

MINUTES  
PECAN GROVE MUNICIPAL UTILITY DISTRICT

October 25, 2016

The Board of Directors (the "Board") of Pecan Grove Municipal Utility District (the "District") met in regular session, open to the public, on the 25<sup>th</sup> day of October, 2016 at the Pecan Grove Country Club, Richmond, Texas, inside the boundaries of the District, and the roll was called of the members of the Board:

Chad Howard	President
Ryan Yokubaitis	Vice President
G.E. "Buddy" Kluppel	Secretary
Stephen D. Crow	Assistant Secretary/ Assistant Vice President
Charles D. Bertrand	Assistant Vice President/ Assistant Secretary

and all of the above were present.

Also present at the meeting were residents of the District listed on Exhibit A attached hereto; Chris Jousan, Grady Turner, Kaci Hicks and Scott Saenger of Jones & Carter, Inc. ("J&C"); Kathy Cruthirds of Tax Tech, Inc.; Mike Ammel, Clayton Galloway and Brea Campbell of Environmental Development Partners, LLC ("EDP"); Shirley McClennan and Jorge Diaz of McLennan & Associates, L.P. ("M&A"); Sergeant Jean Gobar of Fort Bend County Sheriff's Office ("FBSCO"); Chief Joe Woolley of Pecan Grove Volunteer Fire Department ("PGVFD"); Pat Naff of CDC Unlimited, LLC; Trevor Royal and Melvin Moore of WCA Waste Corporation of Texas; Marcus Campbell of Time and Season Property Management ("Time & Season"); Shay Shafie of The Johnson Development Corporation; and Hannah Brook and Jane Miller of Allen Boone Humphries Robinson LLP ("ABHR").

REMARKS FROM THE BOARD PRESIDENT

Director Howard opened the meeting at 6:00 p.m. and welcomed attendees.

COMMENTS FROM THE PUBLIC

Ms. Sylvia Gorringer and Ms. Fonda Gorringer complained of high water usage at Ms. Fonda Gorringer's recently purchased and vacant home.

Ms. Hale-Erich complained of heavy equipment hauling dirt through Deerfield Road.

## CONSENT AGENDA

Director Howard offered Board members the opportunity to remove items from the consent agenda for individual discussion. Director Kluppel moved to approve all items on the consent agenda, with the exception of items b and e. Director Crow seconded the motion, which passed by unanimous vote. Copies of all documents approved as part of the consent agenda are attached, including the bookkeeper's report and the tax assessor collector's report.

## ITEMS REMOVED FROM CONSENT AGENDA

Mr. Naff updated the Board regarding maintenance and repair of District ditches and levees. Discussion ensued regarding maintenance of the levee area near Country Place. Director Crow requested that CDC maintenance trucks using the levee for maintenance access be clearly marked.

Mr. Royal introduced Melvin Moore and said Mr. Moore will be the District's contact for WCA.

## ADDITIONAL BOOKKEEPING MATTERS

Mr. Diaz also presented check no. 1584 in the amount of \$18,000, payable to Sustainable Sport Solutions for architectural services associated with design of the golf course area to be modified during construction of drainage improvements in Plantation Section 7. Following review and discussion, Director Kluppel moved to approve the additional handwritten check. The motion was seconded by Director Crow and passed unanimously.

## SECURITY AND PUBLIC SAFETY MATTERS

Sergeant Gobar reported on patrol and security since the Board's last regular meeting and responded to an inquiry regarding patrol response time following a break-in at the Pecan Lakes Homeowner's Association community building. Sergeant Gobar said that Sergeant Bennett will oversee patrol in the District following her retirement.

Director Howard thanked Sergeant Gobar for her service to the District and presented Sergeant Gobar with a plaque for her community service.

Chief Woolley reported on PGVFD activity since the last meeting.

## DEVELOPMENT AND MAINTENANCE OF PARKS

Mr. Campbell reviewed a parks report, a copy of which is attached, and updated the Board on park reservations, maintenance and repairs in District parks. He requested authorization to install new kiddie cushion for the playground at Pecan Grove Park for an estimated cost \$17,700.00 and presented a proposal from CDC.

The Board concurred to defer discussion regarding amendment of the District's contract with Time & Season for the November, 2016 Board meeting.

Following review and discussion, Director Crow moved to approve a proposal from CDC to install new kiddie cushion for the playground at Pecan Grove Park for an estimated cost \$17,700.00. Director Kluppel seconded the motion, which passed unanimously.

## OPERATIONS OF DISTRICT FACILITIES

Mr. Ammel reviewed the EDP operations report, a copy of which is attached, and which was provided in advance to the Board. He discussed routine repairs completed, reviewed proposals for rehabilitation of the control building at the wastewater treatment plant, and recommended that the Board award a contract to the lowest qualified bidder, Grace Consulting Services in the amount of \$64,185.

Discussion ensued regarding Ms. Fonda Gorrings' complaint of high meter readings/water usage at her vacant home. Mr. Ammel discussed meter accuracy tests performed on Ms. Gorrings' water meter and Ms. Campbell discussed historical usage at the service address. Ms. Sylvia Gorrings requested relief. Following review and discussion, the Board concurred to suspend penalties and collection on the account until EDP investigates further.

