

**WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 1,  
OF MONTGOMERY COUNTY, TEXAS**

**Minutes of Meeting of Board of Directors  
February 12, 2025**

The Board of Directors of Wood Trace Municipal Utility District No. 1, of Montgomery County, Texas met in accordance with the duly posted notice of meeting, and the roll was called of the duly constituted members of the Board of Directors, to-wit:

James Art Nicholson, President  
Dexter Braband, Vice President  
David Ambrose, Secretary  
David Berenger, Assistant Secretary  
David Ricke, Assistant Secretary

all of whom were present with the exception of Directors Braband and Ambrose, thus constituting a quorum.

Also present were Kristen Scott of Bob Leared Interests ("Leared"); Shayna Helvey of LJA Engineering, Inc. ("LJA"); Dulcé Molina of Municipal Accounts & Consulting, L.P. ("MA&C"); Josh Rowe of Water District Management Company, Inc. ("WDM"); Ryan Haynes of Environmental Allies ("EA"); Christine Crotwell of Masterson Advisors LLC ("Masterson"); and Bryan Yeates and Kris Eddlemon of Schwartz, Page & Harding, L.L.P. ("SPH").

The President called the meeting to order and declared it open for such business as might regularly come before it.

**PUBLIC COMMENTS**

The Board began by opening the meeting for public comments. There were no comments from the public at this time.

**APPROVAL OF MINUTES**

As the next order of business, the Board considered approval of the minutes of the Board of Directors meeting held on January 8, 2025. After discussion, Director Ricke moved that the minutes be approved, as written. Director Berenger seconded said motion, which unanimously carried.

**BOOKKEEPING REPORT**

Ms. Molina next reviewed the Bookkeeping Report dated February 12, 2025, a copy of which is attached as **Exhibit A**, including the disbursements presented for payment from the District's various accounts. After discussion on the matter, it was moved by Director Ricke that the Bookkeeping Report be approved and that the disbursements identified therein be approved

for payment, with the exception of check nos. 5902 and 5906, which were voided. Director Berenger seconded said motion, which carried unanimously.

### **TAX ASSESSOR-COLLECTOR REPORT**

Ms. Scott then presented the Tax Assessor-Collector Report for the month of January 2025, a copy of which is attached hereto as **Exhibit B**. After discussion, Director Nicholson moved that said Report be approved and that the disbursements identified in the Report be approved for payment from the District's tax account. Director Berenger seconded said motion, which carried unanimously.

Ms. Scott next advised that a taxpayer of the District requested that penalty and interest charges on their delinquent tax bill be waived. She noted that, unless there has been an error by the appraisal district, the District or the District's tax assessor-collector, the District has no authority to waive penalty and interest charges and that, based on the foregoing, she recommends that the Board deny the request. After discussion, Director Nicholson moved that the Board deny the taxpayer's request for waiver of penalty and interest charges. Director Berenger seconded the motion, which unanimously carried.

The Board next considered adopting a resolution casting votes for the Montgomery Central Appraisal District ("MCAD") Special District candidate to be placed on a county-wide ballot for the Board of Directors of MCAD. Following discussion, Director Nicholson moved that the District's ten (10) votes be cast in favor of Arthur Bredehoft and that the President be authorized to execute a Resolution, attached hereto as **Exhibit C**, regarding same. The motion was seconded by Director Berenger and carried unanimously.

### **DELINQUENT TAX COLLECTIONS REPORT**

The Board deferred action relative to the review of a delinquent tax report from the District's delinquent tax collections attorney, Perdue, Brandon, Fielder, Collins & Mott, L.L.P., as one had not been received.

### **RESOLUTION CONCERNING DEVELOPED DISTRICT STATUS FOR 2025 TAX YEAR**

Mr. Yeates reminded the Board that the taxing procedures applicable to a particular district will depend, in part, upon whether it is determined to be a "Developed District" pursuant to Section 49.23602, Texas Water Code. He then reviewed with the Board a Resolution Concerning Developed District Status for the 2025 Tax Year, attached hereto as **Exhibit D**. Following discussion, upon motion made by Director Nicholson, seconded by Director Ricke, and unanimously carried, the attached Resolution was adopted by the Board.

