

MINUTES OF MEETING  
OF  
SENNA HILLS MUNICIPAL UTILITY DISTRICT

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

A meeting of the Board of Directors of Senna Hills MUD was held at 7:10 a.m. on January 29, 2021 by remote access only in accordance with the March 16, 2020 Order by Governor Abbott temporarily suspending certain requirements of the Texas Open Meetings Act to advance the goal of limiting face-to-face meetings to slow the spread of COVID-19. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act and as modified by the Governor's Order.

1. CALL TO ORDER

The meeting was called to order.

2. ROLL CALL OF DIRECTORS

The Directors present were:

Chet A. Palesko - President  
David I. Perl – Vice President  
Lisa S. McKenzie – Secretary  
Joe Szoo – Assistant Secretary  
Corey Newhouse – Assistant Secretary

thus constituting a quorum. All Directors were present.

Also present at the meeting were Bill Flickinger and Jeniffer Concienne of Willatt & Flickinger, PLLC, Robert Ferguson of Murfee Engineering, Kristi Hester, Jesse Kennis and Ronja Keyes of Inframark, Allen Douthitt of Bott & Douthitt, Nancy Olson of McCall Gibson and residents Neil Golson and Aaron Christian.

3. CITIZEN COMMENTS

No citizens commented under this section.

4. §49.063(C), TEXAS WATER CODE; ANNUAL NOTICE REQUIREMENT FOR DISTRICTS THAT HOLD MEETINGS OUTSIDE OF THE DISTRICT

Attorney Bill Flickinger discussed the annual notice requirement for Districts that hold meetings outside of the District boundary. This notice is required to be on the first agenda of each year. No action is required.

**\*\*President Chet Palesko moved to Item 9a.\*\***

9. ENGINEER'S REPORT ON SOME OR ALL OF THE AGENDA ITEMS

a. Plan for swimming pool and covered casita

Engineer Robert Ferguson reported that resident Neil Golson of 1609 Milagro wants to build a pool and casita on his vacant lot behind his residence. The vacant lot is 10621 Strawflower. The water meter box and wastewater tap area are near the shared property line with 10617 Strawflower. There was discussion of the lot frontage and one meter per lot requirement, along with the tap fees. Most likely, the PUA will charge an impact fee. The lot also contains Austin Energy easements, which the owner will need to work out with Austin Energy. Attorney Bill Flickinger noted that the lots are separately platted and approval of the project will most likely be needed from the HOA. The District will need to consider the utilities. The City of Austin might require a permit for the construction. Mr. Ferguson discussed options for the permitting process to be handled as a planned unit development declared for two lots with the City of Austin and Travis County or the lots could be replatted into one. Lisa McKenzie inquired about the drainage for the pool. Mr. Ferguson stated that after de-chlorination, it would be drained into the stormwater system. The backwash would be drained into the sanitary system. However, he will double check the requirements. After further discussion, Mr. Golson thanked the Board for its consideration. President Chet Palesko entertained a motion. Motion was made by Joe Szoo and seconded by David I. Perl to approve the new connection as a separate account. The motion carried unanimously.

5. MINUTES OF PRIOR MEETINGS

President Chet Palesko entertained a motion for approval of the Minutes. Motion was made by David I. Perl and seconded by Lisa McKenzie to approve the Minutes of the December 18, 2020 meeting as amended. The motion carried unanimously.

6. ANNUAL AUDIT SUBMITTED BY MCCALL GIBSON SWEDLUND BAREFOOT

Nancy Olson discussed the audit with the Board. The District received a clean opinion, which is the best given. Ms. Olson noted the District had a positive variance for the year. For the last four years, the property taxes have been almost 100% collected. Ms. Olson advised that they had no misstatements, adjustments or disagreements in preparing the audit. After discussion, President Chet Palesko entertained a motion. Motion was made by Lisa McKenzie and seconded by Joe Szoo to approve the audit and authorize the execution of the Annual Filing Affidavit and filing with the TCEQ and Comptroller as required. The motion carried unanimously.

7. PAYMENT PLANS FOR DISTRICT CUSTOMERS DURING COVID-19 VIRUS CRISIS

Manager Jesse Kennis reported that a resident defaulted on a prior payment plan. They were scheduled for a disconnect and made a good faith payment. The resident is now requesting an additional payment plan. Lisa McKenzie noted that this resident was provided a major leak

adjustment credit last summer. Due to the 85,000 gallons of water consumption in December, it appears that this resident may have another leak. After further discussion, it appears the resident paid the past due amounts and is only owing the current amount due. No further action is needed.

8. ALL MATTERS RELATED TO WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY

David I. Perl reported that the PUA sent out vague alerts on a water leak on 620. There appears to be no effect to the District.

9. ENGINEER'S REPORT ON SOME OR ALL OF THE AGENDA ITEMS

Engineer Robert Ferguson discussed his report as included in the agenda package.

Mr. Ferguson stated that he will work with Manager Jesse Kennis to work up a letter to resident Neil Golson on the tap fee and provide a service application for the new account.