Ms. Campbell presented an appeal from the District customer at 1607 Morton League Road requesting reimbursement of a plumber's invoice in the amount of \$1,786 for issues identified by the plumber on both the customer's side of the line and the District's lateral line.

Mr. Ammel updated the Board regarding Lift Pump No. 1 at the wastewater treatment plant and said the contractor has torn apart the motor and is working to determine the cause of the motor failure. Following discussion, the Board concurred to instruct J&C to deduct the cost of the repair from the retainage amount remaining on the contract.

Following review and discussion, Director Crow moved to (1) approve the operations report; (2) award a contract for rehabilitation of the control building at the

wastewater treatment building to Grace Consulting Services in the amount of \$64,185, subject to review and approval of bonds and insurance; (3) authorize EDP to offer the customer at 1607 Morton League Road half of the reimbursement requested; and (3) instruct J&C to withhold the cost of the repair of Lift Pump No. 1 from the retainage amount for improvements at the wastewater treatment plant. Director Kluppel seconded the motion, which passed unanimously.

#### TERMINATION OF WATER AND SEWER SERVICE TO DELINQUENT CUSTOMERS

The Board next conducted a hearing on the termination of utility service to delinquent accounts. Mr. Ammel reported that the residents on the delinquent list provided to the Directors were mailed written notice prior to this meeting in accordance with the Rate Order, notifying them of the opportunity to appear before the Board to explain, contest or correct the utility service bill, and to show reason why utility service should not be terminated for reason of nonpayment. Director Crow moved that, because the customers on the termination list were not present at the meeting to address the Board, and did not submit a written statement on the matter, utility service for such customers should be terminated in accordance with the District's Rate Order. Director Kluppel seconded the motion, which passed unanimously.

#### ENGINEERING MATTERS

Mr. Turner reviewed the engineering report, a copy of which is attached and distributed to the Directors in advance of the meeting.

Mr. Turner updated the Board regarding drainage improvements for The Grove, Sections 4 and 5 and Plantation, Sections 4 and 5 and discussion ensued regarding concrete pouring schedules and traffic control. Discussion ensued regarding casing of a sanitary sewer line in front of the McPherson residence to resolve possible hydraulic conflict. The Board discussed options for rerouting the sanitary sewer line and the Board concurred to request that J&C bring options for rerouting the sanitary sewer line to the November, 2016 Board meeting.

Discussion ensued regarding dumping of trash over the Pecan Lakes Levee floodwall and reports of the flood wall being used for target practice. Mr. Turner said J&C will issue letters to the homeowners that J&C determine are dumping trash or damaging the flood wall. Mr. Saenger reported the locations along the Pecan Lakes Levee that require recoating and the areas where there is water seepage.

Mr. Turner next discussed construction of drainage improvements in Plantation, Section 7 and presented contracts for signature. He said the contractor will begin the golf course work on December 1, 2016, but will not begin any right of way work until

the second week of January, 2017. Discussion ensued regarding the grade of Plantation Drive and alignment/slope of road to gutters.

Mr. Turner next updated the Board regarding meetings with the Board subcommittee to discuss the final report regarding the Jones Creek slope failure and recommended repairs. Mr. Turner discussed options to address washout of sand through the natural flow line of the creek and requested authorization to prepare plans for repair of the failed slope. Discussion ensued regarding the District's application for reimbursement of repair expenses through the Federal Emergency Management Agency ("FEMA"), eligible costs and other reimbursement funding available through other state and federal agencies. Discussion ensued regarding the Board's preference of a sheet piling method and Mr. Saenger discussed estimated total costs of repair between \$1,600,000 and \$2,200,000, depending on the final repair method/option the Board chooses.

Mr. Jousan updated the Board regarding the status of installation of the water interconnect meter between the District and Harvest Green, and said bids are pending and work should be completed by Christmas.

Mr. Turner also requested authorization to prepare plans for a 6 inch waterline to serve the Pecan Grove Fire Station.

Mr. Turner reported the General Permit for Storm water Discharges and requested authorization to file the Notice of Intent and Storm water Pollution Prevention Plan with the Texas Commission on Environmental Quality ("TCEQ").

Following review and discussion, upon a motion by Director Crow and a second by Director Kluppel, the Board voted unanimously to (1) approve the engineer's report; (2) authorize J&C to prepare plans for repair of the failed slope at Jones Creek; (3) authorize J&C to prepare plans for a 6 inch waterline to serve the Pecan Grove Fire Department; and (4) authorize J&C to file the District's Notice of Intent and Storm water Pollution Prevention Plan with the Texas Commission on Environmental Quality ("TCEQ").

#### DISTRICT WEBSITE AND NEWSLETTER

There was no discussion for this agenda item.

#### REPORTS FROM DIRECTORS, COMMITTEES, AND DISTRICT CONSULTANTS REGARDING CORRESPONDENCE AND/OR REPORTS RECEIVED DURING THE MONTH

There was no discussion for this agenda item.

ATTORNEY'S REPORT

There was no discussion for this agenda item.

EXECUTIVE SESSION PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE, OR PURSUANT TO THE SECTION 551.072, TEXAS GOVERNMENT CODE, TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY

The Board determined it was not necessary to convene in executive session.

There being no additional business to consider, the meeting was adjourned.

  
Secretary, Board of Directors

(SEAL)



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