

**Minutes of the Bartonville Water Supply Corporation
Board of Directors Meeting
Tuesday, August 9, 2005
Bartonville Water Supply Corporation Office
1911 East Jeter Road
Bartonville, Texas 76226**

1. Call to Order

Michael Paulson, President called the meeting of the Board of Directors of Bartonville Water Supply Corporation to order at 7:00 P.M. on Tuesday, August 9, 2005 at the corporation office, 1911 East Jeter Road, Bartonville, Texas.

Directors in Attendance

Michael Paulson, President
Lloyd Hanson, Vice President
Larry Kaufman, Secretary-Treasurer
Scott Kilpatrick
Bill Wilkinson
James McKinney
Gracie Egan

Consultants in Attendance

Jennifer Drury, CPA
Wayne Ginn, PE - The Ginn Corporation
Ronnie Phillips, Esq.

Staff in Attendance

Jim Leggieri, General Manager

Others in Attendance

Paul Lipscomb, PE
Jerry Lamel, Town of Double Oak Treasurer

2. Executive Session

President Paulson announced at 7:01 pm that the Board would convene in Executive Session concerning:

- a. **All Matters Concerning Upgrades to Existing Pump Stations, Including Additional Property Acquisitions, Pursuant to Government Code, Section 551.072.**
- b. **All Matters Concerning Mereken Energy Corp's Oil & Gas Lease Proposal, Pursuant to Government Code, Section 551.072.**

The Board took no action and reconvened in open session at 8:41 p.m.

3. Public Form for Non-Agenda Items.

Mr. Lamel addressed the Board and advised that he is now the representative for the Town of Double Oak to UTRWD and is looking forward to working with the Board and the staff.

6. Approve the Minutes of the June 14, 2005 and the July 12, 2005 Board Meetings.

Kaufman requested that the minutes be separated. Drury advised the Board that an error was discovered regarding the date in the July 12, 2005 minutes but this has been corrected.

Kaufman advised the Board that in regards to the June 14, 2005 Board Meeting Minutes he has reviewed the tapes and it is his opinion that the minutes have been corrected and should be approved. Motion by McKinney and second by Kilpatrick to approve the minutes of the June 14, 2005 Board Meeting. Motion approved with 4 Aye and 2 abstaining.

Motion by Wilkinson and second by Kilpatrick to approve the minutes from July 12, 2005 with the correction of the date. Motion approved unanimously.

4. Discussion and Action on All Matters Regarding Clarification of the Appointment of Gracie Egan to Fill the Vacancy on the Board.

No discussion. No action.

5. Presentation by Tracy Miller/spokesperson for the "Action Committee".

Mr. Miller was unavailable so this item will be moved to September.

7. Approve the July 2005 Disbursements and Financial Reports.

Drury advised the Board that the developer for the Crossroads Bible Church Addition has paid half of the equity buy-in fees and this is listed with the new member revenue in the amount of \$24,000.00 for July. Kaufman asked if there is a policy in effect that charges UTRWD for the meter reads they request on a monthly basis. Drury stated that there are only a few accounts that require this service and does not require a lot of man hours at this time. Kilpatrick suggested that this policy be added as a future agenda item with the growth that is planned in the near future there will be more accounts added to the request. Motion by Kilpatrick and second by Hanson to approve the July 2005 Disbursements and Financial Reports. Motion approved unanimously.

8. Discussion and Action on All Matters Concerning Upgrades to Existing Pump Stations, Including Additional Property Acquisitions.

Motion by Kilpatrick and second by Egan to ask the staff to get an appraisal. Motion approved unanimously.

9. Discussion and Action on All Matters Concerning Mereken Energy Corp's Oil & Gas Lease Proposal / Stargate Pump Station Site.

No discussion. No action

10. Discussion and Action on All Matters for Establishing a Directors' Comment Policy.

The Board had a discussion regarding establishing a Directors' Comment Policy and decided to take no action.

11. Discussion and Action on All Matters Regarding Working with the Towns and Cities on a Proposed Ordinance to Promote Water Conservation.

The Board had discussions and asks the staff gather information from the Texas Rural Water Association and local cities in regard to an inter-local agreement supporting BWSC's conservation efforts. No action.

