

**BLOCK HOUSE MUNICIPAL UTILITY DISTRICT  
MINUTES OF BOARD OF DIRECTORS' MEETING**

May 27, 2020

THE STATE OF TEXAS                   §  
                                                  §  
COUNTY OF WILLIAMSON           §

A regular meeting of the Board of Directors of Block House Municipal Utility District was held via telephone conference on May 27, 2020, at 1-888-510-5505; participant code: 199914. The meeting was open to the public and notice was given pursuant to the Texas Open Meetings Act, as modified by Governor Greg Abbott, and the related guidance from the Office of the Attorney General of the State of Texas. A copy of the Certificate of Posting of the Notice is attached as **Exhibit "A"**. An electronic agenda packet for the meeting was provided on-line via the link included in the meeting notice and the meeting was recorded and made available at the same link after the meeting.

All of the Directors were present, as follows:

Cecilia A. Roberts	-	President
Steve Bennett	-	Vice President
Rayan Horak	-	Secretary
Ursula Logan	-	Assistant Secretary
Byron Koenig	-	Treasurer

Also present at the meeting were Taylor Kolmodin of Municipal Accounts & Consulting, L.P. ("MAC"); Jacquelyn Smith and Lisa Torres of Crossroads Utility Services, LLC ("Crossroads"); Sergeant Chuck Kelley of the Williamson County Sheriff's Office ("WCSSO"); Whitney Killian of Pinnacle Texas Management, LLC ("Pinnacle"); Tom Davis of Lifeguard4Hire, LLC ("L4H"); Tripp Hamby of Priority Landscapes ("Priority"); Cynthia Langdon and Amanda Sanfield of the Block House Creek Swim Team ("Tidal Waves"); Sandy Martin of the Block House Creek Owners Association (the "OA"); Terri Hutton and Josh McCusker, residents of the District; and Sean Abbott of Armbrust & Brown, PLLC ("A&B").

Director Roberts called the meeting to order at 6:30 p.m. and welcomed those present. She confirmed that the meeting was being conducted via telephone and was being recorded. She requested that each speaker identify themselves when speaking and requested that anyone participating in the call mute their phone when they were not speaking. Director Roberts then stated that the Board would receive citizens' communications. Mr. McCusker inquired with the Board about buying a portion of the District-owned greenbelt lot adjacent to his property. Director Roberts stated that the Board would add his request to the agenda for the Board's regular June meeting to discuss at that time. Director Roberts then stated that the Board would receive the OA report. Ms. Martin stated that the OA had conducted a "Spirit of Block House Creek" contest and had named five winners. She then stated that the OA had resurrected the "Yard of the Month" award, which had been well received.

Director Roberts stated that the Board would next consider approving the minutes of the April 22, 2020 regular Board meeting and the May 13, 2020 special Board meeting (collectively, the "Minutes"). After discussion, upon motion by Director Logan and second by Director Bennett, the Board voted unanimously to approve the Minutes as presented.

Director Roberts stated that the Board would next receive the bookkeeper's report and recognized Ms. Kolmodin. Ms. Kolmodin presented the check register attached as **Exhibit "B"** and the supplemental check register attached as **Exhibit "C"**. She reviewed the District's investments and budget comparison, and requested approval of four fund transfers. After discussion, upon motion by Director Logan and second by Director Horak, the Board voted unanimously to approve payment of the bills and invoices, and the fund transfers, as presented. Mr. Abbott then summarized the arbitrage rebate review and compliance summary from BLX Group for \$2,640,00 Unlimited Tax Refunding Bonds, Series 2012, attached as **Exhibit "D"**, noting that the bonds had reached their final maturity and, thus, no additional arbitrage reports would be necessary. Ms. Kolmodin then confirmed that payment for the BLX Group invoice had been included in her report.

Director Roberts then stated that the Board would receive the monthly security report from the WCSO. Sgt. Kelley reported that there were no significant issues to report for the month of May. He stated that District residents had been compliant and respectful of the closure of District facilities. Sgt. Kelley then noted that information relating to crime prevention had been included in the most recent District newsletter, which he found beneficial.

