

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

February 27, 2019

THE STATE OF TEXAS           §  
  §  
COUNTY OF WILLIAMSON       §

A meeting of the Board of Directors of Block House Municipal Utility District was held on February 27, 2019, at 2600 Block House Drive South, Leander, Texas. The meeting was open to the public and notice was given as required by the Texas Open Meetings Act. A copy of the Certificate of Posting of the Notice is attached as **Exhibit "A"**.

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 Tanya Emmons of Pinnacle Texas Management Services ("Pinnacle"); Tripp Hamby of Priority Landscapes, LLC ("Priority"); Taylor Kolmodin of Municipal Accounts & Consulting, L.P. ("MAC"); Lisa Torres and Andrew Hunt of Crossroads Utility Services, LLC ("Crossroads"); Mike Fogle, John Keaton, Annelise Zaroban and Kristin Kristinsd, residents of the District; Chief James Mallinger of the Cedar Park Fire Department; Sergeant Chuck Kelley of the Williamson County Sheriff's Office; and Sue Brooks Littlefield of Armbrust & Brown, PLLC ("A&B").

Director Roberts called the meeting to order at 6:30 p.m. and reminded those present that public comments were taken only during designated portions of the meeting. She asked that anyone present who wished to address the Board complete a Community Comment form and state his or her full name for the record before making comments. Following the Pledge of Allegiance to the U.S. flag, the Board and those present at the meeting observed a moment of silence or prayer.

Director Roberts then recognized Chief Mallinger and thanked him for attending the meeting. She noted that the Chief was present to address a fire hydrant pressure and testing issue, which was item 5(c) on the agenda. Chief Mallinger explained that there had been a structure fire in the District which had been addressed with no problems, but that a question later arose about the water pressure that had been available. He explained that the firefighters had utilized three devices which had total flows of over 1,000 gallons of water per minute, and that the hose that was laid out only pulled about 500 gallons per minute and so one of the crews had experienced low water pressure. He stated that he wished to clarify that this low pressure was not caused by the District's water system but by the limitation of the five-inch hose that was used. He apologized for the misunderstanding and explained that the structure fire didn't burn any longer or faster due to the hose issue and added that the mistake was due to how the question was asked. Director Roberts asked if there was any additional information on this matter that Crossroads wished to provide. Ms. Torres explained that Capital Hydrant had tested the fire hydrant that was used and confirmed that it worked correctly. Director Roberts stated

that this was good news and added that she knew it was a very intense fire. Director Roberts then asked if Crossroads had an estimate of how much water was utilized to fight the fire and Ms. Torres responded that an estimate would be developed. Director Roberts asked if Sergeant Kelley had anything from the County Fire Marshal. Chief Mallinger noted that the County Fire Marshal had the authority to investigate fires in this area, as the City's contract did not include fire investigation. Sergeant Kelley stated that the County Fire Marshal was not under the Sheriff's Department but the Department's arson investigator worked with the Fire Marshal. He stated that the preliminary finding was that the fire did not appear to be related to arson and this took the Sheriff out of the investigation. Chief Mallinger stated that any question regarding the cause of the fire would need to be directed to the County. The Board agreed that it would like to know the cause of the fire and that it would be good to educate the residents about fire hazards. Chief Mallinger agreed to request that information on the cause of the fire be provided to the Board. He also stated that the response time to the fire was very good, that over 30 firefighters had been on site, and that there had been very effective cooperation. He noted that response times would be even better when Station Five came on line.

Director Roberts asked if any of the residents present wished to address the Board. She recognized Mr. Fogle, who thanked the Board for giving him the opportunity to discuss his concerns about the perimeter fence. He read from the statement attached as **Exhibit "B"**, and stated that the District-installed fence demonstrated poor quality and workmanship. He added that it had become more or less a picket fence, with no privacy afforded. Mr. Fogle stated that poor quality materials had to be replaced more often and noted that the District's pickets were narrow and curling and not installed in the proper manner and the staining was insufficient. Mr. Fogle also stated that he spoke with the tradesmen when they were doing repairs, and had been told they were instructed to leave gaps to save on material. Mr. Fogle pointed out that the original slats were wider and thicker than the replacement slats, and the contractor was using substandard material. He also stated that the fence was too short, noting that he had to install additional fencing to keep neighborhood dogs out and his dogs in and explained that the new fence was not installed with a step-down to account for grade changes, which left a gap of four or five inches off the ground. He stated that he had taken some photographs which he would forward to document what he had talked about. Mr. Fogle summarized that this was a problem because there clearly had been no oversight of the workmanship and the contractor had instructed the workmen to cut corners to save money. After discussion, the Board directed that the Maintenance and Engineering Subcommittee investigate these complaints and directed Ms. Littlefield to place an item on the next meeting agenda to allow further discussion and action.

