

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

[Attachments for the August 20, 2008 Meeting Minutes](#)

August 20, 2008

STATE OF TEXAS

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COUNTIES OF WILLIAMSON AND TRAVIS §

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 20, 2008, 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
Robert Kenny	-	Vice President
Linda Garrett	-	Secretary
Brian T. Hardin	-	Treasurer
Luis Zervigon	-	Assistant Secretary/Treasurer

All the directors were present with the exception of Director Rocco, thus constituting a quorum. Also attending the meeting were Kristi Hester and Becky Stathos with Severn Trent Services; Bill Flickinger with Willatt & Flickinger; Don Bayes and Sara Garrett with Gray-Jansing & Associates; Kristyn Rowney and Jennifer Key with RealManage; Laraine Lasdon and Gigi Bryant with GMSA Management; and District residents Maxine and Allen Kaplan, Heather Lopez, Beth Quarls, James Stewart, Sheila Cude, Beverly Zervigon, and Terri Sharpe.

Director Kenny called the meeting to order at 6:08 p.m. and stated that the Board would first consider Agenda Item 1: *Minutes from July 16, 2008 meeting and August 13, 2008*

*special meeting.* Director Zervigon moved to approve the July 16, 2008 minutes and Director Hardin seconded the motion. The minutes were unanimously approved with the following corrections:

- Page 2, 3<sup>rd</sup> paragraph of Agenda Item 31 – Ms. Bryant is not a member of the community pool committee and her name should be removed.
- Page 5, Agenda Item 34 – The estimated cost of construction of the 60' section of wall at 1002 Old Mill Road should be included.

On a motion by Director Zervigon, seconded by Director Hardin, the Board unanimously approved the minutes for August 13, 2008, as written.

Director Kenny then called for Agenda Item 2: *Reconsideration of Minutes previously approved with oral revisions.* There were no additional revisions to the May 21, 2008 or June 24, 2008 minutes.

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

*a) Construction and repairs to permanently address drainage problems in the channel at Sunchase Boulevard adjacent to Sunchase Park.* Rogers Construction has completed the work.

*b) Approval of Final Pay Estimate and acceptance of improvements for Channel at Sunchase Boulevard.* Director Hardin moved to approve the Final Pay Estimate of \$48,995.28 and accept the improvements for the channel at Sunchase Boulevard subject to the contract being signed. Director Garrett seconded the motion, which passed unanimously.

*c) Stormwater Management Plan.* The Plan was previously approved subject to addressing Director Hardin's concerns. Director Hardin's changes have been made and the Plan has been filed with TCEQ. GJA was directed to provide a copy to all directors and consultants together with a checklist showing their duties and attaching an acknowledgment form.

*d) Feasibility Study for Pool Facility in District.* Discussion of this issue was delayed until later in the meeting.

Mr. Bayes reported that all directives for Gray-Jansing & Associates have been completed with the exception of the street light in Volente Hills and the 60' section of wall at 1002 Old Mill Road, which was added to the Volente Hills wall contract.

Director Kenny then called for Agenda Item 27: *Receive citizens' communications*. There were no citizens wanting to address the Board under this agenda item.

Director Kenny then called for Agenda Item 28: *Report from the DRC and act on restrictive covenant enforcement*. Ms. Rowney distributed the July to current report. In the future, RealManage will get the last month's information to the DRC and ACCs by the Friday before the DRC meeting. RealManage will request information from STES regarding unpaid fines.

Director Rocco arrived during discussion of the above item.

Director Rocco then called for Agenda Item 29: *Approval of DRC Minutes by Deed Restriction Committee Members*. No residents were present to address the Committee and the Committee made no decisions. As a result there were no minutes taken.

Director Rocco then called for Agenda Item 30: *Request by Lakeline Oaks HOA to have the District resume deed restriction enforcement and Architectural Control Committee processes within Lakeline Oaks subdivision*. Director Zervigon made a motion for the Board to agree to undertake deed restriction enforcement for Lakeline Oaks and seek to have the DRC, Lakeline Oaks HOA, and RealManage negotiate any changes that would be required in the contract with RealManage, the deed restriction enforcement rules, and the division of responsibilities between RealManage, the District and Lakeline Oaks HOA to formalize the enforcement process. Director Hardin seconded the motion, which passed unanimously.

Director Rocco then called for Agenda Item 31: *Reports from ACCs*. There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 32: *Lawsuit against Brandon Finnegan for deed restriction violations including excessive noise constituting a nuisance, automotive repair, trailers and auto body business operations at 2800 Buckeye*. There was no discussion under this agenda item but it should remain on the agenda.

Director Rocco then called for Agenda Item 33: *Funding for and interaction with homeowners associations within the District to facilitate operation of Architectural Control Committee and other HOA functions*. Director Garrett moved to reallocate the \$2,000 previously approved for National Night Out activities to include an event in Volente Hills if necessary. Director Rocco seconded the motion, which passed unanimously.

