



# BEAR CREEK SUD

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**Date:** January 23, 2023      **Time:** 6:31PM

## MINUTES OF REGULAR BOARD MEETING

**Call to order by:** President Chris Elder

**Directors Present:** Chris Elder, Robert Haynes, Lisa Block, Herman Stork, Deborah Fato, Leticia Harrison, Colby McClendon

**Directors Absent:** None

**Public Comment:** None

**Consent Items:**

- Approval of Minutes of Regular Meeting on December 12, 2022.
- Approval of December 2022 Financials.
- Approval of December 2022 General Manager Report

*Motion made by Director H. Stork, seconded by Director C. McClendon to approve Consent Agenda Items. Motion carried unanimously.*

**Regular Agenda Items:**

- A. Update on Pump Station No. 2 project. *Manager C. Reagan provided an update on the construction of the new pump station and shop building. Plans for the shop building are being designed and should be ready for the February board meeting. Collin County notified BCSUD that the address of the pump station would be changing because of the renaming of the street. The new address will be 701 Traditions Drive.*
- B. Discuss, consider, and adopt Resolution Calling May 6, 2023, General Election of Directors – Order of Election.

*Motion made by Director L. Block, seconded by Director H. Stork to adopt Resolution 2023-01-23-01, Calling the Election of the Board of Directors for BCSUD for May 6, 2023. Motion carried unanimously.*

- C. Discuss and consideration of Board member meeting attendance. *President C. Elder discussed meeting attendance of board member, Deborah Fato. Director Fato missed eleven meetings of the last twelve meetings. Director Fato stated that she wanted an Executive Session to talk freely with the board only. Attorney Fancher stated that the meeting could not adjourn to Executive Session for that reason under the Texas Open Meetings Act.*

*Motion by Director R. Haynes, seconded by Director H. Stork to remove Director Fato as a board member for meeting attendance pursuant to Section 49.052(g) of the Texas Water Code.*

*The President called roll for the vote:*

*Director Haynes: Approved*

*Director Block: Approved*

*Director McClendon: Approved*

*Director Stork: Approved*

*Director Elder: Approved*

*Director Harrison: Approved*

*Director Fato: Unapproved*

*Motion Carried.*

*Deborah Fato left the meeting at 7:05pm.*

- D. Discussion and consideration of addition of insurance language to the template of the Non-Standard Service Agreement.

*Manager Reagan and Attorney Fancher provided an update on recommended insurance language for the template Non-Standard Service Agreement. Motion by Director H. Stork, seconded by Director R. Haynes to include insurance language in the BCSUD Non-Standard Service Agreement. Motion carried unanimously.*

- E. Discuss and consideration of Director pay/stipend.

*Motion by Director R. Haynes, seconded by Director C. McClendon to approve Resolution 2023-01-23-02, Regarding Fees of Office for Directors not to exceed \$100 per day or \$7,200 per year as set forth in Section 49.060(a-1) of the Texas Water Code. Motion carried unanimously.*

- F. Discussion of Cyber Security training requirements. *Manager C. Reagan detailed the requirements of cyber security training from computer support staff. All board members and employees will be required to have cyber security training in order to have a BCSUD email address.*

*Motion by Director C. McClendon, seconded by Director L. Block to eliminate board member email addresses. Motion carried unanimously.*

G. Discuss and consideration of Dates and Times of Bear Creek SUD Monthly Board Meetings. *Manager C. Reagan discussed that several board meetings are scheduled for holidays. The February 20, 2023, meeting is President's Day and will be moved to February 27, 2023. All other meeting dates will be discussed prior to the meeting.*

**Board to Set Future Meetings and Agendas:**

*President, C. Elder, asked if anyone had any future meetings to be set or any items for future agendas.*

*Next Regular Board Meeting set for February 27, 2023, at 6:30 p.m. due to the holiday on the third Monday of the month.*

*Agenda items for February 2023 Board meeting: Shop plans and Rate Study.*

*Director L. Harrison left meeting at 7:34pm.*

**Adjournment to Executive Session at 7:34PM:**

**Executive Session:**

**Executive Session Call to Order at 7:40PM.**

**Executive Session Agenda Item:**

- (A) The Board recessed into closed or executive session to discuss the following:
  - (1) Texas Government Code Sections 551.071 and 551.072 - Discussion and possible action on TxDOT filing of condemnation suit related to Bear Creek SUD property on FM 552.
  - (2) Texas Government Code Section 551.074 - Personnel Matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complain against an officer or employee.
  
- (B) Reconvene into Regular Session and take any action necessary as a result of the Executive Session.

**Adjourn Executive Session at 7:52PM**

In accordance with Texas Government Code, Chapter 551, President Chris Elder reconvened the meeting at 7:53PM and stated that no action was taken in executive session.

- (A) Discussion and action regarding personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee ore to hear a complaint against an officer or employee – General Manager.

*Motion made by Director R. Haynes, seconded by Director L. Block to approve a 7% salary increase for the General Manger. Motion carried unanimously. Director L. Harrison absent.*

**Adjournment of Regular Meeting at 7:55PM.**

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Chris Elder, President

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Lisa Block, Secretary

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Camille Reagan, Recorder