



BEAR CREEK SUD

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

Date: April 9, 2019

Time: 7:00PM

MINUTES OF REGULAR BOARD MEETING

Call to order by: President Herman Stork

Directors Present: Herman Stork, Bryan Block, Chris Elder, Leticia Harrison, David Hawkins, Robert Haynes, Kevin Hutchinson

Directors Absent: None

Public Comment: *Jim McKee – 14337 C. R. 485 – Highway 205 Easement: Mr. McKee stated that Bear Creek SUD had won the battle. Mr. McKee wanted to know what size of trees would be planted to replace his existing trees and what the time frame was for replacement of the trees. Mr. McKee stated that if his trees die in two years, would Bear Creek SUD replace them at that time. Also, Mr. McKee wanted to know who would water the trees if there was a drought. Mr. McKee wanted to know how long the process was going to take. President, Herman Stork, asked Mr. McKee if he was going to sign the new easement with metes and bounds or just use the existing blanket easement. Mr. McKee stated that he would sign the new easement. President, Herman Stork, informed Mr. McKee that Bear Creek SUD would make every possible effort to keep the water line at the furthest east point of the easement to avoid the trees. Mr. McKee stated that he was moving to Kaufman County the next week and he wanted to get this settled before he moved. Mr. McKee stated that he would be renting his house out in Lavon for a period of time and eventually be selling the property. Mr. McKee stated that he would come in to the office to sign the easement.*

Consent Items:

Approval of Minutes of Regular Meeting on March 12, 2019.

Approval of March 2019 Financials.

Approval of March 2019 General Manager Report

Motion made by Director R. Haynes, seconded by Director K. Hutchinson to approve Consent Items. Motion carried unanimously.

Staff Report:

None

Regular Agenda Items:

- A. Discuss and act upon Appointment of Legal Counsel: *Ms. Kristen Fancher of Fancher Legal, Frisco, Texas represents government entities, corporations and landowners on regulatory compliance, water resource and supply planning, water utility service, permitting, litigation and enforcement matters.*

Motion by Director R. Haynes, seconded by Director C. Elder to appoint Ms. Kristen Fancher as Bear Creek Special Utility District's Legal Counsel. Motion carried unanimously.

- B. Discuss and act upon Approving Resolution No. 2019-04-09-01 – Appointment of The Carlton Law Firm: *The ratepayers of Bear Creek Special Utility District have filed an appeal with the Public Utility Commission on the rates – Docket No. 49351.*

Motion by Director R. Haynes, seconded by Director D. Hawkins to approve Resolution No. 2019-04-09-01. Motion carried unanimously

- C. Discuss Highway 205 Water Line Relocation: *There have been approximately 50% of the requested easements signed and filed. The 90% plans have been submitted to TxDOT by Kimley-Horn. The Bear Creek SUD attorney will be sending letters to the remaining customers that have not signed their easements.*

- D. Discuss and act upon May 2019 Board Meeting: *The 2019 Board election will be held on Saturday, May 4, 2019. There would need to be a special meeting held to canvas the votes from the election or the May 14, 2019 Board meeting date would need to be moved to May 7, 2019. The May 2019 regular scheduled board meeting will be moved to May 7, 2019 at 7:00PM.*

- E. Discuss Pump Station 2 Improvements: *The initial plan for the new proposed pump station was designed with a chain link boundary fence. TCEQ requires either a 6' fence with three strands of barb wire or an 8' fence with no barb wire. General Manager, C. Reagan will request that Kimley-Horn get prices on the cost difference between the two types of fence.*

Adjournment to Executive Session at 8:05PM:

Executive Session:

Executive Session Call to Order at 8:10PM.

Executive Session Agenda Items:

- (A) The Board may recess into closed or executive session to discuss the following:
 - (1) Government Code §551.071. Ratepayers Public Utility Commission Petition
- (B) Reconvene into Regular Session and take any action necessary as a result of the Executive Session.

Adjourn Executive Session at 8:45PM.

In accordance with Texas Government Code, Section 551.001, President Herman Stork reconvened the meeting at 8:45PM and stated that no action was taken in executive session.

Adjournment at 8:46PM:

Herman Stork, President

Bryan Block, Vice President

Camille Reagan, Recorder

BOARD MEETING
GUEST SIGN-IN SHEET
Tuesday, April 09, 2019

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Kristen Fancher, Attorney

Vicki Sanson

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