

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

November 14, 2016

THE STATE OF TEXAS           §  
  §  
COUNTY OF WILLIAMSON       §

A meeting of the Board of Directors of Vista Oaks Municipal Utility District was held on November 14, 2016, 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
Carl R. Black	-	Assistant Secretary

and all of the Directors were present, except for Director Wells 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; Herb Edmonson of Gray Engineering, Inc., the District's engineer; Lexi Kolmodin of Municipal Accounts & Consulting, L.P., the District's bookkeeper; and Jenn Scholl of Armbrust & Brown, PLLC, the District's general counsel.

Director Asbury called the meeting to order at 12:08 p.m. and stated that the Board would first receive citizens' communications and Board member announcements. There being none, Director Asbury stated that the Board would then consider the sworn statements and oaths of office for the Directors deemed re-elected as of November 8<sup>th</sup>. Director Wells arrived at this time. Upon motion by Director Alger and second by Director Black, the Board voted unanimously to approve the sworn statements and oaths of office for Directors Asbury and Reed-Green.

Director Asbury then stated that the Board would consider the election of officers. Ms. Scholl reviewed the existing slate of officers. After discussion, the Board agreed that the current slate of officers would remain unchanged.

Director Asbury then stated that the Board would consider approving the following consent items: the minutes of the October 10, 2016 Board meeting and a revised District registration form. Ms. Scholl noted a correction to the minutes. After discussion, upon motion by Director Reed-Green and second by Director Black, the Board voted unanimously to approve the minutes, as corrected, and the revised District Registration form attached as **Exhibit "B"**.

Director Asbury then stated that the Board would consider the District's fence enhancement projects, and recognized Mr. Edmonson. Mr. Edmonson first reported on the status of Phase 4. He stated that Phase 4 was about 50% complete and recommended approval of Pay Estimate No. 1 in the amount of \$51,711.74 attached as **Exhibit "C"**. He reported that all

of the clearing work had been completed and stated that, because the Board had previously authorized releasing the contractor's payment upon completion of the work, payment had been released. Mr. Hunt stated that a portion of the existing fence was constructed in the back yard of one of the residents in order to avoid nearby power lines and he reported that he was working on obtaining a permanent easement from the resident in order to construct the new fence in the same location. After discussion, upon motion by Director Reed-Green and second by Director Wells, the Board voted unanimously to approve the Pay Estimate.

Mr. Hunt then concluded the fence report with an update on Arterial H road construction. He reported that construction had been delayed due to issues with obtaining the required permits for the project. Director Reed-Green asked if Mr. Hunt knew when it was anticipated that the permits would be issued. Mr. Hunt stated that he did not know, but that he would look into it.

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. Hunt stated that he had not received an update from TXDOT, but the City Manager for the City of Cedar Park (the "City"), the lead agency on the project, had indicated that the City was trying to get out of the obligation to construct a sound wall. He stated that the City felt that, because TXDOT had neglected to address the issue during the planning phase of the project, it was unreasonable to expect the City to complete the sound wall in order for the project to be deemed complete.

Director Asbury then stated that the Board would receive an update on the Round Rock-Leander 138-kV transmission line. Mr. Hunt reported that a hearing on the matter had commenced with the State Office of Administrative Hearings and that, although the District was not an affected party because it did not own any land, he would keep the Board updated on the proposed routes for the project.

Director Asbury then stated that the Board would receive the security report and consider taking related action. Mr. Hunt directed the Board's attention to the security report attached as **Exhibit "D"**. He stated that the Vista Oaks Homeowner's Association (the "HOA") had requested that Sgt. Breeder enforce parking violations within the District, but that he had advised Sgt. Breeder that, while common parking law violations, such as parking in front of a fire hydrant, could be enforced, Sgt. Breeder was not responsible for enforcing parking violations of HOA's deed restrictions.

Director Asbury then stated that the Board would receive a report from the District's engineer and recognized Mr. Edmonson. Mr. Edmonson presented his report attached as **Exhibit "E"**. He reported that the Gardens at Mayfield project was on hold pending TCEQ approval. He then presented the bid tabulation attached as **Exhibit "F"** and stated that he had advertised bids for the District's five-year regulatory wastewater collection system televising and cleaning requirement, but that he did not recommend awarding the contract at this time because only one contractor had submitted a proposal that he felt was high. He recommended that the Board re-advertise the project for bids in January, noting that he anticipated more contractors would be available at that time. Director Black asked if the work would need to be completed by a deadline. Mr. Edmonson responded that there was a deadline, but due to the circumstances, the District would be able to show compliance with all of the rules. After discussion, the Board unanimously decided not to award the contract and to re-advertise the project in January.

Director Asbury then stated that the Board would receive a report from the District's bookkeeper and recognized Ms. Kolmodin. Ms. Kolmodin presented the bookkeeper's report attached as **Exhibit "G"** and 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; the monthly transfers; and the latest quarterly investment report. She pointed out that approximately 99.69% of the District's 2015 tax levy had been collected. Upon motion by Director Wells and second by Director Alger, 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 "H"**. He reported that water loss was -1.32% for the month, water quality was satisfactory, and things had been very quiet with respect to system operation and maintenance. He then reviewed the District's billing report recommended that one write-off in the amount of \$138.96 be referred to collections. He stated that there had been several complaints that Round Rock Refuse was late for pick-ups or had missed pick-ups. He stated that the District had not had any issues with the contractor in the last 10 years and that the issues were likely due to the fact that the contractor had recently undergone employment changes at the management-level and the management changes may have affected the training that new drivers were receiving. He then stated there had been confirmed cases of the West Nile virus in Williamson County and that, because the District did not own any land, he had notified the HOA. He reported that there were no website issues of concern. Mr. Hunt stated that it was time for the annual inspection of the lift station pumps and that the surrounding barbed wire fence would be repaired as well. He then stated that the winter averaging had started and that he was recommending that all irrigation valves be shut off. He reported that the County's equipment was parked in the District in order to prepare for the resurfacing of the roads, which he anticipated would begin in spring or summer of next year. Director Reed-Green asked if the County's equipment would be parked within the District until the actual resurfacing began and Mr. Hunt responded that he would contact the County to find out. Mr. Hunt noted that he would also request that the County schedule at least two public meeting dates within the District in order to answer any questions the residents may have about the resurfacing. Director Wells stated that there were not any street lights in the areas around the mail kiosks and asked if the District would be able to install lights in those areas. Mr. Hunt stated that electricity for an additional street light could be obtained from a pedestal box near that was near the mail kiosks and stated that there was also a solar powered option that the District could use. After discussion, upon motion by Director Alger and second by Director Wells, the write-off was approved unanimously.

Director Asbury then recognized Ms. Scholl for purposes of receiving a report from the District's attorney. Ms. Scholl informed the Board that the District had received a request to complete a special purpose government survey in the mail, but the District was under no obligation to complete the survey because a survey was not considered a request for public information under the Public Information Act. She then reported that the Texas Ethics Commission would be holding a free half-day training seminar on January 6th on campaign finance reporting for any Board members that were interested in attending.

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 on December 12, 2016.

There being no further business to come before the Board, the meeting was adjourned at 1:04 p.m.

(SEAL)



Date: December 12, 2016

  
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Leslie Alger, Secretary  
Board of Directors