Director Roberts then recognized Mr. Keaton, who stated that he had been a resident since 1990, lived on Susan Lane, and had contacted the District in January concerning his neighbor on the other side of the creek, who was using his yard as a landscape laydown yard. He stated that the area was covered with PVC pipe and there were about five wheelbarrows. He complained that the area looked very tacky and added that he spent a lot of time in his yard. He stated that the last time the District had cleared the area it did a great job, but now trash continued to accumulate. He stated that he had not gotten a response to his January email and so had wanted to bring the issue to the Board. Director Roberts stated that the Water/Environmental Subcommittee had identified this area as an issue and it was on the list to be addressed. Ms. Emmons stated that the initial report came from Mr. Keaton, and the Subcommittee had then gone out to look at it. She assured Mr. Keaton that it had been looked at and was being addressed. Director Roberts thanked Mr. Keaton for coming to the Board.

Director Roberts then stated that the Board would consider approving the minutes of the January 23, 2019 Board meeting. Upon motion by Director Bennett and second by Director

Horak, the Board voted 4-0-1 to approve the minutes, with Director Logan abstaining from the vote.

Director Roberts stated that the Board would next discuss District security. Sergeant Kelley reported that he had met with the Security Subcommittee about a week previously and the fact that the locks were being replaced had been relayed to all of the deputies. He stated that he had not heard back on the illegal dumping incident and was waiting on the process. Sergeant Kelley stated that the deputies had addressed the problem with disc golfers drinking alcohol. He also reported that this was Deputy Jeremy Jones' last month and he would not be replaced because there were ten deputies and enough hours to proceed without replacing him. Director Roberts reminded the Board that clocks would "spring forward" in March and requested that this be relayed to the deputies. Director Logan noted that the OA had scheduled a kite festival on March 30th. Director Roberts thanked Sergeant Kelley for attending and asked him to relay the Board's appreciation to the deputies for their service. Sergeant Kelley confirmed that there would be extra patrols on duty for Spring Break.

Director Roberts stated that the Board would next receive a report on District operations and recognized Ms. Torres. Ms. Torres reminded the Board that she had been given a directive to coordinate with County Road and Bridge about a repair so the residents could be notified, but explained that she had not been able to get in touch with the County despite numerous calls and that she had received a phone call on February 5<sup>th</sup> that the County was in the District making the repair. She then reviewed her report attached as Exhibit "C", and reported that the water loss was 3.24% in January. Ms. Torres stated that the new backflow preventer would be installed soon. She then reported that some additional testing that had been required by the EPA had been done, but, due to the government shut-down, would have to be repeated. Ms. Torres also stated that, in response to the customer service complaint at the last meeting, she had pulled the phone call record and, as a result, Crossroads had done some extensive retraining of its customer service personnel emphasizing that residents needed to be treated courteously. She acknowledged that the message regarding the required payment was not relayed correctly. Ms. Torres stated that she had apologized to the resident and confirmed she responded to the resident both via email and in a telephone call. Ms. Torres then stated that she had one write-off in the amount of \$142.14 to present and requested approval. Director Logan moved to approve the write-off. Director Koenig seconded the motion, which was unanimously adopted.

Director Roberts stated that she had some concerns about what was being done in response to rocks falling off the arbor, and asked that they be piled up rather than left lying around as she would like things to look tidy. Ms. Torres stated that Bill Greenwood was in the District eight hours per day to handle this sort of maintenance item and that she was sure he would be able to address the problem. Mr. Hunt offered to do a walk-through with Ms. Emmons to ensure these types of issues were addressed. Ms. Emmons stated that Mr. Greenwood was very responsive and pleasant. She also stated that the condition of the arbor was being addressed by the Maintenance and Engineering Subcommittee. Director Roberts stated that it seemed this repair had been in process a long time. Ms. Emmons responded that there had been a log jam because she couldn't get responses but that she had now received proposals for the work and that this project was under the eye of the Maintenance and Engineering Subcommittee.