### **ENGINEERING REPORT**

Ms. Helvey presented and reviewed with the Board a written Engineering Report dated February 12, 2025, a copy of which is attached hereto as **Exhibit E**. Following discussion, it was

moved by Director Nicholson, seconded by Director Ricke and unanimously carried, that all action items included in the Engineering Report be approved, as recommended by LJA, including (i) award of a contract to EA in the amount of \$60,349.47 in connection with the parking lot project along Woodtrace Boulevard, (ii) approval and payment of Pay Estimate No. 19 submitted by Gilliland Smith Construction, Inc. in the amount of \$85,743.47 for Expansion of the Wastewater Treatment Plant and Lift Station No. 1, and (iii) approval of a proposal from LJA in the amount of \$11,280 to prepare maps of the District's utility system and submit same to the Texas Commission on Environmental Quality ("TCEQ"), as requested by the TCEQ.

Ms. Helvey next addressed the Board regarding a proposed web-based GIS for the District. Following discussion, the Board requested that an item be included on the next agenda for the Board to consider a presentation related to same.

### **RESOLUTION ADOPTING PREVAILING WAGE RATE SCALE FOR CONSTRUCTION PROJECTS**

The Board then considered the review of an annual survey of prevailing wage rates for construction projects and the adoption of a Resolution in connection therewith. In that regard, Mr. Yeates advised the Board that, as required pursuant to Section 2258.022 of the Texas Government Code, the District has previously adopted the applicable United States Department of Labor ("DOL"), wage rate scales for Montgomery County, Texas as the general prevailing wage rates for construction projects by or on behalf of the District. He further advised that the DOL's applicable wage rate scales have been amended. After discussion on the matter, Director Ricke moved that the new DOL wage rate scales for Montgomery County, Texas be adopted as the District's prevailing wage rate scales for construction projects, and that the Resolution Adopting Prevailing Wage Rate Scale for Construction Projects attached hereto as **Exhibit F** be adopted by the Board. Director Berenger seconded said motion, which unanimously carried.

### **STORMWATER MANAGEMENT PROGRAM**

The Board considered the status of the District's Stormwater Management Program. The Board noted that a representative of Storm Water Solutions, LP was not present at the meeting, and deferred further discussion regarding the matter.

### **DEVELOPERS' REPORTS**

The Board deferred consideration of the Developers' Reports upon noting that no developer representatives were present at the meeting.

### **REPORT FROM ENVIRONMENTAL ALLIES**

Mr. Haynes next presented and reviewed a report provided by EA for the month of January 2025 with regard to mowing and maintenance of District drainage and detention areas, a copy of which Report is attached hereto as **Exhibit G**. Following discussion, Director Nicholson moved

that EA be authorized to replace the signage and remove the debris depicted on pages nine and ten of the Report, respectively. Director Ricke seconded the motion, which unanimously carried.

### **OPERATION AND MAINTENANCE REPORT**

Mr. Rowe presented and reviewed the Operation and Maintenance Report for the month of December 2024, a copy of which is attached hereto as **Exhibit H**. He advised that there are three (3) delinquent accounts totaling \$41.30, which WDM has been unable to collect. He advised that WDM recommends the accounts be forwarded to Collections Unlimited for further collection efforts. Following discussion, Director Ricke moved that (i) WDM be authorized to terminate service to delinquent accounts in accordance with the District's Rate Order, and (ii) the accounts discussed be forwarded to Collections Unlimited for further handling. Director Berenger seconded said motion, which unanimously carried.

