

**FEBRUARY 11, 2010 MEETING MINUTES
MEETING OF THE BOARD OF DIRECTORS OF
BRUSHY CREEK MUNICIPAL UTILITY DISTRICT**

A meeting of the Board of Directors of Brushy Creek Municipal Utility District was held on the 11th day of February, 2010, beginning at 6:00 p.m. at the Brushy Creek Municipal Utility District Community Center, 16318 Great Oaks Drive, Round Rock, Texas. Notices of the time, place and the subject of the meeting, and the actions to be taken at the meeting, were posted at the places and for the time required by the laws of the State of Texas.

Agenda Item 1: Call to order.

The meeting was called to order at 6:00 p.m. with the following Directors present: Cris Yackle, President, Russ Shermer, Vice-President, Rebecca Tullos, Treasurer, Jeffrey Goldstein, Secretary and Bob Grahl, Assistant Secretary/Treasurer. General Manager Tom Clark, Attorney Anthony Corbett, and District staff were also in attendance.

Agenda Item 2: Announcements.

Director Yackle recognized Fred Lord as a recipient of the Purple Heart placing him in the National Purple Heart Hall of Fame.

Director Shermer expressed appreciation to District staff regarding the process for review of the Quarterly 1 goals at the February 9, 2010 Special Meeting of the Board.

General Manager Tom Clark announced that the Town Hall meeting to discuss security and the Drought Contingency Plan was scheduled for Thursday, February 18 at 7:00 P.M.

Tom Clark also acknowledged Mike Petter's upcoming birthday on February 14.

Agenda Item 3: Citizen Comments.

A citizen spoke regarding alleged disrespect for a Purple Heart recipient.

Agenda Item 4: Discussions Regarding Order of Consideration of Agenda Items.

The Board briefly discussed the order of consideration of agenda items.

Agenda Item 5(a): Water & Wastewater Committee Report.

Paul Tisch presented the Water and Wastewater Committee report for the January 18, 2010 meeting. Mr. Tisch advised that the Committee would attend the Town Hall meeting on February 18, 2010 in lieu of its regularly scheduled meeting. He also urged the Board to adopt the revised form of the Drought Contingency Plan in the packets.

Public Works Department Matters

Agenda Item 10(a): Discussion Concerning Drought Contingency Plan.

Mike Wheeler presented the Water Conservation and Drought Contingency Plan. After discussion, staff was directed to incorporate certain revisions into the plan, including making Stage 1 restrictions voluntary. Staff was further directed to replace all references to drought conditions in the document with conservation and to include “water conservation” in the title. The Board expressed a desire to solicit feedback on the revised plan at the Town Hall meeting, and took no formal action regarding the plan.

Director Tullos recommended that the District adopt a slogan for conservation, and used as an example: “Brushy Creek doing its part, living water smart.”

Parks & Recreation Department Matters.

Agenda Item 11(a): Discussion and Possible Action Concerning District Roof Insurance Report.

Mr. Clark presented a report on the repair of hail damaged District roofs. Staff received bids for the work needed at Creekside, Cat Hollow and Sendero pools and restrooms and 901 Great Oaks Drive. Mr. Clark pointed out that the District has received a check from TML for \$29,580 and that when 100% of the work is completed, the District will receive an additional \$8,607 in recoverable depreciation. Staff recommended that Keystone Roofing be authorized to make the repairs at Cat Hollow, Creekside and Sendero pools and that Silver Ridge Construction be selected for the repairs at 901 Great Oaks. Discussion was had regarding this item with staff explaining the work to be completed as well as the reasoning behind its recommendation to select the second lowest bidder for the Cat Hollow Pool repairs.

A motion was made by Director Tullos to move forward with the repair work in accordance with staff’s recommendations, as itemized in the Board’s packet. The motion was seconded by Director Grahl and passed 4-0-1, with Director Yackle abstaining.

Agenda Item 7: Staff Reports.

(a) Repairs at Intake Structure.

Mr. Wheeler reported to the Board that there has been no new information since this item was last discussed at the Special Board meeting on February 9.

(b) EcoSystems Landscape Maintenance.

Mr. Clark reported that the landscape maintenance contract has been signed and EcoSystems began working on February 1.

(c) Membrane System and Modifications at Water Treatment Facility.

Mr. Wheeler reported that the District is still awaiting approval from the Texas Commission on Environmental Quality regarding the pilot study.

(d) Water Treatment Facility Security System.

Mr. Clark reported that this item had been previously completed. No other discussion was had.

(e) Demolition of Maintenance Yard.

Mr. Wheeler advised the Board that there was no new information to report since the item was discussed at the Special Board meeting held on February 9.

(f) Utilities Rate Study.