Director Rocco then called for Agenda Item 34: *Rules for enforcement of restrictive covenants that include fines and termination of services*. There was no discussion on this agenda item.

Director Rocco then revisited Agenda Item 3c: *Feasibility Study for Pool Facility in District* together with Agenda Item 38: *Proposal for swimming pool facility in the District – Community Outreach Program*. Mr. Bayes reported that the preliminary feasibility study was presented and discussed at the special meeting held on August 13, 2008. The next stage would be a full-fledged feasibility study if it is determined that District residents want to have a pool and, if so, what type. Mr. Bayes recommended that the next stage be a feasibility study.

Janie Stewart (pool manager of Anderson Mill MUD) and Beth Worrells (a grant writer) addressed the Board.

Director Zervigon moved to approve the contract with GMSA for public involvement proposal dated May 21, 2008 at a cost not to exceed \$8,000 with the understanding that the contract, relative to a swimming pool in the District, will be completed by November 30. Director Rocco seconded the motion. Following a discussion, Director Zervigon revised his motion to remove the words "...at a cost not to exceed \$8,000..." and replace them with "...at a cost of \$6,000..." Director Rocco seconded the revised motion. The contract calls for a \$4,000 check upon acceptance, but since a check was not available it was agreed that it would be paid at the September meeting.

Director Zervigon pointed out that the GMSA contract will communicate the design and cost alternatives of the Preliminary Feasibility Study to the residents but that it would remain for the Board to implement a mechanism to determine the wishes of the residents to accept a pool, including the projected construction and operating costs.

Director Rocco then returned to Agenda Item 27: *Receive citizens' communications* and also called for Agenda Item 37: *All matters related to the District's parks, fields, and office building* be considered together. Ms. Sharp addressed the Board regarding the availability of tennis keys and the fact that tennis lessons are being taught at the park. Director Kenny moved to post a sign limiting play to one hour with others are waiting to play. The Parks Committee is planning to go through all procedures related to the tennis courts at its meeting on Tuesday, August 26 @ 4:00, including proposals for a key card system, so Director Kenny withdrew his motion.

Director Rocco then called for Agenda Item 5: *Budget*. Ms. Hester distributed the debt

service tax rate study prepared by Mr. Padilla as well as a preliminary budget worksheet. She was asked to add a column showing percentages.

Director Rocco then called for Agenda Item 6: *Proposed Tax Rate, scheduling of Hearing on Tax Rate and Publication of Notice of Hearing*. The following meetings were scheduled:

- Budget Committee: Friday, August 22, at 9:00 a.m. (STES office)
- Budget Committee: Monday, August 25, at 2:00 p.m. (STES office)
- Parks Committee: Tuesday, August 26, at 4:00 p.m. (Lakeline Oaks building)
- Special Board meeting: Wednesday, August 27, at 4:00 p.m. (Lakeline Oaks building)
- Public Hearing: Thursday, September 11, at 6:00 p.m. (Lakeline Oaks building)

Director Rocco then called for Agenda Item 7: *Newsletter*. Director Rocco said the newsletter will be delayed until September. STES will send Directors Kenny and Garrett the contact information for Ms. Nugent.

Director Rocco then called for Agenda Item 8: *Repairs to District's CMU fence*. There have not been any recent repairs to the fence.

Director Rocco then called for Agenda Item 9: *District Website*. Director Garrett expressed concern about posting close-up pictures of children from the 4<sup>th</sup> of July gathering in the park. Ms. Kaplan will send additional pictures to Directors Garrett and Kenny for review in hopes some can be posted on the website.

Director Garrett reported that the Website Committee met with Mr. Maxwell to discuss a facelift and overhaul of the website. The Committee asked that \$5,000 be put in the budget for this purpose. On behalf of the Board, Director Kenny purchased the WTCMUD1.net and WTCMUD1.com domains. Director Garrett moved to reimburse Director Kenny the purchase price of approximately \$50 each for the domains. Director Hardin seconded the motion, which passed unanimously.

E-mail addresses are available for each director @wtcmud1.com. This will prevent commingling of personal and District e-mails.

Director Rocco then called for Agenda Item 10: *Fire Protection Services*. This issue will be considered by the Budget Committee.

Director Rocco then called for Agenda Item 11: *Solid Waste Disposal Contract*. Director

Garrett moved to approve the CPI rate increase for Waste Management. Director Rocco seconded the motion, which carried unanimously.

A District resident has voiced concern about an infestation of ticks. Director Rocco suggested the resident contact Williamson County Health Department Vector Control.

Director Rocco then called for Agenda Item 12: *District depository, bank accounts*. There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 13: *Proposal for Strategic planning services*. Director Rocco announced he is dissolving the Strategic Planning Committee and establishing an Annexation Committee. He appointed Directors Kenny and Zervigon to serve on the new committee.

