Little Elm Detention Pond at a cost not to exceed \$1,000.

The directives were reviewed and are attached.

Ms. Hester reported that a deposit refund issued last month was mailed to the resident's prior address and he has not yet received it. He had provided STES with a new address but had also turned in a change of address to the post office. Director Hardin moved to issue another check and not charge the resident the \$25 stop-payment fee. Director Zervigon seconded the motion, which passed unanimously.

STES will check to make sure taxes have been paid on all director lots.

Ms. Hester distributed an updated Check Detail and reviewed July financials. On a motion by Director Garrett, seconded by Director Zervigon, the Board unanimously approved payment of checks #8114 – #8156 totaling \$179,218.63. This includes the final invoice from ADT for installation of the security system.

Ms. Hester said she is still not getting correct invoices on bond payments. Director Hardin moved to approve the bond payments totaling \$1,794,616.25. Director Davies seconded the motion, which passed unanimously.

Director Davies said he did not receive copies all of security invoices.

Director Hardin moved to authorize paying Mr. Pattillo up to \$2,500 to perform the annual cost benefit analysis and provide a tax rate worksheet. Director Zervigon seconded the motion which passed unanimously.

Mr. Flickinger will send directors a copy of the current Ethics Policy.

Committee meetings were scheduled as follows:

AUGUST

Date	Committee	Members	Location	Time	Notes
21st	Budget	Hardin/Rocco	STES	Noon	
22nd	Solid Waste	Rocco/Davies	WM	Noon	907 Giles Road
28th	Management	Rocco/Davies	STES	Noon	
29th	Vulnerability	Rocco/Zervigon	STES	Noon	

SEPTEMBER

Date	Committee	Members	Location	Time	Notes
12th	DRC	Rocco/Zervigon	LLO	7:00	
17th	B&I	Hardin/Zervigon	Jim's	8:00 a.m.	
19th	Board meeting	All	LLO	6:00	

ADDITIONAL MEETINGS TO BE SCHEDULED

Committee	Members	Notes
Infrastructure	Hardin/Zervigon	Send revisions to STES contract before scheduling

Director Rocco then called for Agenda Item 31: Adjournment. The meeting was adjourned at 9:05 p.m.

Linda Garrett, Secretary
Board of Directors

Date: _____