

MINUTES OF REGULAR MEETING  
OF  
REUNION RANCH WATER CONTROL AND IMPROVEMENT DISTRICT

STATE OF TEXAS           §  
  §  
COUNTY OF HAYS         §

A regular meeting of the Board of Directors of Reunion Ranch Water Control and Improvement District was held at 2:00 p.m. on June 15, 2021 by remote access only in accordance with the March 16, 2020 Order by Governor Abbott temporarily suspending certain requirements of the Texas Open Meetings Act to advance the goal of limiting face-to-face meetings to slow the spread of COVID-19. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act and as modified by the Governor's Order.

1.    CALL TO ORDER

The meeting was called to order.

2.    ROLL CALL OF DIRECTORS

A roll call of the Directors was taken. The Directors present were:

Dennis Daniel – President  
Terri Purdy – Vice President  
Ron Meyer - Secretary  
Thomas J. Rogers, Jr. – Assistant Secretary  
Nathan Neese – Assistant Secretary

thus constituting a quorum. All Directors were present.

Also present at the meeting were Bill Flickinger, Matt McPhail and Jeniffer Concienne with Willatt & Flickinger, PLLC, Andrea Wyatt and Evan Parker with Murfee Engineering, Allen Douthitt with Bott & Douthitt, Kristi Hester and Ronya Keyes with Inframark, LLC, Mike Moyer with Taylor Morrison and resident Gary Grass.

3.    PUBLIC COMMENTS

Gary Grass asked about the status of the Quarterly Pond Report from Aquatic Features. Manager Kristi Hester will provide the report to Mr. Grass.

4.    MINUTES OF PRIOR MEETINGS

President Dennis Daniel entertained a motion for approval of the Minutes of the May 18, 2021 board meeting. Motion was made by Ron Meyer and seconded by Tom Rogers to approve the Minutes as presented. The motion carried unanimously.

5. DEVELOPER'S REPORT ON STATUS OF CONSTRUCTION WITHIN THE DISTRICT, DEVELOPMENT ENTITLEMENTS, PROVISION OF WATER, WASTEWATER AND DRAINAGE SERVICES WITHIN THE DISTRICT, SALES OF LOTS TO BUILDERS, HOMEBUILDING WITHIN THE DISTRICT, STATUS OF DEVELOPMENT LOANS AND ACTIONS OF THIRD PARTIES OPPOSING OR SUPPORTING DEVELOPMENT WITHIN THE DISTRICT

Mike Moyer reported on the building metrics in the District. The construction trailer lots are the only lots left from Taylor Morrison. Taylor Morrison will begin transiting to the residents by the end of the year. Taylor Morrison will not be waiting on the two construction trailer lots to sale prior to that transaction. The deed for the open spaces are still being worked on by the HOA's attorney and Attorney Bill Flickinger. Director Ron Meyer inquired if the ponds are included in the deed. Mr. Flickinger indicated that language will be included in the deed to provide access to certain areas.

There was discussion of the funding from Taylor Morrison in connection with the odor issues at the wastewater plant. Mr. Moyer is still working on the funding memo. Once approved by Taylor Morrison's legal team, he will provide it to the Jeniffer Concienne for distribution.

6. APPROVAL OF CONSTRUCTION PLANS AND PAY ESTIMATES, CHANGE ORDERS AND ACCEPTANCES OF COMPLETION WITH RESPECT TO CONSTRUCTION CONTRACTS

Engineer Andrea Wyatt discussed Pay Application No. 6 submitted by Excel Construction Services, LLC in the amount of \$858,600 for the WWTP expansion project.

Motion was made by Nathan Neese and seconded by Tom Rogers to approve payment of the foregoing pay application as presented. The motion carried unanimously.

Ms. Wyatt also discussed the change proposals in connection with the winter freeze and wastewater spills. Change Proposal #3 submitted by Excel Construction in the amount of \$14,532 for the winter spill and Change Proposal #4 in the amount of \$26,510 for the wastewater spills. President Dennis Daniel asked about the time extensions that relate to the wastewater plant expansion. The winter freeze caused the project to be delayed by 11 days and the spills caused the project to be delayed by 31 days. Mike Moyer indicated that the spills should be accepted by the District. However, due to the District having to incur the costs of pumping and hauling, Taylor Morrison is fine with funding the costs to the change proposals. There was discussion of FEMA assistance. Manager Kristi Hester submitted the application for assistance, and it is pending State approval at this time. Director Ron Meyer and President Daniel discussed if any funds are received by FEMA that those funds be prorated between administrative costs and repairs for what is being reimbursed. President Daniel entertained a motion regarding FEMA reimbursement, but then withdrew the motion. After discussion, motion was made by President Dennis Daniel and seconded by Ron Meyer to approve Change Proposals as presented. The motion carried unanimously.

