

Revised 10-23-08

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF
BRUSHY CREEK MUNICIPAL UTILITY DISTRICT**

February 28, 2008

A regular meeting of the Board of Directors of Brushy Creek Municipal Utility District was held on the 28th day of February, 2008 at 7:00 p.m., in the District's office, 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.

Roll Call and Establishment of Quorum (Agenda Item 1)

President Paul Tisch called the meeting to order at 7:06 p.m. and established a quorum consisting of himself, Vice-President Cris Yackle, Treasurer Rebecca Tullos, Assistant Treasurer Bob Grahl and Russ Shermer. Also present were General Manager Tom Clark, Deputy Secretary Margie Anthes and Legal Counsel Tony Corbett. Upon establishment of a quorum, the Board conducted the Pledge of Allegiance.

Discussion and possible action concerning report from Williamson County on the Regional Habitat Conservation Plan (Agenda Item 5)

The Board received a presentation by Lisa Birkman, County Commissioner, and Gary Galbraith, of SWCA, concerning the Regional Habitat Conservation Plan for endangered and threatened species mitigation. No action was taken on this item.

Discussion and possible action concerning Brushy Creek Marlins swim team contract (Agenda Item 10.b.)

A motion was made by Director Yackle to approve the amended Marlins Swim Team contract subject to incorporation of certain changes relating to payment and authorizing execution of the same, upon presentation and approval by the Marlins Swim Club. The motion was seconded by Director Tullos. The motion carried 4-0-1 with Directors Shermer, Tisch, Tullos and Yackle voting for and Director Grahl abstaining. The General Manager was directed to sign the contract on behalf of the District if the Marlins Swim Team agreed to the Board's terms and conditions as noted in the amended contract.

Citizens Communications (Agenda Item 2)

Citizen Linda Roquet addressed the Board regarding trash and activities on an undeveloped tract of real property in the District. Staff was directed to confirm that the District did not own the property in question. John McLemore addressed the Board.

Announcements and Recognition (Agenda Item 3)

None

Citizen Advisory Committee Matters (Agenda Item 4)

No reports

Discussion and action concerning change order policy (Agenda Item 6)

The Board discussed the District's change order policy. A motion was made by Director Tisch to approve the Resolution Authorizing General Manager to Approve Change Orders and Pay Estimates Relating to the Construction of District Improvements in the form presented in the policy. The motion was seconded by Director Tullos. The motion passed 5-0 with direction to staff to insert a resolution number that corresponds to the date of the meeting.

Discussion and possible action concerning Change Request Proposal number one (1) and two (2) for Sendero Springs Pavilion (Agenda Item 7)

This item was pulled from the Agenda with direction that the General Manager consider the proposals under his change order authorization.

Discussion and possible action concerning Change Request Proposal number one (1) for District Signs (Agenda Item 8)

This item was pulled from the Agenda with direction that the General Manager consider the proposals under his change order authorization.

Consent Agenda (Agenda Item 9)

Item F (approve time capsule inscription and location) and Item G (Approve Daddy Daughter Dance event) were pulled from the Consent Agenda for discussion.

Item B (Approve 2008 Parks and Pool Regulations) and Item C (Approve Class Database Improvement Project and Technology Scanning Project Worksheets) were pulled and tabled.

A motion was made by Director Yackle to approve the remaining Consent Agenda items, consisting of Item A (Approve Accounting and Human Resources Departmental Charter), Item D (Adopt Resolution requesting approval of TCEQ for release of escrow funds for payment of Cat Hollow lift station improvements and other action related thereto), Item E (Approve closing of inactive investment accounts), and Item H (Approve amendment to Ray and Associates contract). The motion was seconded by Director Shermer. The motion carried 5-0.

The Board then discussed Consent Agenda Item F (approve time capsule inscription and location). A motion was made by Director Tullos to approve the time capsule inscription and location, with direction that staff include the month on the plaque and recognize Hyland as contributor on the plaque. Staff was also directed to include other contributors in the Community Center Grand Opening Program. The motion was seconded by Director Grahl. The motion passed 5-0.

The Board then discussed Consent Agenda Item G (Daddy Daughter Dance). A motion was made by Director Shermer to approve the Daddy Daughter Dance event as a recreational activity of the District, as more particularly described in the Board packet. The motion was seconded by Director Grahl. The motion carried 5-0.

At 8:19 p.m., Director Tisch recessed the Board meeting. He reconvened the meeting at 8:29 p.m. with all Directors being present.

Discussion and possible action concerning adoption of pool pass refund procedure (Agenda Item 10.a.)

A motion was made by Director Tullos to approve the District pool pass refund policy as presented in the packet with an effective date of March 1, 2008. The motion was seconded by Director Tisch. The motion carried 5-0.

Staff was directed to include adopted, effective and revision dates on all policy and procedure documents submitted to the Board for approval.

Discussion and possible action concerning approval of proposed Community Center policies (Agenda Item 10.c):

The Board then considered a number of matters relating to the proposed Community Center policies. First, the Board considered the approval of the proposed Membership Policy (Agenda item 10.c.(ii), and Release of Liability for Nonmember Minors (Agenda Item 10c.(i)) in the form presented in the Board packet, to be effective March 1, 2008. A motion was made by Director Tullos, seconded by Director Grahl, to approve such matters in the form presented in the Board packet, subject to certain revisions. The motion carried 5-0.