Mike Petter reported that all data has been supplied to the District's Consultant, Mickey Fishbeck. Mr. Petter requested Board feedback regarding the design of the study and advised that the proposed tier approach had been provided to the Water and Wastewater Committee. Staff was directed to check with the surrounding communities of Round Rock, Cedar Park and Georgetown to see how they address tiered rates and/or different customer classes.

(g) LED Project Phase II Update.

Mr. Clark reported that the contractor had poured the concrete at Cat Hollow Park on Saturday, but that the sign was misplaced and the contractor was re-pouring at the proper location. The project should be completed by the end of March.

(h) Parks and Recreation Department Training Update – Day Camp.

Mr. Clark reported that staff participated in training at the 2010 ACA Regional Conference at Mo Ranch in January and took classes on management, communication and leadership.

(i) Emergency Action Plan Update – PA System.

Mr. Clark reported that the PA System has been repaired and is operational. The Board discussed how the system worked and staff was directed to provide a report on the system zones in at the next Board meeting.

(j) Sendero Pool Project Update.

(i) Pool Cover.

Mr. Clark reported that the pool cover was being delivered on February 12, 2010.

(ii) Roof Over Pump Area.

Mr. Clark reported that the roof over the pump area had been completed.

(8) Consent Agenda.

Director Yackle moved approval of the consent agenda, with the exception of item (a). The motion was seconded by Director Goldstein and approved unanimously (5-0). The following item was thereby approved by the Board of Directors:

(8b) The Board approved the January 14, 2010 Board meeting minutes.

Agenda Item 8(a): Approve Order for Destruction of District Records.

Director Tullos expressed concern over the destruction of records concerning the Round Rock Independent School District contracts, correspondence with Williamson County, correspondence found in a box entitled "Lori's Desk," and the litigation files in the box that was moldy and heavily contaminated with animal waste. Director Tullos stated that the documents could be destroyed after final review by staff.

Director Goldstein moved to approve the destruction of the records identified in the Board's packet with the proviso that the General Manager would review those documents identified by Director Tullos prior to their destruction. The motion was seconded by Director Tullos and passed 4-1, with Director Grahl voting against.

Technology Department Matters.

Agenda Item 9(a): Discussion Concerning Response to IT Audit Report Summary Comment.

Mark Palmer presented a summary of the IT audit report's findings. Mr. Palmer reported that while many of the items identified were corrected, the IT Department is continuing to make improvements and is working with other Department Managers to ensure IT issues are addressed. No action was taken by the Board.

Human Resources Department/Financial Matters:

Agenda Item 12(a): Discussion Concerning the District's Five Year Financial Model.

Mike Petter discussed the potential for the Five Year Financial model's use in budget planning and advised the Board what each department may be looking at in order to better plan for the future when the District reaches build out. No action was taken by the Board.

Agenda Item 12(b): Discussion and Possible Action Concerning Membership in the Texas Multiple Award Schedule Purchasing Cooperative.

Mr. Petter explained the benefits of being a member of the Cooperative. Director Grahl moved to approve the District's participation in the Texas Multiple Award Schedule Purchasing Cooperative. The motion was seconded by Director Shermer and passed unanimously (5-0).

Administrative Department Matters:

Agenda Item 13(a): Approval of the Notice of Appointment of Agent.

After discussion, Director Grahl moved to approve the Notice of Appointment of Agent for the May 8, 2010 Director's Election. The motion was seconded by Director Goldstein and passed unanimously (5-0).

Agenda Item 13(b): Approval of Order Calling Election and Agreement With Williamson County.

The Board then discussed the costs for conducting the District's election. Staff was directed to contact the Williamson County Elections Division to get a better understanding of the costs and how they are calculated and to bring the matter back to the Board on February 25th.

Agenda Item 13(c): Discussion and Possible Action Concerning Notice of Election.

Attorney Corbett discussed the various methods of providing the Notice of Election. Director Yackle moved to publish the notice in the Round Rock Leader in addition to posting the notice. The motion was seconded by Director Tullos and passed unanimously (5-0).

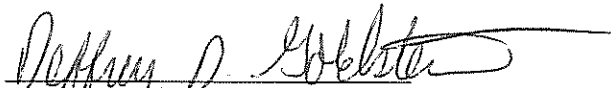
Staff was directed to advise the Board of the publication costs at the February 25 meeting.

Agenda Item 13(d): Authorization For Staff to Take Such Other Actions As May Be Necessary or Convenient to Proceed with the Election.

This matter was tabled until the February 25 Board meeting.

Adjournment.

Director Goldstein moved to adjourn the meeting. The motion was seconded by Director Grahl, and passed unanimously (5-0). The meeting adjourned at 8:46 P.M.


Jeff Goldstein, Secretary