7. ADVERTISEMENT FOR BIDS AND APPROVAL, AWARD, RECOMMENDATION AND ADMINISTRATION OF CONSTRUCTION CONTRACTS

This item was not discussed.

8. ENGINEER'S REPORT ON STATUS OF CONSTRUCTION WITHIN THE DISTRICT, DEVELOPMENT ENTITLEMENTS, PROVISION OF WATER, WASTEWATER AND DRAINAGE SERVICES WITHIN THE DISTRICT, PENDING PERMIT APPLICATIONS, SALES OF LOTS TO BUILDERS, HOMEBUILDING WITHIN THE DISTRICT AND PAST, PRESENT AND FUTURE BOND ISSUES; USE OF EFFLUENT TO IRRIGATE RIGHTS-OF-WAY AND TIMELINE FOR SAME

9. WASTEWATER TREATMENT PLANT EXPANSION; WASTEWATER TREATMENT PLANT IMPROVEMENTS AND MODIFICATIONS; ALTERNATIVES FOR ADDITIONAL ODOR CONTROL MEASURERS AT THE DISTRICT'S WASTEWATER PLANT AND FUNDING FOR SAME, INCLUDING POSSIBLE AGREEMENT WITH TAYLOR MORRISON ON FUNDING FOR SAME, INCLUDING POSSIBLE AGREEMENT WITH TAYLOR MORRISON ON FUNDING FOR SAME; PROPOSAL FOR THIRD-PARTY ODOR CONSULTANT/INSPECTOR

Items 8 and 9 were discussed together.

Engineer Andrea Wyatt and Evan Parker discussed the Engineer's Report as included in the agenda package.

The wastewater plant is running at 88%. There was a delay of three weeks due to all the rain. The contractor was able to install the new blowers and the lift station wet well. Additionally, the exterior coating on the lift station is finished and the SBR basin bridge is currently being installed. When the rain becomes less frequent, hopefully this week, the new basins are to be grouted and the lift station pit is to be backfilled. MEC has continued to monitor basin levels, via weekly SCADA data, to assess daily peak times to prevent overflows. There has also been some solids hauled, which is to be expected, since there is no longer an option to waste into a sludge box. Manager Kristi Hester advised that there have been no spills/overflows in over a month. The system appears to be tight. Mrs. Hester also noted that she will review the lift station run times and can check to see if and where I&I comes from. This item will be added to the July agenda for discussion. Director Ron Meyer noted that some manholes are below grade now. President Dennis Daniel discussed the considerable amount of mud on the streets. There was discussion of getting a street sweeper to get it cleaned up. President Daniel would like to get an email on when it will be or has been addressed.

In regard to the 210 conversion MEC will meet with Perfect Cuts to finish running

calculations to size an appropriate effluent irrigation pump. These calculations will help provide some data needed for the LCRA grant application due in September.

Mrs. Wyatt discussed locating a third-party odor consultant to review the wastewater plant improvements. She spoke to one consultant and has reached out to another. Mike Moyer noted that the consultant should realize some odors are typical at a wastewater plant but be able to address unusual odors and then be able to identify deficiencies to be corrected. Vice President Terri Purdy inquired about a backup plan. Evan Parker asked if the District has received any current odor complaints. Manager Kristi Hester advised that they have not. President Daniel asked Mrs. Hester to provide the odor log to Mr. Parker.

10. REVIEW OF DISTRICT EASEMENTS AND LAND NECESSARY FOR DISTRICT OPERATIONS

President Dennis Daniel inquired about the timeframe to get all the easements wrapped up. Attorney Bill Flickinger advised it would probably be completed in July/August per Mike Moyer. Manager Kristi Hester will provide the areas in the District that have bad access for maintenance to Mr. Flickinger and Mr. Moyer to be included in the documentation.

There was also discussion of this topic under the Developer's report above.

