

**LUMBERTON MUNICIPAL UTILITY DISTRICT**

625 FM 421  
P.O. BOX 8065  
LUMBERTON, TEXAS 77657

FILED FOR RECORD  
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GLENDAL ALSTON  
COUNTY CLERK  
LUMBERTON, TEXAS  
BY *[Signature]*

OFFICE: (409) 755-1559

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May 12, 2017 #7 – R

**Chapter 551, Subchapter D, of the Texas Government Code**

**Notice of a Regular Meeting of the Board of Directors of the Lumberton Municipal Utility District, Lumberton, Texas.**

Notice is hereby given that a Regular Meeting of the Board of the Lumberton Municipal Utility District of Lumberton, Texas will be held in the Lumberton Municipal Utility District's office at 625 FM 421, MONDAY, THE 15<sup>TH</sup> DAY OF MAY AT 6:30 P.M., at which time the following items of business will be considered:

1. Prayer and Pledge to the Flag
2. Public Comments of Agenda Items
3. Approval of Minutes of April 17, 2017
4. Consideration and Possible Action – Employee Health Insurance, Mary Ann Graham
5. Consideration and Possible Action – Renewal of Long Term Disability for District employees, Principal Group, Mary Ann Graham
6. Consideration and Possible Capacity approval – Freedom Real Properties, LLC, Bumstead Road, 3 lots, Brandon Barnhart, owner
7. Consideration and Possible Capacity approval – Mouton RV Park, 2886 Hwy 69, 50 RV spots, Heath Mouton, owner
8. Consideration and Possible Approval – Resolution 2017-3, a Resolution establishing Continuing Disclosure Policy and Procedures of the Lumberton Municipal Utility District
9. Consideration and Possible Approval – Auditing services with Wathen, Deshong, and Juncker, LLP
10. Consideration and Possible action of Manager's Report
  - A. Presentation of Financial Statement and Accounts Payable
  - B. Presentation of Production Report and Operations Report
  - C. Presentation of Important Dates
11. Public Comments
12. Payment of Bills
13. Adjournment

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive session of the Board should be held or is required in relation to any agenda item included in this Notice, then such closed or executive meeting or session, as authorized by the Texas Open Meetings Act, will be held by the Board at the date, hour, and place given in this Notice concerning any and all subjects for any and all purposes permitted by §551.071-551.084 of the Texas Government Code and the Texas Open Meetings Act,

including, but not limited to, §551.071—for the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law.

**POSTED: May 12, 2017**

**Roger Fussell  
District Manager**

**REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
LUMBERTON MUNICIPAL UTILITY DISTRICT**

The regular meeting of the Board of Directors of the Lumberton Municipal Utility District was held on Monday, April 13, 2017, at 6:30 p.m. at the offices of the District pursuant to notice duly posted in accordance with the law. The following members of the Board were present:

David Desormeaux

David Pitchford

Nick Carter

Jimmy Burk

Roger Smith

Also present were Roger Fussell, Carla Belt and Robb Starr as employees of the District, Jeff Leavins of LJA Engineering and Kate K. Leverett of Germer PLLC as legal counsel for the District.

Agenda Item No. 1: Prayer and Pledge. A quorum being present, the meeting was called to order, the prayer was led by Roger <sup>SMITH DP</sup> ~~Fussell~~ and pledge was led by President Carter.

Agenda Item No. 2: Public Comments of Agenda Items. None.

Agenda Item No. 3: Minutes. The Minutes of March 20, 2017 were approved as presented.

Agenda Item No. 4: Capacity approval – Madison Park Subdivision, 41 lots, Frost Enterprises, Inc. President Carter recognized Jeff Leavins who informed the Board that a revised capacity study had been conducted. Originally the capacity study had reviewed whether sufficient capacity existed for 109 residential connections. The 109 residential connections have been reduced to 41 residential connections. Mr. Leavins informed the Board that sufficient capacity exists for 41

residential connections. Director Desormeaux made a motion to accept the revised capacity study and Director Smith seconded. The motion passed unanimously.

Agenda Item No. 5: Amendment to Capacity dated March 2, 2016, Walton Creek Subdivision, 30 lots, Robert Bodle, owner. The Board recognized Jeff Leavins who informed the Board that the original capacity study took into account 27 residential connections. An additional 3 lots have been added to the subdivision. Mr. Leavins confirmed that there is sufficient capacity to handle the additional 3 lots making it a total of 30 residential connections. Director Smith made a motion to accept the amended capacity study, and Director Desormeaux seconded. The motion passed unanimously.