12. Discussion and Action on All Matters Regarding Appointing a Parliamentarian.

The Board discussed the need for a Parliamentarian. Paulson stated that one option, not a recommended option, is to amend the By-Laws to state the removal of the policy to use Robert's Rules of Order similar to Upper Trinity Regional Water District. Ronnie Phillips, Esq. advised the Board that the use of Robert's Rule of Order is not required by the Open Meetings Act but if you do not have an identifiable standard then you have chaos and if you don't have it relegated to Robert's Rules of Order when not specifically covered by your By-Laws then you better specifically cover everything by your By-Laws. Otherwise you are controlled by the common law of England, the United States, and Texas as to how corporations have conducted themselves in meetings and whether or not the conduct is appropriate. Your reference to Robert's Rules of Order gives you guiding principal and is recognized by case law as being an appropriate definitive standard so that if someone has an issue they can go to it and Phillips recommends that the Board have a copy at every meeting. Paulson advised that a copy is available at every meeting. Kilpatrick suggested that the staff provide guidance from Robert's Rules of Order prior to special circumstances such as voting in new Board Members, etc. No action taken.

13. Discussion and Action on All Matters Regarding Legal Counsel's Presence at all Board Meetings.

Paulson advised that it is necessary for Ronnie Phillips to be present during the Executive Sessions and for some items coming out of the Executive Sessions. Wilkinson agreed and stated that the president of the Board should be able to determine if legal counsel should be present. Phillips advised the Board that in the past if the president or the staff thought it necessary for him to attend they would contact him and he would attend. No action taken.

15. Discussion and Action on All Matters Scheduling a Directors' Open Meeting and Responsibilities Workshop.

Egan suggested that the workshop be expanded to include Conflict of Interest along with the Open Meeting and Responsibilities Workshop. Paulson agreed that this would be beneficial

for the Board. Paulson ask that Phillips research and gather information on this type of workshop and advise the Board accordingly. Phillips advised he would check and bring this information back to the Board.

Ronnie Phillips, Esq. left the meeting at 8:52 p.m.

14. Discussion and Action on All Matters Regarding Strategic Planning for Long Range Water Supply.

Kilpatrick advised that once the Board reviewed the Status Report they could move forward. Egan suggested that Kilpatrick work with the staff on the Status Report to insure all Board requirements have been met. Kilpatrick agreed.

16. Presentation by Prime Controls Regarding SCADA System Status as well as Pertinent Discussion and Action.

Leggieri stated that David Smith from Prime Controls is out of town but has submitted a written report for the Board. Leggieri advised the Board that there are still some issues to resolve. Drury stated that Prime Controls has not billed BWSC for the upgrade to date. Leggieri stated that he will speak with David Smith and let him know if the problems have not been resolved that Board has requested he bring in an outside consultant to try and resolve the issues and this should be funded by Prime Controls.

17. Staff Reports.

Paulson requested that the Agenda topic for Staff Reports and Engineer Reports be expanded upon to reflect the progress during the month. Leggieri advised the Board that the Broome Road waterline is laid with three tie-ins to make and pressure testing to be completed. This project is currently ahead of schedule. Leggieri advised that the other project that is going on is the development of the Cross Roads Bible Church Addition on FM 407. Leggieri advised the Board that the Taylor Oaks and Thornhill waterline tie-in has been completed and is in service. Leggieri advised the Board that at Copper Hill the problem with the French Drain has been corrected and the ground is no longer wet. Paulson ask about the back up power at Copper Hill and Leggieri stated that CoServ had a power outage on July 12th at the pump station and there was a generator failure at the Copper Hill pump station. The reason for this failure with the generator, to date, has not been determined but Cummings has been advised of the situation and is currently working on a solution. Leggieri advised the Board that the staff will continue to work with CoServ and Cummings to be sure the generator is working properly.

18. Engineer's Reports

No report.

19. Review Future Agenda Items, Activities, Announcements, and set the date for the September 2005 Meeting.

The next regular Board meeting is scheduled for September 13, 2005 at 7 p.m. Future Agenda items were as follows: Kilpatrick requested that the Sewer Reporting Policy as a future agenda item.

Motion by Kaufman and second by Kilpatrick to adjourn the meeting. Motion approved unanimously. The meeting was adjourned at 09:40 P.M.

Recorded by Jennifer L. Drury

Certified by Larry Kaufman, Secretary-Treasurer