

**NOTICE OF MEETING OF THE BOARD OF DIRECTORS OF
BRUSHY CREEK MUNICIPAL UTILITY DISTRICT**

April 10, 2008

A regular meeting of the Board of Directors of Brushy Creek Municipal Utility District was held on the 10th day of April, 2008 at 7:00 p.m., in the District's office, 16318 Great Oaks Drive, Brushy Creek Subdivision, Round Rock, Texas.

1. Call to order

Meeting was called to order at 7:00PM with Directors Grahl, Yackle, Tullos, Tisch and Shermer present. Upon establishment of a quorum, the Board conducted the Pledge of Allegiance.

2. Announcements and Recognition.

There were no announcements or recognition.

3. Discussion regarding order of consideration of agenda items (Agenda Item #10).
The order of consideration of agenda items was maintained but certain changes to the consent agenda were made, as noted below.

4. Citizens' Comments (Agenda Item #6).

John McLemore elected to address the Board under Item 15

5. Discussion and possible action concerning Water & Wastewater Master Plan and rate study and other matters related thereto (Agenda #5).

a. The Board first received a presentation from Tom Owens of K. Friese & Associates, Inc. regarding the results of the first phase of the District's Water and Waste Water Master Plan.

b. No action was taken by the Board regarding the project worksheets but updates for timelines made by staff were noted on the form.

6. Citizen Advisory Committee Matters –Standing (Agenda Item #6)

a. Technology Committee Report. The District's Information Technology Manager presented a report. No action was taken

b. Water and Wastewater Committee Report. No report.

7. Consent Agenda (Agenda Item #7)

The Board tabled consideration of Consent Agenda Items A (Approval of Purchasing Procedures) and G (Appointment of new member to Parks Master Plan Task Force Committee).

The Board also pulled Consent Agenda Items C, K, M, N, O, and P for discussion.

**SCANNED
ORIGINAL**

Director Tullos then moved that the Board approve the following Consent Agenda Items:

- B- Approve Solid Waste Services Request for Proposal
- D- Approve February Disbursement report, February Detail and February Cash and Investment Reports
- E- Approve changing the Utility credit card Processing Vendor.
- F- Approve final payment to Central Texas Water Maintenance for release of retainer for the water system SCADA
- H- Approve transfer of remaining Series 2008 Defined Area Bond proceeds
- I- Approve minutes from March 6, 2008 Master Plan Task Force Meeting
- J- Approve minutes from March 6, 2008 Special Meeting of the Board of Directors.
- L- Approve minutes from January 28, 2008 Board Meeting
- Q- Discussion and possible action concerning approval of Water Wastewater Utility Operation & Maintenance Supervisor job description

The motion was seconded by President Tisch, and was approved unanimously.

The Board then considered each of the Consent Agenda items that had been pulled for discussion, as follows:

7c Adopt amendment to Notice to Purchaser and District Information Form
Mike Petter presented two proposed revisions to the Notice to Purchaser and District Information Form: revising the Defined Area maintenance tax authorization from 36 cents to 56 cents, and to revise the year to reflect 2008. He also noted that the Board was only approving the changes presented and not the exhibits.

A motion was then made by Director Tullos, seconded by Director Grahl, to approve the Notice to Purchaser and District Information Form with the above changes. Motion carried 5-0.

7k Approve minutes from January 10, 2008 Board Meeting
A motion was then made by Director Shermer, seconded by Director Tullos, to approve the January 10, 2008 meeting minutes as presented in the handouts with the non-substantive changes requested by Director Tullos. Motion carried 5-0.

7m Approve minutes from February 4, 2008 Special Board Meeting
A motion was then made by Director Shermer to approve the minutes from the February 4, 2008 meeting with the non-substantive changes requested by Director Tullos. The motion was seconded by Director Grahl. Motion carried 5-0.

The Board then directed staff to revise the form of the meeting minutes for joint Board and committee meetings so that it was clear that the minutes approved by

the Board relate to the Board meeting only. This would allow the committees to prepare separate committee meeting minutes.

7n Approve minutes from February 14, 2008 Board Meeting

A motion was then made by Director Shermer to approve the February 14, 2008 meeting minutes with the non-substantive edits requested by Director Tullos. The motion was seconded by Director Grahl. Motion carried 5-0.

7o Approve minutes from March 18, 2008 Board Meeting

A motion was then made by Director Shermer, seconded by Director Grahl, to approve the March 18, 2008 meeting minutes with the non-substantive edits requested by Director Tullos. Motion carried 5-0.

7p Approve minutes from March 20, 2008 Special Board Meeting

A motion was then made by Director Shermer, seconded by Director Grahl, to approve the March 20, 2008 meeting minutes with the non-substantive edits requested by Director Tullos. Motion carried 5-0.

