

Approval of Minutes from
December 18, 2023
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, December 18, 2023, 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:

Jimmy Burk

David Desormeaux

David Pitchford

Nick Carter

Absent: Roger Smith

Also present were Robb Starr, Carla McGallion, Mike Tywater and Benny Lewis as employees of the District, Jared Defrancis 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 where the prayer was led by Director Pitchford 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 November 20, 2023 meeting were unanimously approved as presented.

Agenda Item No. 4: Presentation by Engineers – Wastewater Plant and Collection System Improvements Update - LJA Engineering. The Board recognized Jared Defrancis who reviewed the project status report dated December 18, 2023 noting numerous meetings between LJA Engineering and the District. Mr. Defrancis stated that a sequence of construction was developed and under review by District staff, and the TCEQ Discharge Permit had been issued and was under the

30-day comment period with expected final permit in hand by the end of January or beginning of February 2024. Mr. Defrancis noted the TWDB environmental review was unchanged and still awaiting approval. Mr. Defrancis stated once the finding of no significant impact (FONSI) was approved, the District would be required to advertise such for public comment again for 30 days before final approval. Mr. Defrancis reviewed the wastewater treatment plant project noting the Engineering Feasibility Report had been revised and resubmitted to TWDB on December 14. Mr. Defrancis then reviewed the sanitary sewer collection project noting the TCEQ approval of the Matthews manhole project and the Pineburr to Hord Road rehabilitation project. The Board was also presented with the Site Plan for the current alignment of the project and the summary of opinions of probable construction costs.

Agenda Item No. 5: Capacity Approval for Sweetgum Lane – 32 units, Pandey Real Property, LLC, owner. Mr. Defrancis presented a Site Plan showing the location of the proposed project and noted that Mr. Burrell of Pandey Real Property, LLC was proposing 32 residential connections on the west side of Sweetgum Lane, south of the intersection of Mitchell Road and Sweetgum Lane. Mr. Defrancis reviewed the project description and the water and wastewater systems that would be providing service and noted that while the water system and the 6-inch line on Sweetgum Lane would provide adequate service for the proposed development without impact as to the sanitary sewer system, the existing grinder lift station serving the present 40 residential connections in the area would not be adequate for the additional flow rates from this development, and it was recommended that the existing grinder lift station pumps now be replaced by the developer with larger pumps to support the development. After discussion and upon motion duly made by Director Burk and seconded by Director Pitchford, the Board unanimously provided capacity approval to Pandey Real Property, LLC

for its proposed 32 units on Sweetgum Lane, subject to the requirement for upgrading grinder lift station pumps as recommended by LJA Engineering.

Agenda Item No. 6: Capacity Approval for Park Road – 80 units, Lumberton PP LP, owner.

The Board again recognized Mr. Defrancis who provided a Site Map and Site Plan from Soutex Engineering. Mr. Defrancis reviewed the proposed development and its location on Park Road, approximately 850 linear feet west of Highway 69. Mr. Defrancis reviewed the design criteria for the project and the existing water production and distribution. He then followed with his analysis of the District facilities and recommendation that while the District had adequate water production storage and distribution facilities for the project, as to the sanitary sewer collection system, the developer would be responsible for constructing a lift station and force main to the 20-inch force main located on Ball Park Drive, and the new lift station would need to overcome a TDH of approximately 30 feet at the tie in point. A lengthy discussion followed and after review and upon motion duly made by Director Burk and seconded by Director Desormeaux, the Board unanimously provided capacity approval for the proposed park.

Agenda Item No. 7: Capacity Approval for Riverbirch Phase III – 47 lots, Birch Place One, LLC, owner.

The Board recognized Mr. Defrancis who provided his water and sewer capacity study for Birch Place One, LLC. After review of the site location and the proposed development system requirements, Mr. Defrancis reviewed the available water and sanitary sewer facilities along River Birch Drive, and then concluded that the District's water system facilities and wastewater system facilities were adequate to serve the area. After discussion and upon motion duly made by Director Desormeaux and seconded by Director Pitchford, the Board gave unanimous capacity approval to Birch Place One, LLC.

Agenda Item No. 8: Capacity and Construction Approval for Christian Brothers Automotive – 311 North LHS Drive, CBH Properties Lumberton LLC, owner. Mr. Defrancis provided site information and a description of the proposed development and requirements for the one commercial connection as well as water and wastewater system facilities in the area. Mr. Defrancis reviewed the system analysis and provided the conclusion that the District’s 12-inch sanitary sewer line and lift station had adequate capacity to serve this development. After discussion and upon motion duly made by Director Desormeaux and seconded by Director Pitchford, the Board provided capacity and construction approval for Christian Brothers Automotive.

Agenda Item No. 9: Manager’s Report.

A. Presentation of Financial Statement and Accounts Payable. The Board recognized Carla McGallion who presented the First Financial Bank statement of accounts showing deposits of \$32,106,590.01. Ms. McGallion also noted the District still had two remaining accounts at Wells Fargo Bank. Ms. McGallion then reviewed the accounts payable in the amount of \$345,336.72 and noted a significant payment for the fiscal year of 2024 water system permit issue through the Texas Commission on Environmental Quality. Ms. McGallion reviewed the budget year-to-date showing revenues for the month of November of \$712,717.56 and expenditures of \$622,311.19 for a net revenue of \$90,406.37. Ms. McGallion then reviewed the revenue comparison as well as refunds for the month in the amount of \$6,148.87 due primarily to two account misreads. Ms. McGallion closed with the monthly presentation of the financial graphs and charts, and the Board thanked Ms. McGallion for her report.

B. Presentation of Production Report and Operations Report. The Board recognized Benny Lewis who indicated the District had two exceedances at the wastewater treatment plant due to high PH limit and the 2 hour peak. Questions followed from the Board on the possible cause which

Mr. Lewis noted was probably equipment related. Mr. Lewis also reported on operational issues and the significant amount of service calls that were being addressed. Mr. Lewis noted the District's water loss in November was 7% and concluded the report after the presentation of the monthly charts and graphs on system operations and customer profiles as well as the complaint log showing that the complaints had decreased drastically as to water quality issues. The Board thanked Mr. Lewis for his report.

C. Presentation of Current Projects

- **Discussion of January and February Board Meeting Dates.** The Board recognized the District Manager who indicated that due to the holiday schedule, the Board would need to reset its January and February Board meetings. A review of the calendar followed, and it was recommended the District move its meetings back one week each month so that the Board would meet on January 22 and February 26. The Board concurred with the request, and legal counsel noted they would need to call its May 4 Directors' Election at the January 22 Board meeting.

D. Presentation of Directors' Reports. None.

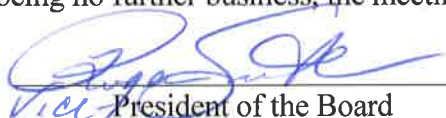
Agenda Item No. 10: Public Comments. None.

Agenda Item No. 11: Payment of Bills. After discussion and upon motion duly made by Director Pitchford and seconded by Director Burk, the accounts payable were approved for payment as presented.

Agenda Item No. 12: Adjournment. There being no further business, the meeting was adjourned at 7:15 p.m.

ATTEST

Secretary of the Board


Vice-President of the Board