

Kingsland Municipal Utility District
P. O. Box 748
Kingsland, Texas 78639

July 27, 2020

Regular Meeting

The Board of Directors of said District convened at the office of Kingsland Municipal Utility District, Kingsland, Texas, at 9:00 a.m. on the 27th day of July, 2020 pursuant to notice duly given in accordance with Section 49.063 of the Texas Water Code and the Open Meetings Act, Chapter 551, Texas Government Code. The following Board members were present: President Mary Ann Hefner; Vice President Larry Denney; Secretary-Treasurer Frank Willingham; Director Lorean Sindelar; and Director Ken Martin. Attending from the staff were Anita LaBier, General Manager; Tom Stewart, Operation and Maintenance Supervisor; and Yadira Arreguin, Administrative Assistant.

Also in attendance were Tony Corbett, the District's Legal Counsel; Dakota Durden, Grit Design Build; Greg Fennell, Grit Design Build; Cassidy Shultz, Grit Design Build; Randy Stumberg, MRB Group; and Belinda Stumberg, MRB Group.

In accordance with the Governor's emergency proclamation suspending certain provisions of the Texas Open Meetings Act effective March 16, 2020 in response to COVID-19 virus, members of the public were able to participate in the meeting by telephone using the instructions below. Due to COVID-19 social gathering restrictions, members of the public may not physically attend this meeting by entering the District's Administrative Office Building.

Telephonic Instructions:

Members of the public were able to join the meeting telephonically by dialing the following telephone number: Toll Free: 1 866 899 4679

When your call was answered, they were instructed to connect to the meeting by following the instructions as provided on the agenda in the following Meeting ID below followed by the pound sign 741-550-469 #.

Public Comment:

Members of the public that desire to provide public comment may do so by telephone or by submission of written comments.

Written public comments that are timely received will be read into record and can be emailed to kmud-gm@nctv.com. Written comments must be received by 8:45 a.m. on the date of the meeting.

To provide verbal public comment remotely (by telephone), members of the public must register in advance by emailing kmud-gm@nctv.com prior to 8:45 a.m. on the date of the meeting.

No members of the public requested to be included telephonically.

- Item No. 1 Mary Ann Hefner called the meeting to order at 9:00 a.m. on July 27, 2020. Upon roll call, all five (5) Board members were present and a quorum was established. Pledges of Allegiance were recited to the American and Texas Flags.
- Item No. 2 There was no one requesting public input.
- Item No. 3 Upon motion by Lorean, seconded by Frank, the minutes for Board meetings for June 22, 2020, June 23, 2020, and June 29, 2020, were unanimously approved.
- Item No. 4 Annexation Matters:
- a) Conduct public hearings on the following petitions requesting addition of land to the District:
 - i. Joe Ben Pfeifer on a Petition requesting addition of land to the District, being Lots Nos. Fifty-Two (52), Fifty-Three (53) and Fifty-Four (54), Royal Oaks Estates, Unit No. One (1), a subdivision located in Llano County, Texas, according to the plat recorded in Volume 1, Page 10, Plat Records of Llano County, Texas;
 - ii. Cheryl A. Roberts on a Petition requesting addition of land to the District, being Lot Nos. Sixty-Five (65) and Sixty-Six (66), Block "A", Granite Shoals Cabin Sites, Unit 1, a subdivision located in Llano County, Texas, according to plat recorded in Volume 87, Page 521, Llano County Deed Records;
 - iii. Domingo Torres and Teresa Lopez on a Petition requesting addition of land to the District, being Lot Nos. Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14), in Royal Oaks Estates-Unit 8-Section 1, a subdivision in Llano County, Texas, as shown by plat recorded in Volume 1, Page 51, Plat Records of Llano County, Texas and Lot No. 25, Royal Oaks Estates, Unit 8, a subdivision in Llano County, Texas, as shown by plat recorded in Volume 1, Page 51, Plat Records of Llano County, Texas;
 - iv. Shawvan, LLC, a Texas Limited Liability Company (Brad Shaw, Member, and Roger VanVoorhees, Manager Member) on a Petition requesting addition of land to the District, being Lot Nos 593, 594, 594, 596, 597, 598, 599, 600, 601, and 602, Royal Oaks Estates Subdivision, Unit No. VI, Llano County, Texas, a subdivision in Llano County, Texas, as described in Volume 185, Page 468, Deed Records of Llano County, Texas;