Director Roberts then stated that the Board would receive a report from Pinnacle and discuss restrictive covenant enforcement, including 609 Gabriel Mills Drive. Ms. Killian stated that Pinnacle had continued to enforce restrictive covenants and confirmed that referrals had resumed to A&B for enforcement. Director Logan then inquired about 609 Gabriel Mills Drive. Ms. Killian stated that the property has had open issues since February of 2020 and that the issues had been consistently documented. Director Roberts asked if letters had been sent relating to the violations. Ms. Killian confirmed that several letters had been sent and that the next step in the process would be to have an attorney from A&B send a letter to the owner of the property. She also confirmed that the property is owner-occupied. Director Roberts then directed Pinnacle to provide a full report relating to the property at 609 Gabriel Mills Drive at the June regular meeting of the Board of Directors.

Director Roberts stated that the Board would next discuss landscaping in the District, and noted that Priority's report, attached as **Exhibit "E"**, had been included in the electronic meeting packet provided to the Board. Director Roberts stated that the proposal from Priority for installation of river rock edging around the Tumlinson Pool deck perimeter (Estimate #3532), attached as **Exhibit "F"**, was included in the electronic meeting packet. After discussion, upon motion by Director Horak and second by Director Koenig, the Board voted unanimously to approve Estimate #3532 from Priority.

Director Roberts then stated that the Board would receive the operations report and recognized Ms. Torres, who presented the report attached as **Exhibit "G"**. Ms. Torres stated that she had one write-off included in her report. After discussion, upon motion by Director Horak and second by Director Bennett, the Board voted unanimously to approve the write-off as presented. Ms. Torres then indicated that Pump No. 1 at the lift station had not been functioning and that she anticipated repairs would be made soon. She also reported that a related generator had stopped functioning, and that a blocked heater sensor had been replaced. Director Roberts asked Ms. Torres if the lift station would function properly during a rain event. Ms. Torres confirmed that the lift station would be able to operate properly during a rain event. Director Roberts then inquired about City of Leander maintenance of wastewater easements. Ms. Torres advised that she had not received a response from the City of Leander but would follow up and have an update for the Board at the regular June meeting.

Director Roberts stated that the Board would next discuss general management items and recognized Ms. Smith. Ms. Smith reviewed her report, attached as **Exhibit “H”**, with the Board. She stated that she continued to work on the District logo and branding to identify the best proposals. Director Logan stated that after the Board provided guidance, the Communications Subcommittee would like to have District residents vote on their preferences. Director Roberts then inquired about branding issues affecting the development of the District’s new website. Ms. Smith stated that certain colors and themes needed to be finalized before the design of the website could proceed. Director Roberts expressed a preference for having final recommendations to present to the Board at the regular June meeting.

Ms. Smith then stated that a request for use of a portion of the soccer field for an inflatable laser tag course on May 29 had been withdrawn. Director Roberts stated that considerations relating to possible additional fencing near floodgates in proximity to Highway 183A should be tabled until the next regular meeting of the Board of Directors. Mr. Abbott then noted that the Board had previously approved a proposal for the installation of water fountains in the District but that the project had been delayed because the District was waiting to receive contract-related documentation from the contractor. He stated that Andrew Hunt of Crossroads would assist in obtaining the necessary documentation relating to the proposal for such services.

Director Roberts stated that the Board would next discuss trash service and reminded the Board of the recent contract amendment with Texas Disposal Systems (“*TDS*”). Director Logan stated that there had been some confusion with District residents on how to obtain a second recycling bin from TDS, and advised that District residents must call TDS directly in order to receive a second recycling bin.

Director Roberts then stated that the Board would discuss District parks and facilities, including disc golf. Mr. Abbott stated that a written report on the District’s disc golf course had been received from HouckDesign. Director Roberts suggested that the Board review the report from HouckDesign and consider calling a special meeting to discuss disc golf with interested District residents. Director Bennett stated that he agreed with the plan outlined by Director Roberts. The Board then directed Mr. Abbott to follow up with HouckDesign on cost estimates relating to possible actions contained in their written report.

Director Roberts then stated that the Board would discuss the emergency coronavirus preparedness and protocols (“*Coronavirus Protocols*”), including: (i) reopening of certain District facilities and related health and safety restrictions for use of such facilities; (ii) recreation activity and related matters; (iii) utility operations and related matters; and (iv) authorizing General Manager to take further action in response to evolving conditions. Director Roberts stated that the Board would initially consider all District park facilities, except for pools, and recognized Ms. Smith to offer recommendation on the reopening of such facilities. Director Logan directed Ms. Smith to ensure that proper signage relating to social distancing and symptoms of Coronavirus was placed at all facilities to be reopened. Ms. Smith discussed sport courts and recommended that the District’s tennis courts be reopened on June 1, 2020, but that play be limited to “singles” play. Director Logan opined that “doubles” play should be allowed and that such play would be consistent with recommendation for the volleyball courts. Ms. Smith then recommended that the sand volleyball courts be reopened on June 1, 2020, with play limited to two persons per side. Ms. Smith stated that she did not recommend that the District’s basketball courts be reopened at this time. She then stated that the Governor’s orders allowed for the reopening of athletic fields and recommended that the Luther Chance and Tonkawa Fields be reopened on June 1, 2020, but that use should be limited to ten persons at a time and that all spectators should be required to practice proper social distancing. Ms. Smith then stated that maintaining proper social distancing in the Walker House would be difficult and that