10. CONSTRUCTION PROJECTS WITHIN THE DISTRICT, INCLUDING ADVERTISEMENT FOR BIDS AND APPROVAL, AWARD, RECOMMENDATION, ADMINISTRATION OF CONSTRUCTION CONTRACTS, CHANGE ORDERS AND PAY ESTIMATES

This item was not discussed.

11. MS4 PERMIT; MAINTENANCE OF DRAINAGE EASEMENTS AND PONDS; ISSUES WITH THE HOA AMENITY CENTER DRAINAGE FACILITIES

Lisa McKenzie asked why Inframark is inspecting monthly if the permit only calls for twice a year. Manager Jesse Kennis will check on this. Engineer Robert Ferguson noted that usually inspections are held after storm events. Manager Kristi Hester advised that she will look into the fees and see if the District is being charged for those inspections or if they are included in the monthly Base Fee.

12. BOOKKEEPER'S REPORT, INCLUDING AUTHORIZATION OF PAYMENT OF BILLS; BUILDER DEPOSITS

Bookkeeper Allen Douthitt discussed the financials, invoices, fund transfers and bond payments with the Board. The District is right on plan with the financials. After discussion, President Chet Palesko entertained a motion. Motion was made by David I. Perl and seconded by Joe Szoo to approve the financials and payment of the invoices, per diems and bond payments and authorize the fund transfers as presented. The motion carried unanimously.

13. DISTRICT MANAGER'S REPORT ON OPERATIONS

- a. Customer Requests
- b. Landscape Maintenance Contracts; Additional landscaping services
- c. Inspections of HOA effluent irrigation system

- d. Maintenance and trimming of trees and vegetation on District property; removal of vegetation on District property planted by homeowners without permission

Manager Jesse Kennis discussed the Executive Summary with the Board.

Lisa McKenzie discussed the delinquent accounts. Attorney Bill Flickinger inquired about the balances on the two delinquent accounts. Previously, Mrs. McKenzie sent duplicates of their closing invoices to the prior residents via certified mail. As reported last month, those bills remain unpaid and there has been no contact from either prior resident. There was discussion of Attorney Bill Flickinger's office sending demand letters to those two residents. Manager Kristi Hester discussed turning the accounts over to a collection agency. In that case, the District will need to revisit the Red Flag Rules. Mrs. Hester will get with Mr. Flickinger on this matter. After further discussion, Mr. Flickinger's office will send demand letters to the two residents discussed above.

#### 14. ELECTRONIC METERS

This item was not discussed.

#### 15. BILLING ADJUSTMENTS

This item was not discussed.

#### 16. TAYLOR LAKE EFFLUENT POND, THE DISTRICT'S EFFLUENT DISPOSAL SYSTEM; EFFLUENT DISPOSAL CONTRACT BETWEEN THE DISTRICT AND HOA

This item was not discussed.

#### 17. DATES FOR FUTURE BOARD MEETINGS

The next several Board meeting dates are as follows: February 26<sup>th</sup>, March 26<sup>th</sup> and April 30, 2021.

#### 18. INFRAMARK CONTRACT

Attorney Bill Flickinger has not yet seen the proposed contract. Manager Kristi Hester will need to send the draft to Attorney Bill Flickinger for review.

#### 19. ORDER ESTABLISHING WATER AND WASTEWATER SERVICE RATES, CHARGES AND TAP FEES, AND ADOPTING GENERAL POLICIES AND RULES WITH RESPECT TO THE DISTRICT'S WATER, WASTEWATER AND DRAINAGE SYSTEMS

There was discussion of the Weaver tract and billing. The Weaver tract has two side by side grinder stations. The Weaver tract also has two side by side 5/8" water meters. This account

will need to be charged the drainage fee of \$4 per month and Inframark will no longer inspect the grinder stations Inframark will continue to read the water meters. Monthly usage on the residential meter is typically 2-3,000 gallons. No further action will be taken.

20. REPORT FROM MR. RIP MILLER ON PROGRESS OF APPROVALS FOR AND DEVELOPMENT OF THE 11.73 ACRE TRACT OWNED BY SENNA HILLS, LTD.

This item was not discussed.

21. CONTRACT BY AND AMONG THE DISTRICT, SENNA HILLS HOMEOWNERS ASSOCIATION, INC.; SENNA HILLS, LTD. AND THE SENNA HILLS TRUST


President Chet Palesko announced that the Board of Directors will go into closed session for consultation with the District's attorney pursuant to Section 551.071 of the Texas Government Code regarding matters related to Agenda Item No. 21. The Board went into closed session at 8:20 a.m.

At 8:27 a.m., President Palesko announced that the Board of Directors had concluded its closed session and was returning to open meeting, and that no action was taken during the closed session.

President Chet Palesko entertained a motion. Motion was made by David I. Perl and seconded by Corey Newhouse to authorize the changes to the letter regarding the SHL project and arrange to send it to Kemp Gorthey.

22. ADJOURN

President Chet Palesko adjourned the meeting.

  
Chet A. Palesko, President

ATTEST:

  
Lisa S. McKenzie, Secretary

[SEAL]