

The Board of Directors of Brown County Water Improvement District No. 1 convened in a regular meeting at 4:00 pm, October 10, 2023, in the office of the District at 501 E. Baker, Brownwood, Texas. This meeting was called to order by Mr. James McMillian; pledged led by Mr. Brad Simpson; and invocation by Mr. Jimmy Jones. Mr. Bert Massey and Mr. Johnny Hays were also present. General Counsel, Chris Munson, was present. Other District staff members present: Mr. John Allen, Mr. Dale Weaver, Mr. Cody Shannon, Ms. Kay Silva, and Ms. Alveza Marin.

MINUTES

Board considered minutes from the regular meeting held on September 12, 2023. After review, Mr. Hays indicated a correction be made to Item 1 in the General Manager Report that read as follows, "Stage 2 drought stage is reached at 1417 feet msl, 11 feet low." 11 feet low is the drought stage indicator for Stage 3. Correct and change to 8 feet low as 8 feet is the indicator for Stage 2. Mr. Hays also indicated his last name was misspelled in Item 14 Adjournment. Make correction from "Hayes" to "Hays". Mr. Jones then moved to approve the September minutes, contingent upon the two (2) indicated corrections, seconded by Mr. Hays. There being no further discussion, motion carried.

CLAIMS & ACCOUNTS

Claims, accounts & checks issued October 9, 2023, in a total amount of \$236,363.72 consisting of checks 31168-31238 were reviewed and approved as presented by motion by Mr. Jones, seconded by Mr. Hays. There being no further discussion, motion carried.

INVESTMENT REPORT

Investment Report for September 2023 & Revenue and Expenditure Report for August 2023 were considered. After discussion, Mr. McMillian moved to approve these reports as presented, seconded by Mr. Jones. There being no further discussion, motion carried.

CITIZEN PRESENTATIONS:

There were none.

EMPLOYEE HEALTH RENEWAL APPROVED EFFECTIVE DEC 1, 2023

Bart Johnson Sr with Painter & Johnson Assoc. was present addressing the Board regarding renewal of the District's group health insurance. He reviewed the direct renewal policy with Blue Cross Blue Shield (BCBS), P620CHC, that is offered at an approximate 2% increase and a cost of \$1280.15 per employee. A fifteen percent (15%) increase was budgeted for the current fiscal year for health insurance. The out of pocket maximum did increase from \$1250.00 to \$1500.00 as well. Mr. Johnson recommended renewing with the same BCBS policy, P620CHC. Mr. Johnson then reviewed the direct renewal dental insurance with BCBS that is at a current cost of \$32.07 per employee. BCBS quoted a direct renewal with the current dental plan at an approximate 6% reduction and a cost of \$30.12 per employee. After a brief discussion, Mr. Jones moved that for the next term beginning December 1, 2023, the Board renew with the current BCBS health insurance policy, P620CHC; and BCBS dental insurance at the rates presented, seconded by Mr. Hays. There being no further discussion, motion carried.

***BCBS Health Insurance renewal effective December 1, 2023:

\$1280.15	monthly rate per employee	\$0	Preferred Generic Rx
\$30.00	Office visit copay/medical visit	\$10.00	Non-preferred Generic Rx
\$60.00	Office visit-Specialist	\$35.00	Preferred Brand Name Rx
\$250.00	In-network deductible	\$75.00	Non-Preferred Brand Name Rx
\$1500.00	Out of pocket maximum	\$150.00	Specialty Drug
80%	In-network coverage	\$300	ER Copay

***BCBS Dental Insurance renewal effective December 1, 2023:

\$30.12	Monthly Rate per Employee
\$50.00	deductible per Employee
\$1500	Benefit Year Maximum per employee

2022-2023 FISCAL YEAR AUDIT APPROVED

Mr. Michael Hamby with Merritt, McLane & Hamby, P.C., at 500 Chestnut St., Abilene, Texas presented the District's 2022-2023 fiscal year audit reporting that the year ended in accordance with accounting principles generally accepted in the United States of America. There were no instances of deficiencies in controls; office staff provided all documents and materials that were requested; and there were no findings to report. After a brief discussion, Mr. Jones moved to approve the audit as presented, seconded by Mr. Simpson. There being no further discussion, motion carried.

REPORT BY PARKS & WILDLIFE INLAND FISHERIES VERIFYING THAT NO INVASIVE PLANTS WERE FOUND AT LAKE BROWNWOOD, BUT

Mr. Michael Homer, Abilene Inland Fisheries District Supervisor for the Texas Parks & Wildlife, was present with a power point presentation on his recent investigation of an invasive plant species thought to have been spotted at Lake Brownwood. In reference to zebra mussels, he restated that Lake Brownwood is fully infested and was classified in 2021 after an adult mussel was discovered, reported to Texas Parks & Wildlife, a lake wide survey was performed, and multiple size classes of the zebra mussels were found at

WATERMILFOIL FOUND
AT TREATMENT PLANT

Lake Brownwood. After the most recent site investigation performed with the District, a native and noninvasive plant known as Coontail was found at Lake Brownwood. No other invasive plants were found at Lake Brownwood. However, Eurasian Watermilfoil was found at the District's water treatment plant, an invasive plant species that can be transported by waterfowl during migratory season. He reported that the District did have a contractor come to the water treatment plant for treatment of this invasive plant. Mr. Homer stated he will keep an eye on Lake Brownwood and that another survey is planned for next summer to look at plant cover and other structural habitat.

