

# Crown Mountain Water Supply Corporation Special Board of Directors Meeting Minutes

**Date of Meeting: January 18, 2024**

**Time: 10:00 AM**

**Place: First Baptist Church, 813 Nueces St., Camp Wood, Texas 78833**

At any time during the meeting, the Crown Mountain Water Supply Corporation Board may adjourn into executive session on any of the items listed on this agenda, if at any time during the meeting an item meets the criteria which allow for executive session under Texas Government Code, Chapter 551, Subchapter D.

Notice is hereby given that the Board of Crown Mountain Water Supply Corporation may discuss, consider, and take all necessary action, including expenditure of funds, regarding each of the agenda items below and may take them in any order:

**Board Members Present**

President:	Dr. James (Doc) Lindstrom	<u>  X  </u>
Vice President:	Greg Snell	<u>  X  </u>
Treasurer:	Ken Hobbs	<u>  X  </u>
Secretary:	(Vacant)	<u>          </u>
Assistant Secretary:	Rick Garza	<u>  X  </u>

**CMWSC contractor(s):**

Water Service Operator:	Rick Garza	<u>  X  </u>
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**CMWSC – Committees Members Present:**

**IT Committee**

Kerry Miller	
Adria Schreiber-Garza	X

**Election Committee**

Adria Schreiber-Garza	X
Brenda Sisley Askew	
LB Brackin	

**Operations Committee**

Yvonne Miller	
Shawn Meredith	
LB Brackin	
Adria Schreiber-Garza	X

**Rate Review Committee**

Chano Falcon	
Adria Schreiber-Garza	X
Dr. James Lindstrom	X
John Klebenow	X

**Infrastructure Committee**

Greg Snell	X
John Klebenow	X
John Florence	
Rick Garza	X
Chano Falcon	
Jeff Lane	

**Members / Public present and not noted above:**

Diana Klebenow

**Members/Public request for documentation:**

None

1. President called the meeting to order at 10:01 AM.
  - a. Invocation
  - b. Pledge
  - c. General public/members sign up to speak.
    - i. Last call to sign up to speak.
    - ii. Anyone signed up to speak on any individual agenda topic will speak before the topic speaker and be limited to 3 minutes.
    - iii. Anyone signed up to speak in the closing section is limited to 3 minutes per speaker.

2. Approval of Minutes

- a. December 9, 2023, Special Board Meeting.

Doc requested a Motion to approve the Minutes as written. Greg made the motion. Rick provided the second. The Motion passed 4 in Favor, 0 opposed.
- b. January 2, 2024, Special/Emergency Board Meeting

Doc requested a Motion to approve the Minutes as written. Rick made the motion. Ken provided the second. The Motion passed 4 in Favor, 0 opposed.

3. Board of Directors Reports

- a. Motion to approve going to Schedule 40 instead of approved (01-02-2024) Schedule 80 piping on well maintenance and repair due to emergency nature of actual installation.

Motion to approve by Ken, Second by Greg. The Motion passed unanimously.

Doc mentioned that we had fixed our well, but that Leakey had no water this morning.

Greg reported that there has been no response from the attorneys he'd contacted regarding Oak Meadows Unit 2 deed restriction changes. That the corporation needs someone to give a free assessment of the situation. The attorney on retainer says he's working on it. Rick asked if Greg had phone conversations with the attorneys and Greg replied that he had. Greg said that when he spoke to TRWA they had wanted to get into other issues rather than addressing the issue at hand. Ken remarked that Title 11, Texas Property Code information makes him believe there may have been issues with how the OM2 deed restrictions change was done. He also mentioned that a letter would be going out to OM2 property owners with the next billing. He spoke briefly about HOA's, deed restrictions, and Title 11. Doc read the clause in the by-laws relative to the corporation rescinding memberships.

Ken mentioned that other than standard operating procedures, there are large expenses coming up that need to be considered. He said \$40,650 in expenses are

expected between now and 5/1/2024. Doc asked about the status of the engineer's contract.

Rick's question about financials was covered in item 4 below.

4. Treasurer's Report

a. FY2023 4<sup>th</sup> Quarter Financials

Ken briefed about the reports.

b. 2023 Year End financials

c. Transfer funds from savings to checking account

Ken reported that \$2,273.70 had been transferred to the Infrastructure fund.

Greg moved to accept financials as reported. Second by Rick. The motion passed unanimously.

5. Water system Operator's Report

Rick reported on accomplishments over the past year and offered thanks to the Board and those who volunteer to help on well work. He talked about the pre-filters and the mis-sized filters that were installed. He recommended getting 7 holding rods and gaskets. Doc mentioned that the purchase would be within the WSO's charging limit and that he should go ahead with the purchase. Doc asked if the pre-filters and membranes would be changed out soon and was told no. Rick mentioned purchase of a new heater for the well house and that the heater came with a light. He said that the well was still producing at 80 GPM, he's working on a couple of annual reports, and that he'd need physical addresses of the metered accounts for the copper and lead audit.

6. Committee Business

a. Election Committee

i. Select / appoint Independent Election Auditor

Adria reported that an Independent Election Auditor is not needed as there will be no election due to Unopposed Candidates for both open positions.

ii. Resolution of Unopposed Candidate(s) (if necessary)

Adria explained the regulation regarding unopposed candidates, read and presented the Resolution to the Board for approval.

