



BEAR CREEK SUD

Telephone 1-972-843-2101 • P.O. Box 188
Lavon, Texas 75166

Date: July 6, 2017

Time: 7:03PM

MINUTES OF REGULAR BOARD MEETING

Call to order by: President Herman Stork

Directors Present: Herman Stork, Bryan Block, Jeff Bialecki, Chris Elder, Kevin Hutchinson

Directors Absent: Cheryl Crowder, Robert Haynes

Public Comment: None

Consent Items:

- Approval of Minutes of Regular Meeting on June 13, 2017.
- Approval of June 2017 Financials.
- Approval of June 2017 General Manager Report.

Motion made by Director J. Bialecki, seconded by Director B. Block to approve Consent Items. Motion carried unanimously.

Staff Report:

Legal update by James W. Wilson –All legal updates will be covered in Agenda items.

Regular Agenda Items:

- A. Consulting Engineer, Joe Helmberger & Todd Strouse, Kimley-Horn Engineering, to present a new Capital Improvement Plan (CIP): *Joe Helmberger and Todd Strouse, Kimley-Horn Engineering, presented the new Capital Improvement Plan for Bear Creek SUD. Todd Strouse stated the items that were looked at to determine the requirements to meet the Texas Commission on Environmental Quality (TCEQ); existing demand, line sizes, pump stations, and number of connections at total build-out (based on single family developments). The projects are not listed by importance. The Capital Improvement Plan will assist in the infrastructure requirements for development of any tract of land in the Bear Creek SUD certificated area.*
- B. Discuss and act to adopt the new Capital Improvement Plan (CIP): *Motion by Director J. Bialecki, seconded by Director B. Block to adopt the Capital Improvement Plan (CIP) as presented by Kimley-Horn Engineering. Motion carried unanimously.*

- C. Discuss and act on leasing space on Bear Creek SUD tower to provide wireless broadband: *The Board discussed the pros and cons of leasing space on the remaining Bear Creek SUD tower to LavonWeb, LLC. The determination was made that the revenue was minimal and when the contract with the existing provider expires, Bear Creek SUD would no longer lease space on any facilities.*
- D. Discuss progress of Pump Station 1 relocation: *Texas Commission on Environmental Quality (TCEQ) has approved the plans for the new pump station. The plans will be adjusted for the changes the City of Fate has requested. TxDOT has not responded to date. Kimley-Horn is working on the Project Information Report for the Texas Water Development Board (TWDB) loan. Approval from North Texas Municipal Water District (NTMWD) is in the preliminary stage.*
- E. Discuss electing board members from single-member geographical districts: *Attorney, James Wilson, stated that Special Utility Districts (SUD) are not allowed to do single member districts but a "local bill" can be passed through the Texas Legislature to grant a SUD the power to create single-member geographical districts from which to elect board members. If Bear Creek SUD wants to create single-member geographical districts, Mr. Wilson can look into it for the next legislative session in two years.*
- F. Discuss and act on reimbursement of infrastructure improvements – Traditions at Grand Heritage East and West: *Joe Helmberger, Kimley-Horn, discussed the reimbursement requested from Traditions at Grand Heritage East and West. The developer for Traditions at Grand Heritage East and West wants to be reimbursed the cost difference between the installation of a 12" line and an 8" line. The request from Traditions developer was the cost difference between the 12" line (\$107,108.85) and the 8" line (\$52,915.56) which was \$54,193.29 plus the developer added 11.8% cost (\$12,638.84) as an impact to Bloomfield. The total amount of reimbursement requested was \$66,832.13. Joe Helmberger stated that most contractors come to an agreement of reimbursement before the contract is completed. At the time of plans being presented to Bear Creek SUD, Traditions at Grand Heritage did not request reimbursement. This request only came after the installation of the line. Also, most reimbursements only occur on lines larger than 12". Joe Helmberger's recommendation is that Bear Creek SUD not pay the difference in the line sizes. Bear Creek SUD should stick to the agreed plans with no cost difference.*

Adjournment to Executive Session:

Motion made by Director C. Elder, seconded by Director B. Block to adjourn to Executive Session at 7:43PM. Motion carried unanimously.

Executive Session:

Executive Session Call to Order at 7:53PM.


Executive Session Agenda Items:

- (A) The Board may recess into closed or executive session to discuss the following:
- (1) Government Code §551.071. Consultation with Attorney: Discuss status of the City of Lavon Sewer CCN application before the Public Utility Commission.
 - (2) Government Code §551.071. Consultation with Attorney: Discuss status of the Rate Payers' Appeal filed with the Public Utility Commission.
 - (3) Government code §551.074. Personnel Matters.
- (B) Reconvene into Regular Session and take any action necessary as a result of the Executive Session.

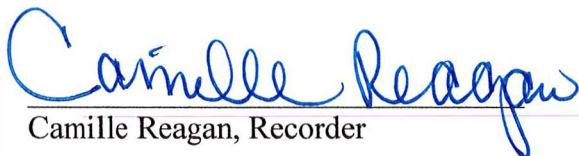
Adjournment from Executive Session at 8:33PM:

Regular Session Call to Order at 8:34PM. No action taken from Executive Session.

Adjournment at 8:35PM:


Herman Stork, President


Bryan Block, Vice President


Camille Reagan, Recorder