REQUEST TO AMEND
WATER SUPPLY CONTRACT
WITH CITY OF BROWNWOOD
DECLINED

Mr. Ray West, Legal Counsel representing Brooksmith Special Utility District (BSUD) at 1100 CR 554, Brownwood, Texas, was present, along with Mr. Steve Adams, BSUD General Manager, to request an amendment to the Water Supply Contract between the Brown County Water Improvement District (District) and the City of Brownwood for the removal of the language in the contract that gives the City of Brownwood priority for the delivery of treated water in an emergency situation. In connection to a current application BSUD has with the United States Department of Agriculture (USDA) for the improvement and expansion of their system, Mr. West was present making the request for the removal of the priority language as it is a condition that was presented by the USDA. After some discussion, Mr. Hays moved to decline the request to amend the existing Water Supply Contract between the District and City of Brownwood for the removal of the priority language in the contract, seconded by Mr. Jones. After continued discussion, Mr. Jones moved to approve preparation of a resolution, to be approved by legal counsel, declining the request and authorize the District's General Manager to execute said resolution, seconded by Mr. Simpson. There being no further discussion, both motions passed.

UPDATE: ZEBRA MUSSEL
ABATEMENT PROJECT

General Manager informed that the zebra mussel abatement project is reaching its end. The only update with the project is that the building is here and in place. The contractor continues to work on minor details such as placing doors and the air conditioner unit. It should be up and operational by the end of October or the beginnings of November 2023. The District continues to submit payments, but its completion is near.

DEPARTMENT
ACTIVITIES REPORTS

Department supervisors then came forward and informed the Board of their recent and ongoing projects: Mr. Dale Weaver, Field Operations; and Cody Shannon, Water Treatment Plant. Mark Davis, Lake Patrol, was not present at this meeting.

GENERAL MANAGER REPORT

1. Current lake level: 1416.8 feet msl or 8 feet 2 tenths feet below Spillway level. Brown County returns to Stage 2 with mandatory restrictions.
 - *Stage 1 drought stage is reached at 1420 feet msl, 5 feet low.
 - *Stage 2 drought stage is reached at 1417 feet msl, 8 feet low.
2. Lake Capacity: Current 61.7%. One (1) year ago, 63.6%. Last month 62.7%.
3. Current Drought Restrictions Recap:
 - **July 15, 2022*- Declare Stage 1 of the drought restrictions as it fell to 1419.10, below 1420msl due to no rainfall. In this first stage of drought restrictions in which the public is asked to voluntarily conserve water.
 - **November 8, 2022*-Declare Stage 2 drought restrictions when Lake Brownwood reached 8 feet low or 1417 msl. Restrictions include mandatory time of day and day of week watering schedules.
 - **May 10, 2023*-Declare return to Stage 1 voluntary restrictions.
 - *August 23, 2023-Declare return to Stage 2 mandatory restrictions as Lake Brownwood reached an approximate 8 feet low or 1417 msl.
 - **Sept 12, 2023*-Lake level 7 feet 9 tenths below Spillway, remain in Stage 2.
 - *Media and customers continue to be updated weekly regarding lake levels.
 - *Average lake capacity percentage statewide: 65.5%
 - *Year to date totals: Precipitation information still not available.
4. Treatment Plant Totals-Sept2023-Avg 6.992mgd/Min 5.066mgd/Max 9.074 mgd.
5. New platform for fishing tournament weigh-ins near Dam parking lot- Project continues. Continue to request bids from dock builders for pilons. One (1) bid has been submitted.
6. Treatment plant ACH supply- No changes to status. Work continues to resolve the Brenntag ACH chemical supply delivery issue of elevated amounts of

aluminum oxide from May 8, 2023. This led to hardening of the chemical into lumps. District continues to wait to have the bad load pumped out of District's tank and replaced. Cleanup crew has not arrived.

6. Eurasian Milfoil has been found at the District's water treatment plant reservoir Steven Bardin with Texas Pro Lake Management has been hired to help treat this invasive plant species. Grass Carp have been ordered. Should arrive this month.
7. Region F-Meeting scheduled for October 19, 2023, in Big Spring. Will attend.
8. New boat for District's Lake Patrol- Work is underway to find a new boat.
9. Encapsulated flotation violation-District informed of a dock without encapsulated flotation previously sold as is. Letter for dock removal has been issued.
10. Early oil spill on August 17, 2022- General Manager informed that this matter is at a standstill. Mr. Wyman Kelcy previously assured that he will repay the District the amount of \$12,485.22; costs incurred in the cleanup of the oil spill. An Installment Note was prepared by District's Legal Counsel and sent Certified Mail via USPS to Mr. Wyman Kelcy on August 1, 2023, to set up and begin a payment plan. District has not received response from Mr. Kelcy. General Manager and District's Legal Counsel have spoken again regarding this matter and have deemed it necessary that if Mr. Kelcy fails to respond or begin payments,

EXECUTIVE SESSION

At approximately 5:18 pm, the Board convened into a closed executive session pursuant to Section 551.072 of the Texas Open Meetings Act to consult with its attorney regarding property matters; Section 551.071 regarding possible litigation; and Section 551.0726 regarding contract negotiations.

RECONVENE

At approximately 6:44 pm, the Board reconvened back into open session. There was nothing to consider from Executive Session.

ADJOURNMENT

Therefore, at approximately 6:45 p.m., Mr. Hays moved to adjourn, seconded by Mr. Jones. There being no further discussion, motion carried unanimously.

Adjourned:


Bert V. Massey, President


Jimmy Jones, Secretary