v. Paul Psaila and Carol Psaila, on a Petition requesting addition of land to the District, being Lot Nos. Forty (40) and Forty-One (41), Royal Oaks Estates, Unit o. One (1), a subdivision located in Llano County, Texas, according to the plat recorded in Volume 1, Page 10, Plat Records of Llano County, Texas; and

vi. Michael W. Prugh and Debra A. Prugh on a Petition requesting addition of land to the District, being Lot 4, Royal Oaks Estates Country Club addition Unit 3, as shown on the plat recoded in Volume 1, Page 85, Plat Records of Llano County, Texas.

Mary Ann opened the public hearings on each of the above-mentioned petitions. There were no appearances for or in opposition to the petitions. The staff had no concerns or questions.

Mary Ann closed the public hearings.

b) Consider Adoption of Orders Adding Land to the District pursuant to the Petitions referenced in Agenda Item No. 4(a) above.

Frank moved that orders be adopted finding that the addition of the land described in the petitions above are feasible, practicable, and to the advantage of the District and that the District's system and other improvements will be sufficient to supply the added land without injuring land already in the District. The motion was seconded by Ken, which carried unanimously.

Item No. 5 The Board considered approving an amendment to the District Information Form, including approval of the District's revised boundary map and boundary descriptions to include the land annexed pursuant to the petitions in Item 4 above.

Frank moved that the amendment to the District Information Form be approved to include the land added pursuant to the petitions in Item No. 4 above. The motion was seconded by Larry, which carried unanimously.

Item No. 6 Consideration was then given to the status report by Jones-Heroy & Associates, Inc., on pending engineering and construction projects.

Jason Jones had previously filed his written report, which included the status of the easement issue and construction in the Legendary Estates on Lake LBJ and issues with WW Improvement Project Phase II.

Tom Stewart, O & M Supervisor, updated the Board on the unfinished items on the punch list outlined in Jason's written report concerning LBJ Legends.

Mr. Gary Martin has not completed the punch list on the Legendary Estates project; however, has been given a deadline by the staff to complete.

Jason also mentioned the possibility of an additional development and would report more information in the future.

No action was requested.

Item No. 7 The Board then considered matters relating to the operations and construction of the Kingsland Convention and Community Center:

- a) Status Report from Grit Design Build, LLC, on the Community Center Project; and
- b) Approve matters relating to the design and construction of the Community Center Project, including project scope and budget matters.

Mr. Durden proceeded to brief the Board on the “100% Construction Documents Set” dated June 30, 2020.

This was an extensive set of plans for all phases of the construction, including flooring, insulation, light fixtures, etc.

Frank questioned why something gets changed after decisions were made last month. Mr. Durden said he has had to make some adjustments because of budgetary constraints, and availability of products.

Mr. Durden also advised that he has not been able to make a recommendation on the signage. He is planning to prepare a recommendation that would mount the signage on posts instead of directly onto the building.

Extensive discussions centered on the “Exclusion Items” as presented by Mr. Durden, which included commercial grade appliances, standard appliances, AV equipment.

Lorean then moved that Items 6A (residential grade double oven with convection—30 inch two units); 7A (residential grade 25 cubic feet French Door Low Freezer by Whirlpool); 8A (residential grade Vulcan 18 sheet pan mobile heated cart); and 9 (AV package: projector, speakers, mics, mixer/amp, installs) as outlined in Grit’s latest budget breakdown dated June 15, 2020, be approved. The motion was seconded by Mary Ann, which carried unanimously.

Lorean moved that Grit Design Build’s Work Order No. 3 be approved. The motion was seconded by Frank, which carried unanimously.

The Board then discussed increasing the original funding of \$1.2 million for the project. Mr. Durden's proposed construction estimated \$1.265 million and the Board just added some of the exclusion items and also the signage.

Following the discussion, Larry moved that the budget for the Community Center Project be increased to \$1.3 million. The motion was seconded by Lorean, which carried unanimously.

Item No. 8 The Board then considered the approval of payment for Pay Application No. 4 in the amount of \$112,385.47 from Grit Design Build, LLC, for the Kingsland Community Center Project.

