

# GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12

## **SPECIAL MEETING/REGULAR MEETING DECEMBER 1, 2020**

The Board of Directors (Board) of the Galveston County Municipal Utility District No. 12 (District) convened for a **Special /Regular Called Meeting, December 1, 2020**, that was open to the public, at 5:30 p.m. at the District's Office located at 2929 Highway 6, Bayou Vista, Texas. A quorum of the Directors was present.

Position 1	Richard Matthews, President	Present
Position 2	Eric Moeller, Vice President	Present
Position 4	Newman Sharp, Director	Present
Position 5	Director	Vacant
Position 3	Ray Cruse, Secretary/Treasurer	Present

In attendance: Bayou Vista residents-Carl Aronson, Gretchen Schroeder, Carol Wortham, Lou Wortham, Tess Stone, Ray Stone, Harry Finley, Shelby Dill and Barbie Miller, Colleen Bevans, Shari Forrester, Lisa Swackhammer, and Robert Young, Omega Bay residents-D.J. Matthews, Georgia Sharp, Danny Barnes, Patty Shipley, Leslie Cruse and Sam Farrell; Bill Manning- District Engineer; Nathan White, Mike Curran, and Wendy Ramin- TOPS District Operator; Michael Bacon-District Attorney; Lydia Cook-District Accountant and Robin Crawford-Billing Clerk.

### SPECIAL MEETING

1. **Call the meeting to order.**  
President Richard Matthews called the meeting to order at 5:30 p.m.
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 Matthews 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. **Executive Session to discuss the candidates to fill the Board vacancy.**  
The Board retired into Executive Session.
4. **Adjournment.**  
The Board returned into Open Session at approximately 6:05 p.m.

### REGULAR MEETING

1. **Call the meeting to order.**  
President Richard Matthews called the meeting to order at 6:06 p.m.
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 Richard Matthews 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. **Consider the appointment of new Director to fill the Position 5 vacancy on the Board.**

- (a) **Administer Oath of Office**
- (b) **Execute Statement of Officer**
- (c) **Execute Affidavit of Director**
- (d) **Reconstitute Board of Directors**
- (e) **Approve the filing of Amended District Registration Form.**

Richard Matthews presented Dr. Carl Aronson and Javier Bernal for a vote for the new member of the Board of Directors. Dr. Aronson received 3 votes to become the new Board member.

The Board was reconstituted.

Mr. Matthews-President

Mr. Moeller-Vice President

Mr. Cruse-Secretary/Treasurer

Mr. Aronson- Assistant Secretary

Mr. Sharp-Director.

Eric Moeller made a motion to approve the Oath of Office, to execute the Statement of Officer, execute the Affidavit of Director, the filing of the Amended District Registration Form and the reconstituting of the Board.

Newman Sharp seconded the motion.

Motion carried with all in favor.

4. **Public Comments-agenda items only with a 2-minute limit. The Board and Consultants may or may not answer.**

Barbie Miller asked about the Palapa rental contracts. Mr. Bacon described why the new contract were necessary but should not affect the existing rules.

5. **Consider Non-Board Approved Minutes and other records of previous Board of Director meetings for correction as needed, including but not limited to:**

- a) **Revised- Public Hearing/Regular Meeting September 30, 2020**
- b) **Regular Meeting October 19, 2020.**

Eric Moeller made a motion to approve the revised minutes of the Public Hearing/Regular Meeting of September 30, 2020 and the Regular Meeting of October 19, 2020.

Newman Sharp seconded the motion.

Motion carried with all in favor.

6. **Ratify the approval of the recommendation by Lydia Cook for the employer contribution to the employee's retirement fund.**

Lydia Cook reviewed the recommendation for the employer contribution to the employee's retirement fund.

Eric Moeller made a motion to approve the recommendation by Lydia Cook for the employer contribution to the employee's retirement fund.

Newman Sharp seconded the motion.

Motion carried with all in favor.

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

- a) **Financial Statement and Investment Report for September 2020 and October 2020.**
- b) **Bank transfers**
- c) **Payment of monthly bills.**

Lydia Cook reviewed the Financials with the Board.

Eric Moeller made a motion to approve the Financial Statement and Investment Report for September 2020 and October 2020, bank transfers and the payment of monthly bills.