The Board then tabled consideration of a revised form of Membership Agreement (Agenda Item 10.c.(iii) in order for staff to ensure that the most recent version is presented to the Board.

The Board then considered creation of a Community Center Member Handbook (Agenda Item 10.c(iv). After discussion, Director Tullos moved that the Board authorize payment up to \$1000 from Director's Contingency for creation of a Membership Handbook by staff, working with the CCAC, to be completed by the date of the Open House event (if possible). The motion was seconded by Director Grahl. After further discussion, Director Tullos withdrew the motion, but then subsequently reinstated the motion. The motion carried 3-2, with Directors Tisch and Yackle voting against the motion.

The Board then discussed the lobby renovation budget (Agenda Item 10.d). The Board received a report on the lobby renovation budget. No action was taken.

The Board then considered renovation of the game room (Agenda Item 10.e). After discussion, a motion was made by Director Tullos to approve the purchase of marlite, a television, a Wii game and a rug, in a total amount not to exceed \$7,500, to be funded out of excess funds from the renovation project or the Board contingency. The motion was seconded by Director Tisch. The motion passed 4-1 with Directors Tisch, Shermer, Grahl and Tullos voting for the motion, and Director Yackle voting against.

Discussion and action concerning liability insurance for the Hairy Man Festival (Agenda Item 12.a.)

The Board discussed liability insurance for the Hairy Man Festival. Mike Petter made a brief presentation regarding the information furnished by the Texas Municipal League regarding the extension of liability insurance coverage to BCWA. No other action was taken on this item.

Discussion and possible action concerning reorganization of customer service department
(Agenda Item 12.b.)

A motion was made by Director Tullos to approve the customer service department, job titles, job descriptions and the increase of the FTE count by 0.4 and to close old job positions as new job positions are filled. The motion was seconded by Director Grahl. The motion carried 5-0. A motion was made by Director Tullos to approve the new organizational chart and project work plan. The motion was seconded by Director Yackle. The motion carried 5-0. Staff was directed as follows:

- Track the time savings as a result of implementation of new utility billing/class software
- Combine the last two job description titles to “Community Center Member Services Supervisor”
- Include in the concierge job description the following: “monitoring access into recreation area”
- Advise the Board which job descriptions will be done away with at a future Board meeting.

John McLemore addressed the Board regarding public information act requests and park survey matters.

Discussion and possible action concerning utility billing late fee policies (Agenda Item 12.c.)

This item was tabled.

Discussion and possible action concerning pay schedule (Agenda Item 12.d.)

This item was tabled.

Discussion and possible action concerning surplus property procedures (Agenda Item 12.e.)

This item was tabled.

Discussion and Action Regarding First Quarter Financials: (i) Consideration and approval of 1st fiscal year Variance Report and budget adjustments (ii) Consideration and approval of 1st fiscal quarter Financial Report (12/30/07) (iii) Consideration and approval of Disbursement Reports for the months of October, November and December 2007 and (iv) Consideration and approval of first quarter 2008 Investment Report (Agenda Item 12.f.i-iv)

The Board discussed the First Quarter Financials. A motion was made by Director Grahl to approve the 1st fiscal year Variance Report, the 1st fiscal quarter Financial Report (12/30/07), the Disbursement Reports for the months of October, November and December 2007, and the first quarter 2008 Investment Report. The motion was seconded by Director Shermer. The motion carried 5-0.

Discussion and possible action concerning Round Rock Roller Rink request for water supply for fire suppression (Agenda Item 13.a.)

This item was tabled.

Discussion and possible action concerning March 13, 2008 Board meeting (Agenda Item 14.a.)

Staff was directed to reschedule the March 13, 2008 Board meeting to March 18, 2008. No other action was taken.

Discussion and possible action concerning scheduling of 2008 Summer Board Workshop (Agenda Item 14.b.)

The Board discussed the scheduling of the 2008 Summer Board Workshop. Staff was directed to cancel the June 26, 2008 Board meeting and to hold the Board workshop on Saturday, June 28, 2008 and Sunday, June 29, 2008.

Discussion and possible action concerning signage on District property (Agenda Item 14.c.)

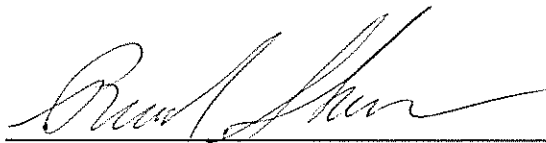
The next item of business concerned political signs on District property. After discussion, staff was directed to notify the Williamson County Democratic and Republican Headquarters regarding the District's policies on political signs and to advise them that any signs in violation of District policy will be removed.

Board Committee and Staff Reports (Agenda Item 15)

No reports were given.

Adjournment (Agenda Item 16)

At 11:57 p.m., a motion was made by Director Shermer to adjourn the meeting. The motion was seconded by Director Grahl and passed unanimously.



Russ Shermer, Secretary