Frank moved that Pay Application No. 4 in the amount of \$112,385.47 from Grit Design Build be approved for payment. The motion was seconded by Lorean, which carried unanimously.

Item No. 9 Next considered were items relating to the November 3, 2020, Director Election:

- a) Appoint Election Agent and Establish revised office hours for November 3, 2020 Election;
- b) Adopt an Amended Order Calling the Election;
- c) Approved election service contracts with Llano County and Burnet County; and
- d) Authorize such other actions as may be necessary to proceed with November 3, 2020 Director Election.

Tony, the District's legal counsel, briefed the Board on the changes from our usual elections held in May and this one during the general election. We will need to include polling places in Burnet County to accommodate the District's customers in that county, as well as those for Llano County. Since the amended order had to be adopted by August 17, 2020, Tony requested the Board to allow the staff and him to include the required polling places.

Frank then moved to approve the following: Appoint election agent and establish revised office hours for November 3, 2020, election; the adoption of the amended order calling the election; approve election service contracts with Llano County and Burnet County; and authorize such other actions as may be necessary to proceed with the November 3, 2020, election. The motion was seconded by Lorean, which carried unanimously.

Item No. 10 Then considered were property tax exemption matters:

- a) A request from a property owner to approve Homestead and Over 65 Property Tax Exemptions for District Taxes; and
- b) Consider action by the Board of Directors to adopt Homestead and Over 65 Property Tax Exemptions.

No one appeared on behalf of Mrs. Cedillo, the property owner, who had in her written request stated she was not aware of KMUD taxes at the time they requested to be annexed; however, the petition signed by both her and her husband clearly states they would be taxed.

Mary Ann advised that her research of the minutes indicated that the last time the Board discussed exemptions was in 2011 at which time the majority voted not to provide any exemptions. Also the Tax Code requires a taxing unit to adopt any exemptions by July 1st of any year to be effective; therefore any possible action by the Board would not affect this year's taxes.

Larry, Chair of the District's Revenue Committee, advised that the District has not yet received final appraisal tax rolls in order to calculate exemptions and what affect, if any, exemptions would have on the District's income.

Larry then moved that the two items above be postponed to the District's August Board meeting on August 24, 2020. Ken seconded the motion which carried unanimously.

Item No. 11 The Board then considered a request from a customer to waive \$30.00 return check fee.

Following a brief discussion, Frank moved that the request be denied. The motion was seconded by Larry, which carried unanimously.

Item No. 12 Consideration was then given to a request for discount of the \$500.00 legal deposit fee for annexation of property and the \$3,000.00 cost of equipment for sewer service.

Larry stated that to approve such a request would appear to be preferential.

Larry moved that the request be denied. The motion was seconded by Lorecan, which carried unanimously.

Item No. 13 Consideration was then given to approving for payment for non-recurring bills.

Invoices for payment had been received from (1) Jones-Heroy in the amount of \$400.00 for engineering services; (2) McLean & Howard in the amount of \$2,940.00 for legal services; and (3) MRB Group in the amount of \$3,872.00.

Frank moved that the invoices for (1) Jones-Heroy in the amount of \$400.00 for engineering services; (2) McLean & Howard in the amount of \$2,940.00 for legal services; and (3) MRB Group in the amount of \$3,872.00, be approved for payment. The motion was seconded by Ken, which carried unanimously.

Item No. 14 The Board then considered payment of invoices exceeding \$10,000.00.

Smith Pump had submitted Invoice #SI017522 dated June 30, 2020, in the amount of \$13,560.00; and

Momar, had submitted Invoice #PSI352909, dated July 13, 2020, in the amount of \$10,647.44.

Larry moved that each of the invoices listed above from Smith Pump and Momar be approved for payment. The motion was seconded by Ken, which carried unanimously.

Item No. 15 Next considered was approval of payment of the General Manager's expense reimbursement requests.

There were no requests.

Item No. 16 Consideration was then given to the Board of Directors' per diem fees and expense reimbursement requests for payment.

Following a brief discussion, Frank moved that the Board of Directors' per diem fees and expense reimbursement requests be approved for payment. The motion was seconded by Larry, which carried unanimously.