Newman Sharp seconded the motion.

Motion carried with all in favor.

8. **Approve the Upgrading of the Mobile Transceiver & Hot Rod Mobile Software Suite and Upgrading any failed Hot Rod Radio and Translator registers to SSR registers and MiNode Radios.**

Nathan White presented the proposal for the upgrading of the Mobile Transceiver and Hot Rod Mobile Software Suite at a cost of \$6,000.00. The District would pay this directly vs TOPS paying and the District reimbursing TOPS. He recommended not stockpiling meters.

Eric Moeller made a motion to approve upgrading of the Mobile Transceiver & Hot Rod Mobile Software Suite for \$6,000.00 while declining any additional stockpile units.

Newman Sharp seconded the motion.

Motion carried with all in favor.

9. **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 and**
- e) **Recommendations for account services, including disconnection of accounts.**

Nathan White with TOPS reviewed the Operator's Report with the Board. He noted the Omega Bay lift station pump needs to be replaced at an estimated cost of \$7,000.00 as the pump is at the end of its life cycle.

Eric Moeller made a motion to approve the Operator's Report including the Operations, repairs, maintenance of District facilities, connection activity, water production and accountability; regulatory matters and recommendations for account services, including disconnection of accounts.

**Agenda item # 9 continued.**

Newman Sharp seconded the motion.

Motion carried with all in favor.

**10. Engineer's Reports**

**Approve pay estimates and change order, approve easements, authorize advertisements for bids and approve recommendation of award and contracts, as necessary.**

Bill Manning reviewed the Engineer's Report with the Board. He is working on project plans for new clarifiers. The plan will require temporary clarifiers. He is working with the bank and attorney concerning financing issues for the project. He is working with the Operator on a 5-year Capital Improvement Plan. Mr. Manning described and discussed the Wastewater Treatment plan options with the Board and Attorney. The Board agreed with the plan.

Eric Moeller made a motion to approve the Engineer's Report.

Newman Sharp seconded the motion.

Motion carried with all in favor.

**11. Consider the Palapa Rental Agreement, Palapa Rental Agreement Addendum, Palapa Rental Regulations and Security Duties Agreement.**

The Board reviewed the Palapa Rental documents.

Eric Moeller made a motion to approve the Palapa Rental Agreement, Palapa Rental Agreement Addendum, Palapa Rental Regulations and Security Duties Agreement with the following amendments:

1. One point of contact for emergencies
2. Security deposit refunded if the event is cancelled
3. Midnight deadline for usage
4. No open flames or fire rings within the Palapa facility.

Newman Sharp seconded the motion.

Motion carried with all in favor.

**12. Consider a resolution regarding the placement of political signage on District property.**

The placement of political signs on District property was discussed. Michael Bacon can prepare A resolution which would require a request from any entity wishing to post signs on District property, without discrimination. The Board will consider at next meeting.

13. **Consider the requested meeting dates for the Omega Bay Meetings in 2021.**

Newman Sharp made a motion to approve the requested meeting dates for the Omega Bay Meetings in 2021.

Eric Moeller seconded the motion.

Motion carried with all in favor.

14. **Consider the District's 2021 Holiday Schedule.**

Eric Moeller made a motion to approve the District's 2021 Holiday Schedule.

Newman Sharp seconded the motion.

Motion carried with all in favor.

15. **Attorney's Report.**

Michael Bacon reported he is reviewing the AEI Design with Bill Manning. He reviewed the Open Records billing as well as Public Utility Commission billing.

16. **Public Comments.**

Items which were commented on were:

What authority or the lack thereof, does the District have to perform dredging work (canal water survey)? Mr. Moeller noted the study was done due to the need to determine the effluent impact on the canal. Mr. Bacon advised the District does have legal authority to perform drainage work.

The extra billing costs on the fine screen and consultant fees was in question.

17. **Other Matters that may come before the Board.**

There were no other matters.

18. **Executive Session.**

The Board did not go into Executive Session.

19. **Adjournment.**

Eric Moeller made a motion to adjourn with Newman Sharp seconding the motion which unanimously carried; the Board adjourned.

Respectfully Submitted,  
Sharon Ballard



Richard Matthews, President



Ray Cruse, Secretary/Treasurer