Agenda Item No. 6: Construction approval Walton Creek Subdivision, 30 lots, Robert Bodle, owner. The Board reviewed the proposed Walton Creek Subdivision and after reviewing supporting documentation, Director Smith made a motion to approve the construction of Walton Creek Subdivision (30 lots), and Director Desormeaux seconded. The motion passed unanimously.

Agenda Item No. 7: Final approval Riverbirch, Phase II, Section II-B, 25 lots, James Abshire, owner. The Board reviewed the proposed drawing of Phase II, Section II-B of Riverbirch. After reviewing supporting documentation, Director Burk made a motion to approve Riverbirch, Phase II, Section II-B, 25 lots, and Director Smith seconded. The motion passed unanimously.

Agenda Item No. 8: Resolution No. 2017-2, Letter of Agreement for an Emergency Water Connection Between Lumberton Municipal Utility District and Water Necessities in the Beaumont Colony Subdivision, Kelly Brewer, owner. The Board recognized Mr. Fussell who informed the Board Mr. Brewer had approached the District requesting them to sign an Emergency Water Connection Agreement. Mr. Brewer had stated that the TCEQ requested he get one in place. The Agreement is similar to the previous one the District executed in 2006. The Agreement is for a

1-year term and places cost associated with the possible emergency connection on Mr. Brewer. The Board reviewed the Agreement and a discussion ensued. Director Burk made a motion to approve the District entering into the Agreement with Water Necessities, and Director Desormeaux seconded the motion. The motion passed unanimously.

Agenda Item No. 9: **Authorizing District Manager to sell surplus equipment thru Horn Auction Company.** The Board recognized Mr. Fussell who informed the Board that the District had spent a significant amount of funds continuing to repair one of the vehicles that was going to be sold at the auction, so the Board found that the vehicles were surplus. Director Smith made a motion to sell the surplus equipment thru Horn Auction, and Director Pitchford seconded the motion. The motion passed unanimously.

Agenda Item No. 10: **Manager's Report.**

A. **Presentation of Financial Statement and Accounts Payable.** The Board recognized Carla Belt who reviewed the monthly financial statements from Wells Fargo and BBVA Compass Bank together with the Wells Fargo collateral pledge. Ms. Belt then also reviewed the accounts payable followed by a review of the budget year-to-date and monthly accounting charts and graphs.

B. **Presentation of Production Report and Operations Report.** Mr. Starr had presented the Facility Summary for the Water Treatment and Wastewater Treatment Plants, noting no bad samples and all systems operating properly. Mr. Starr presented the Overtime Report for the month followed by the presentation of the Production Report. Questions followed from the Board, and Mr. Starr also reviewed the charts of water billed and water usage, including flushing and estimates of water leakage and non-meter water service. Mr. Starr stated that there were no injuries for the month and that overtime was

down due to getting well number four back in service. The Board discussed the meter count and possible issues with the software system.

**C. Presentation of Important Dates.** The Board then recognized Mr. Fussell who reminded the Board of the April 18 TCEQ workshop in Woodville, Texas.

Agenda Item No. 9: Public Comments. None.

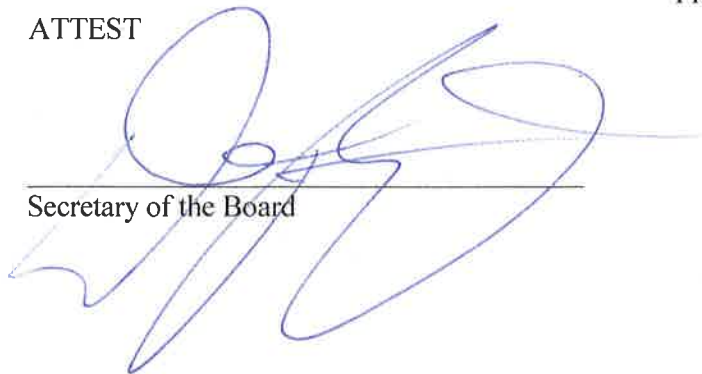
Agenda Item No. 10: Payment of Bills. After discussion and upon motion duly made by Director Pitchford and seconded by Director Desormeaux, the payments of bills were approved as presented.

Agenda Item No. 11: Adjournment. There being no further business, the meeting was adjourned at 7:42 p.m.



President of the Board

ATTEST



Secretary of the Board