Item No. 17 The Board then considered approval of requests from Board members and General Manager to attend educational seminars.

New requests were:

Wastewater Treatment, Online, August 11-13, 2020, \$375.00 for Chance Jackson;
Wastewater Collection, Online, September 8-10, 2020, \$375.00 for John Smythe;
and
Activated Sludge, Online, September 15-17, 2020, \$375.00 for Cheyne Guitierrez.

Lorean moved that each of the above-listed requests be approved. The motion was seconded by Frank, which carried unanimously.

Item No. 18 Consideration was then given to the delinquent accounts report.

Frank moved to accept the delinquent report. The motion was seconded by Lorean, which carried unanimously.

Item No. 19 Then considered was a report and the authorization of penalties, if any, on noncompliance of the Grease Trap Ordinance. The staff did not recommend any penalties at this time.

Frank moved to accept the Grease Trap Ordinance report. The motion was seconded by Larry, which carried unanimously.

Item No. 20 Consideration was then given to the monthly written report by the General Manager.

Anita requested PTO for August 7 and 18, 2020.

Frank and Ken were scheduled to attend the Safety meeting on July 29, 2020.

Anita commented that she has been receiving calls about renting the Community Center for 2021; however, fees and contracts have not been discussed by the Board. It was suggested that Anita begin drafting potential list of proposed fees and work with Tony to put together a proposed contract.

Larry moved that the General Manager's report be approved including Anita's request for PTO. The motion was seconded by Ken, which carried unanimously.

Item No. 21 Each Committee Chairperson recommended acceptance of their respective report as follows:

Audit Committee—Frank Willingham, Secretary-Treasurer;
District Treasurer—Frank Willingham, Secretary-Treasurer;
Extension Committee—Lorean Sindelar, Director;
Finance Committee—Larry Denney, Vice President;
Insurance Committee—Lorean Sindelar, Director;
Investment Committee—Mary Ann Hefner, President;
Park Committee—Lorean Sindelar, Director;
Personnel Committee—Larry Denney, Vice-President;
Property/Easement Committee—Larry Denney, Vice President;
Records Management Committee—Mary Ann Hefner, President;
Revenue Committee—Larry Denney, Vice President;

Safety Committee—Frank Willingham, Secretary-Treasurer; and
Tax Committee—Frank Willingham, Secretary-Treasurer.

Frank moved that the reports as presented be accepted. The motion was seconded by Larry, which carried unanimously.

Items No. 22
and No. 23

The Board then gave consideration to the Administration and Operation Report and the Budget Expenditures.

Larry moved that the Administration and Operation Report and Budget Expenditures be approved. The motion was seconded by Frank, which carried unanimously.

Item No. 24

Consideration was then given to the establishment of interim policies, procedures and restrictions relating to District facilities and operations to limit the development, contraction and spread of COVID-19, including potential modifications to customer billing, payment and termination of service policies of the District.


Based upon information from Anita, Frank moved that there be no change in the existing procedures. The motion was seconded by Larry, which carried unanimously.

Item No. 25

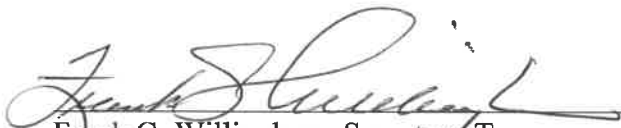
Larry moved to adjourn at 11:00 a.m. The motion was seconded by Frank, which carried unanimously.

A complete audio recording of this meeting is archived at KMUD Office, 100 Ingram Street, Kingsland, Texas, and will be maintained for at least 90 days following the date of approval of these minutes by the Board.

Approved:


Mary Ann Hefner, President

Attest:


Frank G. Willingham, Secretary-Treasurer



Public Board Meeting Attendance

Date: July 27, 2020

	Name and Address	Business / Firm	Phone #
1.	RANDY STUMBERG	MRRB GROUP	(254) 771-2054
2.	BELINDA STUMBERG	N/A	"
3.	Tom Corliss	MC	512-328-6432
4.	DAKOTA DARDEN	Grit	210-887-0242
5.	GREG FEARL	G R I T	210-818-2355
6.	Cassidy Shultz	Grit	210-723-4081
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