

Approval of Minutes from  
April 19, 2021  
Board Meeting

**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 19, 2021, 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 Pitchford

David Desormeaux

Nick Carter

Roger Smith

Absent: Jimmy Burk

Also present were Robb Starr, Benny Lewis and Carla Belt as employees of the District, Jared Defrancis and Toby Davis of LJA Engineering, and Guy Goodson 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 at 6:33 p.m., the prayer was led by Director Smith and the pledge was led by President Carter.

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

Agenda Item No. 3: Minutes. The Minutes of March 22, 2021 were reviewed and approved as presented.

Agenda Item No. 4: Capacity and Construction Approval – Tejas Convenience Store at 457 North LHS Drive – Iraz, Inc., owner. The Board recognized Jared Defrancis who presented the capacity study. Mr. Defrancis noted the location and existing improved properties in the area and stated the request was for two commercial connections. He then reviewed design criteria and the evaluation of existing water and sanitary sewer and wastewater treatment capacities. Mr. Defrancis

said the District had adequate water well and storage capacity to meet TCEQ requirements for the proposed additional two commercial connections, and the existing 12" waterline on the west side of Highway 69 would provide service to the development without impact on the District's system or its pressure gradient. Mr. Defrancis noted the computer-generated water system model was used to analyze the impact of the development on the District's water distribution system which indicated a pressure of 55 Psi would have no impact on the sanitary sewer collection system. He then noted there were currently 75 connections on the existing 6" sanitary sewer line, and with the addition of the proposed development, the 6" gravity sewer line would be at approximately 41% of its design capacity. In conclusion, the report provided that the developer would be required to install approximately 150 linear feet of 6" sanitary sewer line north to Westgate Lane to tie into the existing sanitary sewer infrastructure. After presentation and upon motion duly made by Director Smith and seconded by Director Desormeaux, the Board gave capacity and construction approval to Tejas Convenience Store at 457 North LHS Drive, Iraz, Inc., owner.

Agenda Item No. 5: Construction Approval – Heritage Highlands Subdivision – 33 lots – Greentree Enterprise LLC, owner. The Board recognized the District Manager who identified the proposed development area for the project which consisted of 33 lots developed by Greentree Enterprise LLC, owner. Mr. Starr noted that the Board had provided approval for other facilities in the area and had previously provided capacity approval. Director Desormeaux asked as to the anticipated use of development, and Mr. Starr stated it would be single-family residential units. Mr. Starr noted that having already approved capacity, the developer was required and had provided all plans and approvals necessary. Mr. Starr recommended the Board consider approval of the construction request. After discussion and upon motion duly made by Director Smith and seconded

by Director Desormeaux, the Board provided construction approval to the Heritage Highlands Subdivision, 33 lots, Greentree Enterprise, LLC, owner.

**Agenda Item No. 6: Authorize District Manager to sign contract with CMS Security Network for Managed Services Agreement.** The Board received a presentation from the District Manager who indicated that after review of the CMS Security Network for Managed Services Agreement together with legal counsel, the matter be tabled until certain questions could be addressed to CMS.

**Agenda Item No. 7: Proposal for Engineering Services for the American Water Infrastructure Act Plan for the District – LJA Engineering.** The Board recognized Mr. Starr who indicated the American Water Infrastructure Act was a federal requirement for all water systems to provide critical information to Risk Resilience Assessment and an Emergency Response Plan. The deadlines were noted, and legal counsel stated the proposal under the cover letter of April 13, 2021 from LJA to the District was a work authorization under the General Engineering Services Agreement previously procured and undertaken between LJA Engineers and the District. After discussion and upon motion duly made by Director Smith and seconded by Director Desormeaux, the Board authorized execution of the proposal for engineering services for the American Water Infrastructure Act Plan.

**Agenda Item No. 8: Presentation Wastewater Plant and Collection System Improvements Bond Report – LJA Engineering.** The Board recognized Toby Davis who introduced members of the LJA team in attendance at the meeting and reviewed the updated wastewater treatment plant expansion and collection system improvement project. He initially reviewed the document which would be a portion of the District's voter information required for a general obligation bond issue. Mr. Davis reviewed the detail of work anticipated to be undertaken for the wastewater treatment plant expansion and sanitary sewer collection system improvement project and answered questions from the Board including those from President Carter as to whether certain facilities would be replaced or

removed and whether certain facilities would be retained following the capital improvement plan. Mr. Davis then reviewed the LJA opinion of probable project cost as to the wastewater treatment plant expansion and the collection system improvement aggregating a total of probable cost including non-construction cost of \$74,086,723. Mr. Davis also reviewed the engineering justification for the projects and the probable cost, and questions followed.

