

GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12

SPECIAL MEETING

May 16, 2022

The Board of Directors (Board) of the Galveston County Municipal Utility District No. 12 (District) convened for a **Special Meeting, May 16, 2022**, that was open to the public, at 7:30 p.m. at the District's Office located at 2929 Highway 6, Bayou Vista, Texas. A quorum of the Directors was present.

Position 1	Robert Atkinson, Vice President	Present
Position 2	Eric Moeller, President	Present
Position 3	Javier Bernal, Secretary/Treasurer	Present
Position 4	Newman Sharp, Director	Present
Position 5	Carl Aronson, Assistant Secretary/Treasurer	Present

Also present were Mr. Michael Bacon of Bacon, Wallace & Philbin, L.L.P., the District's Attorney; Mr. Bill Manning of Sander Engineering Corp., the District's Engineer; Ms. Wendy Rambin and Mr. Nathan White of TOPS, the District's Operator; Lydia Cook of the Ray Tax Group, the District's Accountant; Ms. Carrie Wortham, Ms. Sigrun Burke, Mr. Larry Robinson, Ms. Barbie Miller, Ms. Lisa Swackhamer, Ms. Marilyn Swanson, Mr. Sam Bass, Ms. Lila Bernal and Ms. Claudia Kaiser, Bayou Vista residents; and Ms. Robin Crawford-Secretary to the Board.

1. **Call the meeting to order.**

Director Moeller called the meeting to order at 7:33 p.m. The Pledge of Allegiance was said.

5. **Consider matters related to May 7, 2022, Directors Election:**

- (a) **Accept Statements of Officer and Conflict of Interest Forms;**
- (b) **Administer Oaths of Office;**
- (c) **Approve Certificates of Election;**
- (d) **Reconstitute Board of Directors;**
- (e) **Authorize the filing of Amended District Registration Form.**

Mr. Bacon proposed that after the unopposed election which had been cancelled to accept Statements of Officer, Conflict of Interest Forms, Oaths of Office, Certificates of Election, to Reconstitute the Board, and authorize Bacon, Wallace & Philbin L.L.P. to file accordingly.

After a brief discussion, a decision was made that Eric Moeller would be President of the Board with Robert Atkinson becoming the Vice-President. Javier Bernal will be the Secretary/Treasurer with Carl Aronson becoming the assistant Secretary/Assistant Treasurer. Director Sharp's title would be Director.

Everyone on the Board agreed to these positions.

Director Sharp made a motion to approve and Accept Statements of Officer, Conflict of Interest Forms, Oaths of Office, Certificates of Election, and the reconstitution of the Board.

Director Atkinson seconded the motion.

Motion carried all in favor.

2. **First order of business.**

Announcement by the President of the presence of a quorum, that the meeting was duly called, and the notice of the meeting was posted in the manner prescribed by law.

President Moeller announced the presence of a quorum, that the meeting was duly called, and the notice of the meeting was posted in the manner prescribed by law.

3. **Public Comments-agenda items only.**
There were no public comments.

4. **Consider Minutes and other records of previous Board of Directors meetings, including but not limited to: Regular Meeting-April 18, 2022:**

- a) **Regular Meeting of April 18, 2022.**

Director Bernal made a motion to approve the minutes of the regular meeting held April 18, 2022.

Director Sharp seconded the motion.

Motion carried all in favor.

6. **Bookkeeper's Report, including consideration of the following:**

- a) **Financial Statement and Investment Report for March 2022 and April 2022;**

- b) **Bank transfers;**

- c) **Payment of monthly bills.**

Director Bernal made a motion to approve the Bookkeeper's Report, including the Financial Statement and Investment Report for March and April 2022, bank transfers and payment of monthly bills.

Director Sharp seconded the motion.

Motion carried all in favor.

7. **Operator's Report, including consideration of the following:**

- a) **Operations, repairs, and maintenance of District facilities;**

- b) **Connection Activity;**

- c) **Water production and accountability;**

- d) **Regulatory Matters;**

- e) **Approve for signature the Release of Liability Agreement for Property Damage to Texas Gas Service for payment to Penn Credit Corporation for damages to 985 Bonita, Invoice # 1012 in the amount of \$1,456.75.**

Ms. Rambin reviewed the Operator's Report with the Board.