Motion to approve execution of the Resolution declaring Unopposed Candidates as read by Rick, Seconded by Greg. The Motion passed unanimously.

iii. Approval of ballot packet (if necessary)

Adria distributed the Notice of member meeting and said that it could go out with bills because there would be no election.

Motion to approve the Notice as written by Ken, Seconded by Rick. The Motion passed unanimously.

iv. Approval of Member Meeting Agenda

Adria distributed the proposed agenda for the 2024 Member Meeting. There was some discussion of the possibility of needing to change the agenda, but Adria explained that there will also be a Regular Board Meeting on or around that date.

Motion to approve the agenda for the annual Member Meeting on March 2 by Greg, seconded by Rick. Motion carried.

v. Determination and approval of member Meeting handouts

The Board discussed creating a summary of actions/accomplishments from FY2023. Doc asked Rick to put together a summary of well work, Ken would provide him the major expenses, Greg would gather up some of his topics, and Doc will put together something for what's coming up. John Klebenow will review the document.

b. Operations Committee

Nothing

c. IT Committee

Adria talked about the problems with Water Solutions Pro not being able to send out text messages and that the corporate phone is going to have to be used until the problem is resolved. Doc mentioned that Richard Landry has volunteered to serve on the IT Committee. Doc would like to put Richard on the IT Committee and have him look at text messaging notices.

Motion to appoint Richard Landry to the IT Committee by Rick, Seconded by Ken. The Motion passed unanimously.

d. Infrastructure Committee

Doc asked if anything else needed to be covered. Rick said he will continue to discuss what's going to be done moving forward and that John Florence should be on the committee meetings as well. Doc will contact John Florence.

7. Old Business

None

8. New Business

a. Discussion and possible action regarding new electricity contract

Ken reported that the old electricity service provider was Green Mountain. As of this morning Green Mountain is now NRG. They have offered a 5-year contract at \$ 0.07946/kWh, will waive the base fee of \$9.95, and no minimum or maximum. A three-year contract would be at \$ 0.09638 / kWh. The 5-year contract would be about \$25 to \$30 increase in the power charge, but we are saving the base rate. T&D is a passthrough. This was the best and lowest rate of all quotes he acquired.

Greg made the Motion to go with the 5-year contract with NRG. Second was by Rick. The Motion passed unanimously.

- b. Discussion and possible action regarding renewal of TRWA membership  
Ken said that the TRWA membership expired on 12/31/2023. The cost to renew Full Membership is \$1,325. It includes \$1.45/meter for the membership; \$200 for voluntary building fund contributions; \$200 for voluntary disaster relief fund; \$150 for voluntary foundation contributions; and \$275 for voluntary legal defense fund contributions. Rick asked about the benefits of TRWA. Ken said that he gets useful info from them and could get use of the charges by actually using them. He talked about what TRWA offers their members and that it's similar to any other industry organization. Doc asked John Klebenow about how the membership has been used up to now and John said that the circuit rider has been the best benefit. He also mentioned the FMT that comes from the State for free. Doc suggested getting Bill White to the March 2, 2024, Board Meeting. Ken Moved to table this item. Greg seconded, and the Motion passed unanimously.
- c. Discussion and possible action regarding request by Member for adjustment to high bill associated with significant leave (sic) with possibility of a revision to the existing Tariff as well  
Doc clarified that the word "leave" in the agenda item should actually be "leak." He said the question is how to address the large bill. Any adjustment sets a precedent and would need to be put into the Tariff. John K said that there had been previous experience with this. No adjustment was made to the bill, but the customers paid over time. Doc asked about previous adjustments and Ken gave a history of separate action last year. Ken gave information that the PUC recommends an adjustment policy and he read the Leak Adjustment Policy from TRWA's Sample Tariff. He also said that CMWSC doesn't have a section in the tariff of action to be taken after a bill is contested. He asked can we consider his (the member's) request and does the tariff allow for such? The comment was made that the Board can act outside of the Tariff. There was discussion of what could be done, what policy might be, future expectations, etc. Doc said he would consider a change in the tariff at some level greater than 3 times a customer's average bill, verified by the WSO and another Board member; thinks should back the charge up 1 or 2 tiers.  
Ken made a Motion to amend the Tariff to allow adjusting bills where the usage is in excess of 8 times a customer's normal bill due to a verified leak, reference the TRWA Leak Adjustment Policy, PUCT item C, #1-4; gallons in the highest tier will be charged at the next lower tier's rate. Greg provided the Second. There was considerable discussion of both policy and what the Tariff should say. Doc suggested 30 days to repair.  
Ken Moved to rescind his previous Motion. Rick provided the Second. The Motion passed unanimously.  
Ken made a Motion to table this topic. Seconded by Greg. The Motion passed unanimously.

## 9. Closing

- a. General public/members signed up to speak (3-minutes per speaker)

None

b. Closing Comments by Board Members

None

10. Adjournment

Greg moved to adjourn the meeting at 11:30 AM, Seconded by Ken. The Motion passed unanimously.