Director Rocco then called for Agenda Item 14: *Rate Order*. There was no discussion on this agenda item.

Director Rocco then called for Agenda Item 15: *City of Cedar Park's proposed rezoning of tract adjacent northeast of the Lakeline Park*. There was no discussion under this agenda item.

Director Rocco then called for Agenda Item 16: *Current Electronic Check Payment Processing Agreement with Official Payments Corporation* and Agenda Item 17: *Proposed Lock Box and Electronic Payment Service Agreement with Texas State Bank*. Ms. Hester reported that STES is still conducting a test run in Houston districts.

Director Rocco then called for Agenda Item 18: *Resolution Regarding Removal of Signs in Right-of-Way Within the District*. Mr. Flickinger distributed a revised resolution which sets the policy to be followed and replaces the previous policy adopted June 24, 2008. A copy of the revised resolution is attached. On a motion by Director Zervigon, seconded by Director Garrett, the Board voted unanimously to approve the revised resolution.

Director Rocco then called for Agenda Item 19: *Auditor Engagement Letter*. Director Hardin moved to engage the services of McCall Gibson & Company to perform the District audit for the 2007-08 fiscal year. Director Rocco seconded the motion, which passed unanimously

Director Rocco then called for Agenda Item 20: *Code of Ethics and Financial Investment, Travel and Professional Services Policy*. Mr. Flickinger called the Board's

attention to the IRS code. On a motion by Director Garrett, seconded by Director Rocco, the Board voted unanimously to approve the Code of ethics with the following changes:

Section 5.04, Paragraph B. Lodging Expenses. The second sentence should read ...if it does not exceed 150% of the maximum lodging rate...

Section 5.04, Paragraph C. Meal Expenses. The first sentence should read ...if it does not exceed 150% of the maximum meal rate...

Director Rocco then called for Agenda Item 21: *Public Funds Investment Act Seminar and other conferences and seminars, and reimbursement of Director expenses in connection therewith*. There was no discussion under this agenda item.

Director Rocco then called for Agenda Item 22: *Internet domains and e-mail addresses*. This was addressed under Agenda Item 9.

Director Rocco then called for Agenda Item 23: *Time Limits for speakers*. This issue was referred to the Customer Care Committee for review.

Director Rocco then called for Agenda Item 24: *Use of projectors or other devices to enable better presentations and communications*. This issue was referred to the Website Committee for review.

Director Rocco then called for Agenda Item 25: *Agreements with Travis County Tax Collector and Williamson County Tax Collector*. Mr. Flickinger explained that there has been no change in the agreement with Williamson County. On a motion by Director Garrett, seconded by Director Rocco, the Board voted unanimously to approve the agreement with the Travis County Tax Collector.

Director Rocco then called for Agenda Item 26: *Establishment of Legal Committee and appointment of members*. Following a discussion, Director Rocco chose not to establish a Legal Committee at this time.

Director Rocco then returned to Agenda Item 28: *Report from the DRC and act on restrictive covenant enforcement*. Mr. Flickinger clarified that whomever's property a fence is constructed on is responsible for that fence.

Director Rocco then called for Agenda Item 35: *Report from the District's landscape contractor and related action*. There was no discussion under this agenda item.

Director Rocco then called for Agenda Item 36: *Report from the Park Subcommittee regarding park improvements*. There was no discussion under this agenda item.

Director Rocco then called for Agenda Item 39: *Volente Hills HOA conveyance of land to District and construction of park facilities and construction of additional fencing in Volente Hills*. Mr. Flickinger reported that closing is scheduled for Wednesday, August 27. Ms. Hester will cut a check for closing costs out of the Manager's Account.

Director Rocco then called for Agenda Item 40: *Agreement to build additional CMU fence in Lakeline Oaks at Assisted Living Facility (Lakeline Oaks Retirement, LLC)*. Mr. Flickinger said the agreement only calls for 8' masonry fence.

Director Rocco then called for Agenda Item 41: *CMU Fence at Lakeline Oaks Park and 1002 Old Mill Road*. Construction of this portion of fence has been combined with the fencing in Volente Hills.

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*
- t) Manager's Account*
- u) Survey of visible cleanouts*
- v) Repair and replacement of cleanout covers*
  
- w) insurance*

On a motion by Director Zervigon, seconded by Director Rocco, the Board unanimously approved payment of checks #8604 – #8650 for invoices totaling \$272,551.33, and ratified bills paid out of the Manager's Account.

Director Zervigon moved to approve the semi annual bond payment. Director Rocco seconded the motion, which carried unanimously.

Director Rocco then called for Agenda Item 42: Adjournment. The meeting was adjourned at 10.40 p.m.

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Linda Garrett, Secretary  
Board of Directors

Date: \_\_\_\_\_

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