Mr. Bacon explained the need for a signature on the release of liability agreement. This release was for damages at 985 Bonita caused by Texas Gas Service.

Director Sharp made a motion to approve the Operator's Report and the release of liability agreement.

Director Aronson seconded the motion.

Motion carried all in favor.

8. **Engineer's Report:**

Approve pay estimates and change orders, approve easements, authorize advertisement for bids and Approve recommendation of awards and contracts as necessary;

Mr. Manning reviewed the Engineer's Report with the Board.

Mr. Manning has identified the parks. Power is available at some of the parks.

Mr. Bacon stated that his office was working on the reallocation of funds from the current bond proceeds. The reallocation of funds request will be submitted to the State as a change of scope for the use of surplus funds. This is not additional bond monies.

Director Bernal made a motion to approve the Engineer's Report.

Director Sharp seconded the motion.

Motion carried all in favor.

9. **Review the District's Emergency Preparedness Plan:**

- a) **Contract with Crowder Gulf for debris removal thru September 14, 2022;**
- b) **Pre-position contract with Garner Environmental Services, Inc. for necessary supplies in the aftermath of a disaster thru March 31, 2024, with a potential for two additional one-year extensions thereafter;**
- c) **Contract with Republic Waste for portable toilets and hand washing stations thru May 1, 2023;**

Mr. Bacon suggested to table this until next month.

Director Bernal made a motion to table the review of the District's Emergency Preparedness Plan until next month.

Director Sharp seconded the motion.

Motion carried all in favor.

10. **Public comments.**

Ms. Burke commented that by the time she receives the message from Iris alert, the water is already off – Director Moeller commented that a notice did go out the day before the outage.

Ms. Burke asked why the Crowder contract was ending September 14, 2022 – Mr. Moeller stated that before it expired it would be renewed. Mr. Bacon stated that most contracts are annual.

Director Bernal stated the District's Emergency Preparedness Plan had been tabled until next month to allow the Board members to further review and discuss the plan.

Ms. Wortham questioned the work with the lighting project, the roof on the Palapa is missing thatch and a water tap in front of the MUD building for the Saltwater Garden Club to plant a garden- Director Bernal stated this was something to consider, but he also wanted to make sure the Saltwater Garden Club would be able to maintain it.

Mr. Bacon stated the Palapa was built by the Lion's Club who are no longer in existence. He understands that a neighbor (Neptune Properties) had been maintaining it at their own expense, but the Palapa had been a public facility. He recommended that alcohol should be the determining factor for a security deposit, rental agreement, and security. The Palapa discussion will be tabled until the next month's meeting.

Mr. Bacon recommended the Election sign policy should be a consistent policy along with the City of Bayou Vista for the use of public property and on the public property that has been used in the past. The only campaign signs he recommended were signs funded and approved by election candidates' official campaigns.

Ms. Kaiser stated it would be a good idea for the MUD #12 to work with the City on the Election sign policy.

Ms. Kaiser stated MUD #12 already had a rental agreement, why can't it be used for the Palapa – Mr. Bacon said it was completely up to the Board how to handle the Palapa rental. Mr. Bacon recommended that alcohol should be the determining factor if a rental agreement is needed.

Ms. Wortham stated do as the City does and have the first come first serve policy – Mr. Bernal stated this will be looked at by the Board - Mr. Moeller suggested to table this item until the next month's meeting. Mr. Bacon mentioned the liability and insurance issue, and suggested it be treated as a general usage public facility unless it is a major event, and they want to reserve and again drawing the line at alcohol.

11. **Other matters that may come before the Board.**

There were no other matters.

12. **Adjournment.**

Director Bernal made a motion to adjourn with Director Sharp seconding the motion which unanimously carried; the Board adjourned at 8:34 pm.

Respectfully Submitted,
Robin Crawford


Eric Moeller, President


Javier Bernal, Secretary/Treasurer