11. IMPROVEMENTS TO PEDESTRIAN ACCESS POINT ON EASEMENT FROM MARY ELISE WAY TO WINDMILL POND

12. LONG-TERM DISTRICT CAPITAL IMPROVEMENTS PLAN

Items 11 and 12 were discussed together.

Director Ron Meyer reported that the improvements to the pedestrian access points should be considered after the wastewater plant expansion is completed. This item should be under a long-term capital improvement plan. Manager Kristi Hester advised that the committee should get together to look at options and include it in next year's budget.

Engineer Andrea Wyatt presented the pond inspection report and recommendations memo.

Specific items were included in the memo as requested by Director Ron Meyer and Vice President Terri Purdy so that these items can be easily tracked.

The topics discussed as included in the memo are: Maintenance Access Road and Pedestrian Access, Pathway Around Pond, Water Flowing over Concrete Pathway, Erosion throughout Green Space and Impact on Pathway, Use of Pond for Recreation, Pond Aeration, Pond Solids Removal, Weir Undermining, Accessibility by Inframark and other issues.

There was also discussion on the runoff across the sidewalks and design of the sidewalks. It appears that cutting a swell would divert the flow. Director Ron Meyer asked Mike Moyer to review the culvert by the pond and review to see if the flow can be fixed. Mr. Moyer stated they

will take a look at it. They have been battling that flow for a while. They have previously improved sidewalks where undermining occurred. Taylor Morrison does not have the budget for additional repairs as they are trying to save everything that is left for the repairs to the wastewater treatment plant. The HOA is responsible for the removal of the algae on the sidewalks. Director Meyer will provide photos of the area to Mr. Moyer. President Dennis Daniel stated that his concern is that no one concentrate any water flows. The more that can be disbursed the better and less erosion will occur.

Mrs. Wyatt discussed using the pond for recreational purposes. Under no circumstances should people or pets enter the pond. However, fishing as catch and release is allowed. There was discussion of putting signage around the pond. An eblast can also be sent out to all residents. An aeration feature was recommended by the pond maintenance crew. An estimate of \$4,800 was submitted by Aquatic Features assuming that power is available. Aquatic Features can also submit a proposal for solids removal and can prepare a survey. This will be a large budget item when needed. There are three wet ponds that will need the evaluation. After discussion, a survey should be prepared in next year's budget. The ponds have been in place for approximately 10 years. Manager Kristi Hester will reach out to Scott for an official proposal.

13. COMMITTEE REPORTS, ASSIGNMENT AND MEMBERSHIP

- A. District Operations (Dennis & Terri)
- B. Communications (Terri & Dennis)
- C. WTCPUA (Nathan & Dennis)
- D. Water Quality/Land Use (Ron & Terri)

President Dennis Daniel there was no activity on the District Operations committee.

Vice President Terri Purdy reported that in regard to the communications committee, the signs have been installed at the irrigation fields.

Director Nathan Neese had no updates to discuss in regard to the WTCPUA.

Director Ron Meyer discussed the Water Quality/Land Use above.

Attorney Bill Flickinger reported that the District rules do not include drainage. They are mostly erosion controls. Mr. Flickinger recommends meeting with the committee to review the District's drainage system. Manager Kristi Hester asked to be included in that meeting.

14. OPERATIONS AND MAINTENANCE REPORT

- A. Administrative
- B. Wastewater Treatment Plant; Odor Control Measures and Complaints; All actions necessary to bring the wastewater treatment plant into compliance with TCEQ permit and to mitigate odor problems
- C. Wastewater Grinder Stations
- D. Effluent Irrigation System & Fields
- E. Distribution & Collection System & Lift Stations

- F. Billing Adjustments
- G. Delinquencies
- H. Customer Meter Issues
- I. Customer Complaints
- J. Stormwater conveyance & pond maintenance
- K. Landscaping
- L. Notices to residents on water quality
- M. Maintenance Items in connection with Pre-Purchase Inspection  
Letter submitted by TCEQ.
- N. Out of District Water/Wastewater Service Requests
- O. Policy Regarding Use of Greenspace and other District Property
- P. Pump rentals
- Q. Impact of winter storms on operation of water, wastewater and water  
quality systems; system performance as designed and system  
failures; actions take to address system failures; recommendations  
for repairs or improvements to systems; associated costs and  
possible application for disaster relief funds
- R. Insurance claims
- S. Maintenance access

Manager Kristi Hester discussed the Executive Summary with the Board.

