

**MEETING MINUTES  
BRUSHY CREEK MUNICIPAL UTILITY DISTRICT**

A meeting of the Board of Directors of Brushy Creek Municipal Utility District was held on the 26th day of March, 2009 at 6:00 p.m., in the District's office, 16318 Great Oaks Drive, Brushy Creek Subdivision, 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 6:04 p.m. with the following directors present: President Paul Tisch, Vice President Cris Yackle, Treasurer Rebecca Tullos, Secretary Russ Shermer and Assistant Secretary/Treasurer Bob Grahl. District Attorney Tony Corbett, General Manager Tom Clark and other staff were present.

Agenda Item 2: Discussion regarding order of consideration of agenda items.

The Board discussed the order of consideration of agenda items, and agreed to move Agenda Item 4(c)(6) (Round Rock Regional Wastewater Issues) to the end of the meeting.

The Board also agreed to consider some matters out of order in order to accommodate visitors.

Agenda Item 3: Citizens' Comments.

A resident requested the Directors research the possibility of federal stimulus funds.

Agenda Item 4: Reports.

a. Community Center Advisory Committee Report:

Mr. J.R. Richardson presented the CCAC report. He summarized the items discussed by the Committee at its March 9, 2009 meeting. No actions were taken by the Board.

b. Parks and Recreation Advisory Committee Report:

Mr. Fred Lord presented the Parks and Recreation Committee report. He summarized the items discussed by the Committee at its March 2, 2009 meeting. No actions were taken by the Board.

Agenda Item 5: Sam Bass Fire Department request to lease land for new fire station.

Gerry Cheney addressed the Board regarding the leasing of land to the Sam Bass Fire Department for a future fire station. He presented the fire station footprint layout they are proposing to place on the east side of Great Oaks Drive immediately south of Brushy Creek north. He noted that some of the trails being currently developed in that area may cross the footprint. He requested that the Sam Bass Fire Department be able to lease the land at no cost. After discussion regarding the District's investment in the land and possible use of the site, the Board directed staff to investigate the request in more detail and bring back recommendations to the Board of Directors for consideration.

Agenda Item 6: Brushy Oaks Farmers Market.

Amy Ingram addressed the Board and requested permission to hold a Farmer's Market at the Community Center. The Farmers' Market would be held every Saturday morning from 9 a.m. to 1 p.m. Staff was directed prepare a draft agreement for consideration by the Board of Directors.

Agenda Item 4(c) Reports (Continued).

1. The General Manager reported on the status of repairs at the District's intake structure.
2. Mike Wheeler provided a report regarding the status of the membrane improvement project.
3. Tim Ishman and Simon Molyneux provided a report on the Aquatics Coordinator job duties. Staff was given the following direction: Research uses for Creekside storage building; confirm that no items were being stored in any of the pools electrical or boiler rooms; check on possible use of Sendero Springs pool by other schools; and prepare a plan for year round use of Sendero Springs pool.
4. Tim Ishman and Simon Molyneux reported on the use of ActiveNet at the pools. Staff was directed to determine what types of reports will be run. Staff was further directed to research the heat issues at the pool with respect to the computer equipment which will be housed there, and to report on the matter at the next Board meeting.

Recess: The Board of Directors recessed the meeting at 8:06 p.m. The Board reconvened the meeting at 8:17 p.m.

Agenda Item 4 Reports (Continued).

5. Mike Petter addressed the Board concerning the Microix Employee time clock software. He noted that all staff is now using the system and that there have been no problems to date.
6. Regional Wastewater Issues- this matter was considered later in the meeting (below).
7. Mike Petter reported that staff did not intend to request a consumer price index increase to the rate for raw water sold to Williamson County for irrigation purposes.
8. Mike Wheeler addressed the Board concerning the Sendero HOA Landscape Plan. He advised the Board that he would provide a complete plan at the April 23rd Board meeting. Staff was directed to include the District horticulturist in the project and to provide the Board with a landscaping plan for improvements to the site.
9. Tom Clark reported on the Chisholm Trail Memorandum of Understanding. He advised the Board that Chisholm Trail was negotiating with the City of Georgetown

regarding the expansion of the existing north water treatment plant. The Board directed the General Manager to inform Chisholm Trail SUD that its ability to participate in the District's south intake structure improvements would not remain available in perpetuity, and that the District would require Chisholm Trail SUD to cost participate in the current intake improvements if it desired to utilize the intake structure in the future.

Agenda Item 7: 901 Great Oaks space plan.

The General Manager reported on the progress of the 901 Great Oaks space plan. He recommended that staff not be relocated to the Water Treatment Facility at this time and that 901 Great Oaks be utilized as office space, training and records storage. Staff was directed to continue to work on the plan and to include the plan on the next regularly scheduled agenda for approval.

Agenda Item 8: Approve February Financial Disbursement report, February Detail and January Cash and Investment reports.

After discussion, a motion was made by Director Tullos to approve the February Financial Disbursement report, February Detail and January Cash and Investment reports. The motion was seconded by Director Grahl and the motion carried 5-0.

Agenda Item 9: Surplus of vehicles and equipment for disposal.

Staff reported on the disposition status of sale of the surplus of vehicles and equipment. After discussion staff was directed to amend the surplus form and add this item to the next regularly scheduled agenda for approval. .

Agenda Item 10: Certificate of Convenience and Necessity Application filed by the City of Round Rock.

The General Manager advised the Board that the District had received notice of an application by the City of Round Rock's for certification of a service territory that includes Brushy Bend Park. Staff recommended submittal of a protest letter if Round Rock would not voluntarily amend its CCN application. A motion was made by Director Yackle and seconded by Director Tisch to protest the applications of Round Rock unless Round Rock voluntarily amends the applications to exclude all areas that presently receive water or wastewater service by the District. The motion carried 5-0.

**Action Items:**

Director Shermer moved that the Board approve remaining action items: #11, #12 and #13. The motion was seconded by Director Grahl, and carried unanimously. The Board thereby approved the following items:

Agenda Item 11: The Board approved the revised Horticulture Coordinator job description in the form set forth in the packet.

Agenda Item 12: The Board approved the minutes for February 12 and 26, 2009 and March 5, 2009.

Agenda Item 13: The Board approved the Resolution closing the 1997 bond account.

Executive Session.

The Board went into Executive Session at 9:20 p.m. to seek legal opinion and advice regarding Agenda Item 4(c)(6), Status of discussions with Round Rock on Regional Wastewater Issues. At 10:20 p.m., President Tisch reconvened the meeting. Staff was directed to advise Round Rock and LCRA of the District's concerns as to the proposed sale of the Regional Wastewater System.

Adjournment:

Director Grahl moved to adjourn the meeting. The motion was seconded by Director Shermer, and passed unanimously. The meeting adjourned at 10:22 p.m.

A handwritten signature in black ink, appearing to read "Russ Shermer", written over a horizontal line.

Russ Shermer, Board Secretary