Agenda Item No. 9: Preliminary Approval – Wastewater Plant and Collection System Improvements Bond Report – LJA Engineering. Legal counsel was recognized and stated this matter was placed on the agenda so the Board could provide preliminary approval (not final) of the wastewater plant and collection system improvement project bond report so such could be provided to the Bond Committee which would be meeting to review the projects and get citizen and community input on the proposed bond issue. After discussion and upon motion duly made by Director Smith and seconded by Director Pitchford, the Board provided preliminary approval to the wastewater plant and collection system improvement bond report presented by LJA Engineering.

Agenda Item No. 10: Set date for the Bond Committee Meeting. The Board discussed possible dates for the Bond Committee meeting, and Mr. Starr indicated that while all Board members could not attend without posting an agenda, one or two Board members could attend. It was noted that the District was planning to set a Bond Committee meeting during the week of May 10, the week prior to the next regular scheduled meeting of the Board.

Agenda Item No. 11: Approval for Reimbursement – Robb Starr – District Manager – Zoom Video Communication. The Board reviewed the invoice for the Zoom video communication, and upon motion duly made by Director Smith and seconded by Director Desormeaux, the Board approved reimbursement to Robb Starr for Zoom video communication in the amount of \$115.48.

Agenda Item No. 12: Manager's Report.

**A. Presentation of Financial Statement and Accounts Payable – Carla Belt.**

The Board recognized Ms. Belt who provided the financial report beginning with a review of the bank account balances and the accounts payable aggregating \$424,289.18 for the month of April. Ms. Belt then reviewed the budget year-to-date and noted the revenues were above the budgeted amount and its expenses to date were below the budgeted amount. It was noted that for the month of March, the District showed a net income of \$79,327.12. Ms. Belt then reviewed the capital budget which noted expenditures of \$10,890.00 for Orbal Paddles. Ms. Belt noted the maintenance/repair budget showed expenditures of \$4,244.89 for lift station fence repairs and acquisition of a bandsaw. Ms. Belt reviewed the 5-year to month average report which was followed by a review of the overtime cost. She then concluded with a review of the refunds including two water misreads. Director Pitchford directed a question as to the misread, and Ms. Belt advised of the recent change in a meter reader. Ms. Belt also mentioned entries during March for customers providing adjustment for leaks due to the winter storm event.

**B. Presentation of Production Report and Operations Report – Benny Lewis.**

The Board then recognized Mr. Lewis who noted There were no recordable accidents for the month. Mr. Lewis briefly discussed the recent change in the water loss percentage and explained that there are some errors in the data transfer between systems that due to the time in which the District was making repairs through the Orbal, the District did have seven (7) wastewater treatment plant excursions, all tied to ammonia exceedances. Mr. Lewis then reviewed the District's productivity.

**C. Presentation of Current Projects – Robb Starr.**

1. **Customer Service Training/Employee Luncheon.** Mr. Starr stated that customer service training is scheduled for all employees followed by an appreciation lunch Wednesday morning.
2. **Capital Items.** Mr. Starr then gave a brief explanation of the lack of new vehicles available for purchase due to low inventory across the state.
3. **Waste Water Treatment Plant Permit.** We have received the new permit to discharge from the waste water plant. Limits have remained the same, however, when the EPA completes their stream study we will be issued a new permit with tighter limits.
4. **Website.** Mr. Starr stated that work had started on rebuilding the new website.

**D. Presentation of Directors' Reports.** None


Agenda Item No. 13: Public Comments. None.

Agenda Item No. 14: Payment of Bills. After discussion and upon motion duly made by Director Pitchford and seconded by Director Desormeaux, the accounts payable were approved for payment as presented.

Agenda Item No. 15: Adjournment. There being no further business, the meeting was adjourned at 7:53 p.m.

  
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President of the Board

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Secretary of the Board