The District currently has 506 active connections. 8.03 million gallons of water was purchased for the month of May. The District incurred a 6.5% water loss this period. Mrs. Hester reported that 11 delinquent letters were mailed out. However, there were no disconnects of water service.

Flows at the wastewater treatment plant totaled 1.37 MG, which averages 44,000 GPD. Plant capacity is at 88%. The BOD and TSS permit levels exceeded the limit again around the 1<sup>st</sup> of May. Mrs. Hester reported that they made progress on the treatment process and have reduced the TSS and BOD levels. The problems have been partly due to the inability to manage solids. President Dennis Daniel asked how the levels are still being exceeded. Mrs. Hester explained that removing the sludge box may have caused limits to be exceeded. There is no solids management right now, which is a big factor. Once there is a change in the system, it takes time to see the improvement. Mrs. Hester is hopeful that next month, all will be in compliance. The non-potable signs have been installed at the drip fields. Mrs. Hester reported that operations is cleaning the bar screens twice per day to prevent air scrubber malfunction.

There was discussion of a TCEQ complaint on saturation of the irrigation fields. Those fields were damaged when the bridge was erected. The irrigation boxes were far underground and the leak took time to be discovered. The repairs are being made and the fields are dry.

President Dennis Daniel inquired about the FEMA disaster assistance and its process. Mrs. Hester submitted the paperwork last week and once it is approved by the State, then the information can be reviewed online. Mrs. Hester will provide an update as soon as it is available.

Director Ron Meyer discussed the fining process to homebuilders within the District. President Daniel noted that there dirt piles in the street due to pool construction in the neighborhood.

15. EXPENDITURES, CONTRACTS, REPAIRS, REPLACEMENTS AND MAINTENANCE RELATED TO OPERATIONS AND MAINTENANCE REPORT IN ITEM 14 ABOVE

This item was not discussed.

16. BOOKKEEPER'S REPORT ON THE FINANCIAL AFFAIRS OF THE DISTRICT, INCLUDING AUTHORIZATION OF PAYMENT OF BILLS

Bookkeeper Allen Douthitt discussed the financials and updated cash activity report with the Board. Mr. Douthitt noted that the District is way over plan due to the sludge hauling. Mr. Douthitt discussed the analysis of the operating fund balance due to the impact of the hauls and maintenance to the system. President Dennis Daniel asked that Mr. Douthitt provide a written document on this analysis so that it can be distributed to the Board. After discussion, President Daniel entertained a motion. Motion was made by Nathan Neese and seconded by Ron Meyer to approve the invoices, per diems and fund transfers as discussed. Tom Rogers had technical difficulties and was unable to vote. The motion carried.

17. LEGISLATIVE UPDATE

Attorney Bill Flickinger advised that he is in process of reviewing 29 senate bills and 43 house bills that possibly relate to the District. At the July board meeting, he will provide a detailed report of those bills.

18. NOTICE OF VIOLATIONS ISSUED BY TCEQ DATED AUGUST 5, 2019; EXIT INTERVIEW FROM TCEQ SITE VISIT OF JULY 10, 2020; TCEQ NOTICE OF ENFORCEMENT FOR COMPLIANCE EVALUATION INVESTIGATION, DATED SEPTEMBER 25, 2020; PROPOSED AGREED ENFORCEMENT ORDER AND RELATED FINES

Attorney Bill Flickinger reiterated that the 60-day deadline has been abated pending review by the TCEQ. No action is needed at this time.

19. REQUEST FOR BOARD RECOMMENDATION FOR WILLATT & FLICKINGER, PLLC

Attorney Bill Flickinger asked for a Board recommendation for his firm. Mr. Flickinger would like to be able to provide the recommendation to future clients or any client that asks for it. The Board had no concerns in providing the recommendation. President Dennis Daniel entertained a motion. Motion was made by Tom Rogers and seconded by Nathan Neese to authorize President Dennis Daniel to prepare and sign a letter of recommendation for Willatt & Flickinger, PLLC.

The motion carried unanimously.

20. ADJOURN

President Dennis Daniel entertained a motion for adjournment. Motion was made by Tom Rogers and seconded by Nathan Neese to adjourn the meeting. The motion carried unanimously.



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Dennis Daniel, President  
Reunion Ranch WCID

ATTEST:



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Ronald F. Meyer, Secretary  
Reunion Ranch WCID

[SEAL]