rentals could likely not be accommodated. She stated that she intended to start holding regular office hours at the Walker House to serve District residents. Ms. Smith then stated she was still researching considerations relating to the reopening of the Jumano Community Center and did not recommend opening the facility at the current time. She recommended that the Pavilion at Tumlinson Park be reopened on June 1, 2020, but that gatherings be limited to ten people and that the District not enter into rentals of the facility for large groups. Director Bennett then asked Sgt. Kelley how rules relating to the reopening of District facilities would be enforced. Sgt. Kelley stated that if park rules are being violated, the WCSO would explain the rules and request that residents change any offensive behaviors. He added that a criminal trespass warning could ultimately be issued if individuals refused to change their behavior, which could ultimately lead to a loss of privileges relating to use of park facilities or, ultimately, arrest. After discussion, upon motion by Logan and second by Roberts, the Board voted unanimously to: reopen the tennis courts and sand volleyball courts on June 1, 2020, with play limited to two persons per side on each court; reopen Luther Chance and Tonkawa Fields, with a maximum of ten people per group when using the field and all park users and spectators complying with proper social distancing practices; and reopen the Pavilion at Tumlinson Park, with use limited to a maximum of ten persons at a time.

Director Roberts then stated that the Board would discuss the reopening of District pool facilities and recognized Mr. Abbott to give an overview of the factors and considerations relating to the same. Mr. Abbott directed the Board's attention to the Memorandum relating to the Recommended Policies and Procedures Relating to the Reopening of District Facilities during the Coronavirus Epidemic, attached as **Exhibit "I"**, which contained considerations he and Ms. Smith had contemplated when considering the reopening of District pools. He stated that he and Ms. Smith had worked together to prepare Policies and Procedures Relating to Pool Operations During the Coronavirus (the "*Coronavirus Pool Policies and Procedures*"), attached as **Exhibit "J"**, which he proposed could be adopted as an exhibit to the District's Pool Rules and Regulations, and that the Board could then adopt the proposed Order Establishing Rules and Regulations Governing Recreational Facilities and Related Fees and Charges to formally integrate the Coronavirus Pool Policies and Procedures into the District's Park Rules. He also recommended adopting the Addendum to the Pool Services Agreement which would provide that L4H would operate, maintain, and manage the District's pools in accordance with the Coronavirus Pool Policies and Procedures.

Mr. Abbott then provided an overview of the proposed Coronavirus Pool Policies and Procedures. He directed the Board's attention to the "Operation of Pools" section and stated that the proposed rules provided that the pools should be operated in compliance with all relevant regulatory authorities, including the State of Texas and Williamson County, and then discussed the capacity control limits for the pools. Mr. Abbott next directed the Board's attention to the "Lifeguard Responsibilities" section and stated that the proposed policies required that a written cleaning policy be established by L4H and posted at the pools, that social distancing would be monitored by L4H, that L4H would inquire with each resident entering a pool about whether they were currently experiencing Coronavirus symptoms, and that L4H would have a designated staff member at each pool to be responsible for responding to Coronavirus concerns at all times. He then directed the Board's attention to the "General Considerations" section and noted that various signage would be required at the pools relating to the prevention of Coronavirus and the best practices implemented at the pools.

Mr. Abbott then stated that separate entrances and exits for swimmers would be designated at the pools to ensure proper social distancing. Director Roberts inquired whether L4H would keep running logs relating to who was present at the pool at any given time.