### **CONSUMER CONFIDENCE REPORT**

The Board next considered authorizing WDM to prepare a draft Consumer Confidence Report ("CCR") for review by the Board. Mr. Yeates advised that pursuant to CCR requirements promulgated by the United States Environmental Protection Agency and the TCEQ, the District is required to provide a report containing various information regarding the District's water supply to all District customers by July 1, 2025. After discussion on the matter, it was moved by Director Nicholson, seconded by Director Berenger and unanimously carried, that WDM be authorized to prepare a draft CCR and SPH be authorized to review same for compliance with the TCEQ's regulatory requirements.

### **UTILITY COMMITMENTS**

Mr. Yeates reported that the District has not received any requests for utility commitments.

### **ORDER ESTABLISHING POLICY FOR COVERED APPLICATIONS AND PROHIBITED TECHNOLOGY**

The Board considered the adoption of an Order Establishing Policy for Covered Applications and Prohibited Technology ("Technology Policy"), a copy of which is attached hereto as **Exhibit I**. Mr. Yeates advised that Senate Bill 1893, as passed during the 88<sup>th</sup> Regular Session, requires that all political subdivisions of the state, including the District, adopt a policy that prohibits the installation of certain social media applications, defined as "covered applications", on electronic devices owned or leased by the District. He noted that the social media application TikTok and any other software owned by ByteDance Limited are considered covered applications and may not be installed or used on a District owned or leased device. Mr. Yeates further advised that the proposed Technology Policy mirrors the model policy created for governmental entities created by the Texas Department of Information Resources ("DIR"), and will be updated as needed to comply with the recommendations of DIR. After discussion on the matter, Director Ricke moved that the Technology Policy be adopted, and that the President and Assistant Secretary be authorized to execute the same. Director Berenger seconded said motion, which unanimously carried.

## **RENEWAL OF DISTRICT INSURANCE POLICIES**

As the next order of business, the Board considered renewal of the District's insurance coverages. Mr. Yeates advised the Board that, as requested at a previous meeting, SPH solicited a renewal proposal from McDonald and Wessendorff ("McDonald") for the Board's consideration. Mr. Yeates further advised the Board that the District's current insurance policies expire on March 31, 2025. Following discussion, Director Nicholson moved that the Board accept the proposal from McDonald, a copy of which is attached hereto as **Exhibit J**. Director Berenger seconded the motion, which unanimously carried.

## **BALLOT FROM MONTGOMERY CENTRAL APPRAISAL DISTRICT**

It was noted that this item was discussed earlier in the meeting, under the Tax Assessor-Collector Report.

## **ATTORNEY'S REPORT**

Mr. Yeates advised that he had nothing further of a legal nature to report other than those items which were previously addressed in the meeting.

## **FUTURE AGENDA ITEMS**

The Board next considered matters for possible placement on future agendas. Director Ricke addressed the Board regarding the installation of additional stop signs within the District and the potential request for a traffic study. Following discussion, the Board requested that LJA look into these matters and report back to the Board at the next meeting.

## **ADJOURNMENT**

There being no further business to come before the Board, it was moved by Director Nicholson, seconded by Director Berenger and unanimously carried, that the meeting be adjourned.



Secretary, Board of Directors

## LIST OF ATTACHMENTS

<u>Exhibit A</u>	Bookkeeper's Report
<u>Exhibit B</u>	Tax Assessor/Collector's Report
<u>Exhibit C</u>	Resolution of the Governing Body of Wood Trace MUD No. 1 Casting Its Vote for a Nominee to be Named as a Candidate on the General Ballot to Elect the Five Appointed Directors to the Montgomery Central Appraisal District's Board of Directors
<u>Exhibit D</u>	Resolution Concerning Developed District Status for the 2025 Tax Year
<u>Exhibit E</u>	Engineering Report
<u>Exhibit F</u>	Resolution Adopting Prevailing Wage Rate Scale for Construction Projects
<u>Exhibit G</u>	Report – Environmental Allies
<u>Exhibit H</u>	Operations and Maintenance Report
<u>Exhibit I</u>	Order Establishing Policy for Covered Applications and Prohibited Technology
<u>Exhibit J</u>	Proposal from McDonald and Wessendorff