8. Discussion and possible action concerning use of Community Center for Great Oaks Elementary Wellness Day (Agenda Item #8).

A motion was made by Director Yackle to approve the written request by Great Oaks Elementary School to use the Community Center for Wellness Day as presented in the Board packet. The motion also approved payment of overtime costs for a District staff personal trainer to participate in the event, as necessary. The motion was seconded by Director Tisch. Motion carried 5-0.

9. Discussion and possible action concerning insurance coverage for BCWA events (Agenda Item #9).

Legal counsel then made a brief report concerning the potential legal and financial implications of extending the District's liability insurance to BCWA. For the reasons presented, the attorney recommended that the Board not agree to provide liability insurance coverage for BCWA and similar groups that conduct joint events with the District.

Based on legal counsel's recommendation, the Board then directed that staff, legal counsel, and the Board sub-committee meet with BCWA regarding insurance coverage matters and to discuss liability insurance for future joint events.

No other action was taken by the Board.

10. Discussion and possible action concerning tree replacement/median upgrade project (Agenda Item #10).

Jesse Kennis provided an update on the project noting that the contractor (UTZ) was slow getting started but he is monitoring their progress closely. No action was taken by the Board.

11. Discussion and possible action concerning approval of payment application #1 to B&O Construction for renovation of Community Center Lobby (Agenda Item #11).

A motion was made by Director Tullos to approve payment application #1 from B&O Construction in the amount of \$93,369.00. The motion was seconded by Director Grahl. Motion carried 5-0.

The Board also directed staff to send a letter to B&O Construction commending them for their work, after the project is fully completed.

12. Discussion and possible action concerning amendment number one to maintenance facility engineering proposal (Agenda Item #12).

A motion was then made by Director Tisch, seconded by Director Grahl, to authorize Jacobs Carter Burgess to perform additional engineering services for the maintenance facilities and to approve payment in an amount not to exceed \$18,600. The motion passed 4-1 with Directors Shermer, Tisch, Yackle and Grahl voting for and Director Tullos voting against. Director Tullos noted for the record her concern that the engineering costs for site demolition services appeared excessive.

13. Discussion and possible action concerning Interlocal Agreement for emergency water service between the City of Round Rock and the District (Agenda Item #13).

A motion was made by Director Shermer, seconded by Director Grahl, to approve the Interlocal Agreement for emergency water service between the City of Round Rock and the District as presented in the Board packet. Motion carried 5-0.

14. Discussion and possible action concerning upcoming conferences and Board workshop schedule (Agenda Item #14).

The Board directed staff to select a date for the Board's Summer Workshop to be held in May or June and for the agenda to include an update on the 2007 goals adopted by the Board, notes from the March 1, 2008 workshop, as well as current projects underway. Staff was also directed to cancel the AWBD hotel reservations made for the July conference.

Staff was further directed to provide CASE with an updated mailing list of Directors.

15. Board Committee and Staff Reports (Agenda Item #15)

John McLemore addressed the Board.

President Tisch then announced that the Board would recess the meeting at 8:58PM.

At 9:05PM, President Tisch reconvened the meeting with all directors present. The Board then considered committee reports as follows:

a. Committee Task Force.

It was reported that the April 24th board meeting will include an item regarding the Task Force recommendations.

b. BCWA Joint Events

This was addressed in agenda item 9.a

c. Finance Committee

There were no questions for the Controller. Director Tullos informed the Board that the Finance Committee would be meeting next week.

d. Staff Reports.

After the General Manager noted some limitations associated with the current task workflow database, the Board directed the IT Manager to research alternative workflow technologies for the preparation of staff reports other than an Access database.

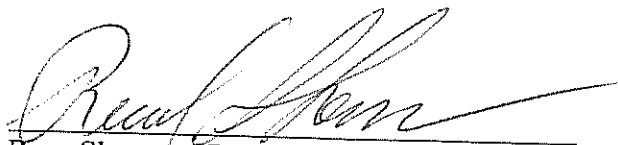
The Public Works Director noted that Pump #4 failed at the Cat Hollow lift station and the response actions taken by staff. The Board directed staff to proceed with repairs to the lift station. The Board also directed staff to notify the TCEQ of the emergency and need to bypass normal bidding procedures for the repairs.

The Board directed staff to obtain an offsite backup of District system tapes to begin Friday April 11, 2008.

With respect to all written staff reports, the Board requested that items completed and to be removed be identified in red font.

16. Adjournment

A motion was then made by Director Shermer, seconded by Director Grahl, to adjourn the meeting. Motion carried 5-0. Meeting adjourned at 9:50 PM.



Russ Shermer, Board Secretary