Director Logan stated that L4H would utilize the Rec Desk software to monitor who had entered the pools, but that L4H would not have record of when residents exited the pools. Mr. Abbott stated that residents would be allowed into the pools on a “first come, first served” basis and that measures would be undertaken to ensure proper social distancing in any lines that formed to gain entrance to a pool. Director Logan described the importance of having a separate exit and noted that all “high touch areas” in the pools would be cleaned every hour. Mr. Abbott added that the proposed Coronavirus Pool Policies and Procedures encouraged residents to limit visits to the pools to 60-90 minutes. Director Roberts stated that District residents had recently displayed excellent social distancing practices when utilizing District park facilities.

Director Bennett then asked Sgt. Kelley about the enforcement of pool rules by the WCSO. Sgt. Kelley stated that Sheriff’s Deputies would respond to any calls from the pools relating to disturbances and would request that any pool patron creating a disturbance to leave the pool. Director Bennett asked if all parties were ready to open the District pools on the proposed opening date of May 28, 2020. Ms. Smith reported that she had ordered all necessary signs and hand sanitizer, but that not all of the materials had been received. Mr. Davis then stated that his staff was still finalizing certain details relating to the opening of the pools. Director Logan noted that the Pools Subcommittee had been working diligently for several weeks to open the pools, but stated that the pools should not be opened until all parties involved were 100% ready. She then recommended that the pools open on May 29, 2020, so long as all parties were prepared. She also noted that the Pools Subcommittee intended to be present at the opening of the pools to ensure that everything went smoothly and to answer any questions that residents might have. Director Roberts then inquired about “adult swim” at the pools. Director Logan confirmed that, historically, there had been both early and late “adult swim” hours and expressed a preference for replicating that approach during the Coronavirus epidemic.

After discussion, upon motion by Director Logan and second by Director Koenig the Board voted unanimously to: reopen the pools on May 29, 2020; adopt the Order Establishing Rules and Regulations Governing Recreational Facilities and Related Fees and Charges (including revisions to the Coronavirus Pool Policies and Procedures to state that signage will “recommend” the wearing of face masks and that pool slides at Tumlinson Pool will be limited to one person per slide), attached as **Exhibit “K”**; approve the Addendum to the Pool Services Agreement with L4H, attached as **Exhibit “L”**; and authorize the General Manager of the District to adjust the Coronavirus Policies and Procedures, as necessary, with the approval of the Pools Subcommittee and L4H.

Director Roberts then stated that the Board would consider a report from the Pools Subcommittee, including the Block House Creek Swim Team schedule. Director Logan stated that she had been in communication with Tidal Waves regarding an abbreviated season and requested that Director Roberts recognize Ms. Langdon. Director Roberts then recognized Ms. Langdon. Ms. Langdon requested that Tidal Waves be granted authority to utilize Apache Pool and stated that their use would be in line with all regulatory guidelines and District rules, policies, and procedures. She stated that all Tidal Waves swimmers would use the same methods of ingress and egress to the pool that District residents would be using and that swimmers, coaches, and parents would utilize proper social distancing standards. Ms. Langdon emphasized that safety would be the most important consideration for the swimmers and that Tidal Waves would clean all “high touch” areas after each practice. Director Roberts asked how Tidal Waves would ensure that capacity control limitations would be adhered to. Ms. Langdon responded that Tidal Waves would only schedule sessions that had a maximum attendance below the capacity control limits. Director Roberts then asked Ms. Langdon to discuss their

proposed schedule. Ms. Langdon stated that all sessions would be done by 11:00 a.m. and that their abbreviated season would begin on June 3, 2020 and conclude on July 10, 2020. After discussion, upon motion by Director Logan and second by Director Koenig, the Board voted unanimously to approve Tidal Wave's use of Apache Pool under the proposed schedule.

Director Roberts stated that the Board would next receive a report from the Park Improvements Steering Committee, including: (i) Bond Proposal Package 1 – Parks & Trails; and (ii) Bond Proposal Package 2 – Fence Replacement. Ms. Smith requested that the Board review the proposals, attached as **Exhibits "M" and "N"**, respectively, and requested that the item be included for the Board's regular June meeting for further discussion.

Director Logan requested that discussion relating to electronic meeting packets be tabled and that the matter be considered at the Board's regular June meeting for further discussion.

Director Roberts then stated the Board would review the meeting notes attached as **Exhibit "O"**. Director Horak reviewed the notes and confirmed that all actions were properly noted.

There being no further items to come before the Board, upon motion by Director Koenig and second by Director Bennett, the Board voted unanimously to adjourn the meeting.

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[SIGNATURE PAGE TO MAY 27, 2020 MINUTES]

Ryan Horak, Secretary  
Board of Directors

Date: 6-24-20