



# BEAR CREEK SUD

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Lavon, Texas 75166

**Date:** September 19, 2022    **Time:** 6:30PM

## MINUTES OF REGULAR BOARD MEETING

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

**Directors Present:**                  Chris Elder, Robert Haynes, Lisa Block, Leon Marshall, Colby McClendon

**Directors Absent:**                  Deborah Fato, Leticia Harrison

**Public Comment:**                  None

### **Consent Items:**

Approval of Minutes of Regular Meeting on August 15, 2022.  
Approval of August 2022 Financials.  
Approval of August 2022 General Manager Report

*Motion made by Director C. McClendon, seconded by Director R. Haynes to approve Consent Agenda Items. Motion carried unanimously. Director Fato and Director Harrison absent.*

### **Regular Agenda Items:**

A. Update on Pump Station No. 2 project and Existing Underground Tank. *Manager C. Reagan provided an update on the construction of the new pump station. The new tank was placed in service on September 13, 2022. The existing 500,000-gallon underground tank was taken out of service on September 14, 2022, for major repairs.*

*Motion made by Director R. Haynes, seconded by Director L. Marshall to approve \$500,000 for the repair of the 500,000-gallon underground storage tank. Motion carried unanimously. Director Fato and Director Harrison absent.*

B. Discussion and possible action on selection of consultant to conduct a Rate Study. *Three vendors submitted proposals to perform a Water Rate Study.*

*Motion made by Director R. Haynes, seconded by Director L. Block to accept Raftelis as the most highly qualified provider for performing the 2022 Water Rate Study in accordance with the Professional Services Procurement Act and to authorize execution of the contract for Raftelis to proceed. Motion carried unanimously. Director Fato and Director Harrison absent.*

- C. Discussion and possible action related to North Texas Municipal Water District 2022/2023 Rate Increase and impact to Bear Creek SUD water rates. *The rate increase for 2022/2023 for water purchases will be 13%. Discussion with no action related to the rate increase until the water rate study is complete.*
- D. Discussion and possible action on Updates to BCSUD Rate Order Regarding Administrative Fees. *Discussion of eliminating the requirement of deposits and requiring a non-refundable administration fee for all new customers. The Board discussed that the non-refundable administration fee will be tied directly to BCSUD costs related to creating new accounts. The Board reviewed Rate Order language that makes clear that those with refundable deposits with BCSUD are eligible to receive the deposit back in accordance with the Rate Order provision in effect at the time the person applied for service. The non-refundable administration fee applies only to new applications for service.*

*Motion made by Director R. Haynes, seconded by Director C. McClendon to change deposits to a non-refundable administrative fee for new customers and set the rate at \$250.00 for owners and tenants and to approve the corresponding revisions in the BCSUD Rate Order. Motion carried unanimously. Director Fato and Director Harrison absent.*

- E. Discussion and possible action on purchase of Utility Vehicle. *Discussion on the purchase of a utility vehicle for gaining access to cross country lines and inspection of the installation of water infrastructure in new areas.*

*Motion made by Director C. McClendon, seconded by Director L. Block to purchase a utility vehicle not to exceed \$25,000 using funds from the System Expense budget item. Motion carried unanimously. Director Fato and Director Harrison absent.*

- F. Discussion and possible action on TxDOT filing of condemnation suit related to Bear Creek SUD property on FM 552. *Attorney Fancher requested to adjourn to Executive Session to discuss this agenda item.*

### **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.*

*Future Meeting set for October 17, 2022, at 6:30 p.m.*

### **Adjournment to Executive Session for Consultation with Attorney (551.071 Tex. Government Code) at 7:21PM:**

### **Executive Session:**

**Executive Session Call to Order at 7:22PM.**

**Executive Session Agenda Item:**

- (A) The Board may recess into closed or executive session to discuss the following:
  - (1) Discussion and possible action on TxDOT filing of condemnation suit related to Bear Creek SUD property on FM 552.
- (B) Reconvene into Regular Session and take any action necessary as a result of the Executive Session.

**Adjourn Executive Session at 7:30PM**

In accordance with Texas Government Code, Chapter 551, President Chris Elder reconvened the meeting at 7:30PM and stated that no action was taken in executive session.

*Motion made by Director R. Haynes, seconded by Director L. Marshall to respond to the TxDOT filing of condemnation. Motion carried unanimously. Director Fato and Director Harrison absent.*

**Adjournment of Regular Meeting at 7:32PM.**

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Chris Elder, President

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Rober Haynes, Vice-President

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Camille Reagan, Recorder