



# BEAR CREEK SUD

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Lavon, Texas 75166

**Date:** November 18, 2024    **Time:** 6:30PM

## MINUTES OF REGULAR BOARD MEETING

**Call to order by:**                      President Chris Elder

**Directors Present:**                    Chris Elder, Lisa Block, Herman Stork, Robert Haynes, Leticia Harrison, Colby McClendon, James Watts

**Directors Absent:**                    None

**Public Comment:**                    Kathy Camp – 10894 Hwy. 205 – High Water Bill

**Consent Items:**

Approval of Minutes of Regular Meeting on October 21, 2024.  
Approval of Minutes of Special Meeting on October 25, 2024  
Approval of October 2024 Financials.  
Approval of October 2024 General Manager Report.

*Motion made by Director R. Haynes, seconded by Director L. Block to approve Consent Agenda Items. Motion carried unanimously.*

**Regular Agenda Items:**

A. Consider and adopt social media covered applications and prohibited technology policy.

*Director L. Block will research mobile device management plans for company phones.*

*Motion made by Director C. McClendon, seconded by Director J. Watts to adopt Resolution 2024-11-18-01 Approving Covered Applications and Prohibited Technology Policy for the District. Motion carried unanimously.*

B. Discuss and act upon date and time for monthly Board meetings.

*Motion made by Director R. Haynes, seconded by Director C. McClendon to change the date and time of monthly board meetings to the third Tuesday of every month at 6:00pm beginning in January 2025. Motion carried unanimously.*

C. Discuss purchase of property.

*Kimley-Horn will prepare OPC for designing a new office. Bids will be obtained for demolition of structure on property.*

D. Discuss and act upon PUC Meeting.

*Discussion of items Ms. Fato presented to the Public Utilities Commission meeting on October 24 2024.*

***Service Fee*** – *Ms. Fato stated that “the Service Fee was set at \$35.00 and should have been set back to \$30.81. BCSUD did not do it, never lowered the rate as ordered and the PUC would not enforce it.”*

*Bear Creek SUD Response: This is incorrect. The Service Fee was lowered for the duration of the time that was ordered by the PUC. There was an additional rate increase that raised the rate to \$40.25.*

***Attorney Fees*** – *Ms. Fato stated that “BCSUD made the rate payers reimburse the attorney fees and this was not fair.”*

*Bear Creek SUD Response: The PUC ordered that the attorney fees could be reimbursed from the rate payers back to BCSUD via a surcharge on the bills.*

***Number of Rate Increases since rate appeal was filed in 2019*** – *Ms. Fato stated “there had been five rate increases since the first-rate appeal was filed. Now the Service Fee went up to \$40.25.”*

*Bear Creek SUD Response: This is incorrect. There have been four rate increases since 2019 when Ms. Fato filed the Rate Appeal. November 2020 – NTMWD pass through. April 2023 – A 15% increase based on a Rate Study performed by Raftelis with a Service Fee increase to \$40.25. December 2023 – NTMWD pass through. December 2024 – NTMWD pass through.*

***Company car of General Manager*** – *Ms. Fato stated “the General Manager’s company car is now a Range Rover. Her salary went from \$100,000 to \$130,000.”*

*Bear Creek SUD Response: The car that the General Manager drives is NOT a company car. The General Manager's salary is not \$130,000. All salary increases for the General Manager are approved by the Board of Directors.*

**Board Member Salaries** – Ms. Fato stated that “after she was removed from the Board, now they pay themselves \$175.00 per meeting just to do it.”

*Bear Creek SUD Response: This is incorrect. The Board approved a payment of \$100.00 per meeting for each Board member in 2023.*

**Elections** – Ms. Fato stated that “BCSUD has not had any elections since Ms. Fato was voted off the board.”

*Bear Creek SUD Response: This is incorrect. Bear Creek follows the Election Code to post notices of its election. If there are no applications received except for the existing Board members, then the Election is cancelled pursuant to the Election Code.*

**Board President for past 28 years** – Ms. Fato stated “the Board President has been there 28 years.”

*Bear Creek SUD Response: The Board President is Director Elder. Director Elder was elected by the Board as Board President in 2023.*

**General Manager** – Ms. Fato stated that “the General Manager appointed herself after the previous General Manager passed away.”

*Bear Creek SUD Response: The present General Manager was promoted to that position by the Board of Directors in 2013.*

E. Discuss and act upon 2025 Budget.

*Motion made by Director H. Stork, seconded by Director R. Haynes to approve the 2025 Budget as presented. Motion carried unanimously.*

F. Development near Bear Creek SUD Office.

*Executive Session*

**Board to Set Future Meetings and Agendas:**

*President, C. Elder, asked if anyone had any future meetings to be set or any items for future agendas.*

*Next Regular Board Meeting scheduled for December 16, 2024, at 6:30 p.m.*

*PUC, Building Plans – office, demo structure on property, City of Lavon Fire Department usage.*

**Adjournment to Executive Session at 7:57PM under Section 551.072 of the Texas Government Code:**

**Executive Session:**

**Executive Session Call to Order at 8:00PM.**

**Executive Session Agenda Item:**

(A) The Board recessed into closed or executive session to discuss the following:

- (1) Texas Government Code Section 551.072 – deliberation regarding real property.

(B) Reconvene into Regular Session and take any action necessary as a result of the Executive Session.

**Adjourn Executive Session at 8:14PM**

In accordance with Texas Government Code, Chapter 551, President Chris Elder reconvened the meeting at 8:14PM and stated that no action was taken in executive session.

**Adjournment of Regular Meeting at 8:15PM.**

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Chris Elder, President

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Robert Haynes, Vice-President

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Camille Reagan, Recorder