

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

March 22, 2007

A regular meeting of the Board of Directors of Brushy Creek Municipal Utility District was held on the 22nd day of March 2007 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 Steve Widacki called the meeting to order at 7:09 p.m. and established a quorum consisting of Secretary Cristine Yackle, Treasurer Rebecca Tullos, and Assistant Treasurer Larry Buchanan. Vice President Paul Tisch was not in attendance. 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.

Citizens Communications (Agenda Item 2)

The first order of business was Citizens Comments. John McLemore addressed the Board with regard to the Open Records Requests report.

Consider and approve sign design (Agenda Item 8)

The Board next considered approval of the District's proposed sign design. Director Tullos moved to approve the design. The motion was seconded by Director Buchanan. The motion carried 4-0.

Announcements and Recognition (Agenda Item 3)

The Board announced the resignation of David Thomison, O & M Superintendent, and awarded a service plaque for eight years of service to the District.

Citizen Advisory Committee Matters (Agenda Item 4)

The Board then received Citizen Advisory Committee Reports. Tom Clark reported on the Water and Wastewater Committee meeting held on March 19, 2007. No action was taken by the Board regarding this matter. No other committee reports were given.

Consent Agenda (Agenda Item 5)

The next item of business was the Consent Agenda. Upon a motion by Director Tullos, seconded by Director Yackle, the Board of Directors unanimously approved Items B (Accept Security Report), C (Approval Sendero Swimming Pool Use Agreement) and D (Approval Project Worksheet and contractor for website remodeling project) of the Consent Agenda.

With regard to Consent Agenda Item A, a motion was made by Rebecca Tullos to approve the Special Board Meeting minutes of February 9-10, 2007 with the attachment of the notes of Facilitator Merrill Jones. The motion was seconded by Larry Buchanan. The motion carried 4-0.

With regard to Consent Agenda Items E and F, a motion was made by Rebecca Tullos to approve the proposals from Dr. Merrill Jones for a Communication and Teamwork Workshop for District Staff and a Committee Training Workshop Session. The motion was seconded by Larry Buchanan. Motion carried 4-0.

With regard to Consent Agenda Item G, a motion was made by Steve Widacki to approve the Resolution nominating Cris Yackle to the Board of Trustees of the Association of Water Board Directors-Texas. The motion was seconded by Larry Buchanan. Motion carried 3-0 with Director Yackle abstaining.

Presentation on fluoridation project (Agenda Item 6)

Jason Brian gave a report on the fluoridation project. The Director of Public Works was directed to place the purchase of chemicals up for bid and otherwise ensure an adequate supply of chemicals.

Approve final payment to Matous Construction and accept water treatment plant project (Agenda Item 7)

The next item of business was the final payment to Matous Construction and acceptance of water treatment plant project. A Motion was made by Larry Buchanan to approve the final payment and accept the water treatment plant project. The motion was seconded by Cris Yackle and passed with a vote of 4-0.

Report on temporary restructuring of Water, Wastewater, Parks and Pools staffing (Agenda Item 9)

The Board next received the report of the Public Works Director on the restructuring of staffing. No action was taken by the Board.

Discuss and approve Wastewater and Access Easement Partial (Agenda Item 10)

The Board then discussed the approval of Wastewater and Access Easement Partial Release requested by David Weekley Homes. The Board authorized the General Manager to execute an easement encroachment agreement to be included in the Board's next packet. No other action was taken by the Board.

Discussion and consideration of entering into discussions with City of Round Rock for use of its recycling center for District residences. (Agenda Item 11)

The next item of business was the discussion with the City of Round Rock for use of its recycling center. After a presentation by the General Manager, the Board directed him to initiate discussions with Round Rock and report back to the Board regarding details of any potential interlocal agreement. No other action was taken by the Board.

Approve Lobby Remodeling Project Worksheet and authorize staff to proceed with the Plan (Agenda Item 12)

The Board next considered the lobby remodeling Project Worksheet. After discussion, the Board approved the Project Worksheet and directed the Recreation Department Manager to provide a copy of the project plans to the Board members for review not less than one week before the meeting at which the Board would consider authorizing advertisement for bids. No other action was taken by the Board.

Discuss and clarify plans and proposal for implementation of Pavilions Project Plan (Agenda Item 13)

The next item of business was the Pavilions Project Plan. A motion was made by Larry Buchanan to approve the Project Plan. The motion was seconded by Rebecca Tullos and passed with a vote of 4-0. The Recreation Department Manager was directed to present a copy of the plan design to the Board before advertisement for bids. The Board also directed that PBS&J would serve as project engineer after Director Yackle expressed her consent thereto.

Consideration and action related to bank and investment accounts for the 2003, 2004 and 2005 bonds (Agenda Item 14)

Based on the recommendation of the District Controller, a motion was made by Larry Buchanan and seconded by Rebecca Tullos to approve a resolution authorizing the reimbursement of the District's operating account for Long Term Water Project expenditures with remaining Series 2003, 2004 and 2005 bond funds. The motion was passed 4-0. The Board directed District Counsel to prepare a resolution requesting TCEQ approval for the transfer in the event it was determined that such approval was required.

Consideration and action related to bank and investment accounts for the 1996 and 1997 bonds (Agenda Item 15)

Based on the recommendation of the District Controller, a motion was made by Cris Yackle and seconded by Larry Buchanan to close the Series 1996 and 1997 bank accounts after utilizing the remaining account funds to pay account fees. The motion passed 4-0.

Review and approval of the first quarter financial reports (Agenda Item 16)

The Board next reviewed the first quarter financial reports submitted by the Finance Committee. A motion was made by Larry Buchanan to approve the financial reports. The motion was seconded by Rebecca Tullos and carried with a vote of 4-0. Staff then stated that it desired to amend the fiscal year budget. The Board directed that a resolution amending the fiscal year budget be prepared and considered at the next meeting.

Committee Reports (Agenda Item 17)


General Manager Tom Clark reported on the Scanning/Website Committee, Strategic Partnership with City of Round Rock Committee, By Laws Committee and the Brushy Creek Women's Association joint events with the District committee. No other reports were given and no action was taken by the Board regarding the reports.

Staff and Consultant Reports (Agenda Item 18)

The Board received reports from the General Manager, Recreation Manager, Controller and the Public Works Director. No action was taken regarding these matters.

Adjournment (Agenda Item 19)

At 11:15 p.m., a motion was made by Larry Buchanan to adjourn the meeting. The motion was seconded by Cris Yackle, and passed unanimously.



Cristine Yackle, Secretary