

**MINUTES OF MEETING OF
THE BOARD OF DIRECTORS OF
VISTA OAKS MUNICIPAL UTILITY DISTRICT**

October 12, 2015

THE STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

A meeting of the Board of Directors of Vista Oaks Municipal Utility District was held on October 12, 2015, at the offices of Gray Engineering, Inc., 8834 N. Capital of Texas Highway, Suite 140, Austin, Texas. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act. A copy of the Certificate of Posting of the notice is attached as **Exhibit "A"**.

The roll was called of the members of the Board:

Mike Asbury	-	President
Robert Wells	-	Vice President
Leslie Alger	-	Secretary
Heath Reed-Green	-	Assistant Secretary
Bowman Mires	-	Assistant Secretary

and all of the Directors were present, except for Directors Wells and Alger who arrived later, thus constituting a quorum. Also present at times during the meeting were Andrew Hunt of Crossroads Utility Services LLC, the District's general manager and utility operator; Donald K. Bayes of Gray Engineering, Inc., the District's engineer; Keli Kirkley of Municipal Accounts & Consulting, L.P., the District's bookkeeper; and John Bartram and Jennifer Scholl of Armbrust & Brown, PLLC, the District's general counsel.

Director Asbury called the meeting to order at 12:03 p.m. and stated that the Board would first receive citizens' communications and Board member announcements. Mr. Hunt reported that the HOA was hosting host a "family safety day" on Saturday and that he had been invited to attend. He stated that there would be a live digging demonstration by Atmos Energy, a hovercraft operated by the Sheriff's Department, and that he would take industrial waste and water conservation information to hand out at the event. Director Alger arrived at this time.

Director Asbury then stated that the Board would consider approving the minutes of the September 14, 2015 Board meeting. Upon motion by Director Alger and second by Director Reed-Green, the Board voted unanimously to approve the minutes.

Director Asbury then stated that the Board would consider the Wall and fence projects, and recognized Mr. Bayes. Mr. Bayes first reported on the status of Phase 3 of the wall project. He stated that Phase 3 was underway and that it was about 50% complete. He stated that there were a few issues that had come up in the field, but that all of the issues had been worked out. He then presented and recommended approval of pay estimate no. 2 for Phase 3 of the wall project, a copy of which is attached as **Exhibit "B"**, which he stated was in the amount of \$53,491.79 and reflected work through September. He stated that the contractor had requested to cut off the existing columns to use as bases for the new columns because the existing columns were drilled piers and more substantial. Mr. Bayes informed the Board that he had instructed the contractor to install new footings for the column because most of the concrete footing for the existing columns could be easily removed, and that cutting off the existing columns would

actually be more expensive than having the contractor install new footers. Director Asbury stated that he had met with the Phase 3 contractor on site to help address an issue related to connecting to the existing masonry wall on Royal Vista Boulevard. After further discussion regarding Phase 3 of the wall project, Director Reed-Green moved that the Board approve the pay estimate no. 2 as presented by Mr. Bayes. Director Alger seconded the motion, which then passed unanimously. Mr. Bayes next reported on the status of Phase 4 of the wall project. He stated that the surveyor was on site and that the survey was underway. He stated that the surveyor requested to trim some of the trees on the north side, but that he has instructed the surveyor not to trim the trees.

Director Asbury then stated that the Board would receive an update on the RM 1431 roadway widening project, the Texas Department of Transportation ("TXDOT") noise attenuation study, and related matters. Mr. Bartram stated that the re-evaluation of the noise attenuation study was still in process. Mr. Hunt reminded the Board that he had offered to help TXDOT obtain an easement from the HOA or the District if required to avoid any conflict with existing utilities. Director Wells arrived at this time. Director Mires asked if there was an estimate of when the 1431 roadway widening project and noise attenuation study would be complete. Ms. Scholl stated that TXDOT estimated that the roadway widening project would be completed by early 2016 and that the noise attenuation study should take one month to complete, but noted that TXDOT was vague on how long it would take to construct any required noise barriers. Mr. Bartram noted that he would monitor this matter.

Director Asbury then stated that the Board would receive the security report and consider taking related action. Mr. Hunt presented the August 2015 security report attached as **Exhibit "C"**. He stated that there was nothing to note in August, but noted that he would add additional security patrol hours for Halloween. Director Alger requested that the security guard time reports or a calendar showing shift times and days be included in future meeting packets on occasion.

Director Asbury then stated that the Board would receive a report from the District's engineer and recognized Mr. Bayes. Mr. Bayes directed the Board's attention to the engineering report attached **Exhibit "D"**. He stated that he had nothing further to report at this time.

Director Asbury then stated that he Board would receive a report from the District's bookkeeper and recognized Ms. Kirkley. Ms. Kirkley first presented the bookkeeper's report attached as **Exhibit "E"**. She reviewed the bills and invoices and account activity for the District's operating, manager's, and lock box accounts; the account balances; the pledged securities reports; the budget comparison; the debt service payment schedule; the balance sheet; the tax collection report; the recycling rebate report; and the monthly transfers. She recommended the addition of check no. 10450 to pay a deposit refund, check no. 10451 to pay the Phase 3 wall project pay estimate previously approved during the meeting, check no. 10452 to her firm, and check no. 10453 for TML insurance. Director Alger asked whether the TML insurance policy had been updated to reflect the new Board members. Mr. Bartram stated that he thought it had, but that he would check again to verify that it had been updated. Upon motion by Director Alger and second by Director Wells, the Board voted unanimously to approve the bills, invoices, and transfers as presented.

Director Asbury then stated that the Board would receive a report from the District's general manager and utility operator. Mr. Hunt first presented the operations report attached as **Exhibit "F"** and reviewed his directives. He next addressed water accountability, noting that water loss was just under 1% for the month and under 1% for the fiscal year. Mr. Hunt confirmed that all test results were satisfactory. He then reviewed the District's billing report, noting that 47% of the District's customers were paying with debit or credit cards, and he

recommended the approval of one write-off. He added that he had received one complaint regarding solid waste / recycling services, but that it had been resolved, and that the District had received a \$16 recycling rebate. He stated that there was nothing to report for utility operations. Upon motion by Director Wells and second by Director Mires, the Board unanimously voted to approve the write-off, as recommended.

Director Asbury then stated that the Board would consider the renewal of the Operations Services Agreement with Crossroads Utility Services LLC. Mr. Hunt reported that his company's agreement with the District was scheduled to expire at the end of November. He stated that the new term would be squared up with the District's fiscal year. Mr. Hunt indicated that the proposed renewal contract also provided for an increase in compensation, a change to the CPI adjustment, addressed MS4 permit requirements, and updated equipment rate schedules. After discussion, upon motion by Director Wells and second by Director Reed-Green, the Board unanimously voted to renew the Operations Services Agreement with Crossroads Utility Services attached as **Exhibit "G"**.

Director Asbury then recognized Mr. Bartram for purposes of receiving a report from the District's attorney. Mr. Bartram stated that there were no consultant directives outstanding. He then introduced Ms. Scholl to the Board and informed the Board that she would attend some of the Board's future meetings.

Director Asbury next announced that the Board would consider its future meeting schedule and agenda items. After discussion, the Board confirmed that the next meeting would be held as scheduled at noon on November 9, 2015. Director Alger asked if this November was an election year for the Board and Mr. Bartram responded that it was not and that the next election would be in November 2016.

Director Asbury then asked if there was any further business to come before the Board. There being none, the meeting was adjourned at 12:38 p.m.

(Signature page follows.)



Date: November 9, 2015

Bowman Mires, Assistant Secretary
Board of Directors