Director Roberts stated that the Board would next discuss bookkeeping matters and recognized Ms. Kolmodin. Ms. Kolmodin presented the check register attached as Exhibit "D", the supplemental check register attached as Exhibit "E", and the fund transfers. She stated that there was nothing outside of the ordinary. She pointed out that surplus funds were available for the creek clean-up cost in the amount of \$8,500. Director Roberts asked whether

the Board wished to hold payment on the fence until the questions raised about the quality were addressed. Upon motion by Director Bennett and second by Director Koenig, the Board voted unanimously to hold payment on the fence. Ms. Kolmodin then reviewed the District's investments and called the Board's attention to the quarterly investment report and the District's investment earnings. She explained that the District's tax receipts had been invested in CDs. After discussion, upon motion by Director Logan and second by Director Koenig, the Board voted unanimously to approve the payment of the bills and invoices, the transfers and the investment report, with the check to Texas Trades being held as previously approved. The Board directed that the delinquent tax roll item be removed from the agenda and directed Ms. Kolmodin to report on any delinquent taxes prior to the annual budget being prepared.

Director Roberts then recognized Ms. Emmons for the purpose of receiving the manager's report. Ms. Emmons reviewed her updated report, attached as **Exhibit "F"**. She presented the supplemental report, attached as **Exhibit "G"**, which she explained was based on a chart she had been keeping all along and added that, when she met with the Maintenance and Engineering Subcommittee, she had incorporated their recommendations. She explained that this spreadsheet addressed any project that was open at the start of the fiscal year. Director Roberts suggested that the reference to guard room update be changed to renovation. Ms. Emmons stated that she would make the terminology consistent. Director Roberts also requested that an electronic copy of the spreadsheet be provided to the Board. After discussion, Ms. Emmons agreed to provide a copy of the spreadsheet for the Board's meeting packet and an update at the meeting. Director Roberts asked that security issues not be addressed in public record and explained that she felt District security items should be handled more sensitively. Ms. Emmons agreed not to include security items in the future. Director Roberts asked about the garden plot rentals and what the protocol was to publicize their availability. Ms. Emmons stated that there was no waiting list and that she thought an article had been put in the newsletter the past two months. Director Roberts suggested sending an email communication to the residents regarding the plots availability and Ms. Emmons agreed to do so. Director Koenig asked if all of the plots were spoken for and Ms. Emmons stated that they were not. She stated that, at one point, the garden had been full with a waiting list, but no more. Director Logan stated that there was usually a Spring kick off with Green Gardenville, to publicize the garden. Director Roberts commended that event and added that she would like to be sure use of the garden was publicized and open to everyone. Director Roberts then advised Ms. Emmons that she had still not received her hard copy of the newsletter which was sent out electronically 17 days previously. Ms. Emmons agreed to follow up. She stated that mailing usually took a week, but she would not expect a lag of 17 days. Director Bennett stated that he was supposed to serve on the Community Garden Subcommittee, but had no idea how it worked. Ms. Emmons agreed to meet with him to provide him with this information. Director Roberts stated that there appeared to be two youth groups using the Luther Chance Fields on weekends without reservation and suggested that they be informed that the Fields were reserved then for pick-up games. Ms. Emmons asked for clarification if the youth practices were not to be allowed and the Board concurred it wanted all usage to follow the rules. Director Roberts asked Ms. Emmons to ensure that the manager's responses to resident questions also appeared on her report. Ms. Emmons concurred and stated that this had previously been done and she would find out about this oversight and address it going forward.

Ms. Emmons stated that landscaper had brought to her attention that the fall zone fill material at the playscapes was low and asked for authorization to replenish the fill material in the fall zones. Director Logan moved that the Board authorize the District manager to proceed with replenishment of the fill material as proposed. Director Horak seconded the motion. Director Roberts asked if there was any discussion. Director Bennett stated that he would like

more detail and noted that he would like ensure that whatever was done would meet applicable requirements. Ms. Emmons agreed that this would be done to meet the standards. The Board directed Ms. Emmons to work with the Maintenance and Engineering Subcommittee to ensure the fill that was placed met all requirements. Director Roberts asked what happened to the fill and for clarification of where it was going. Ms. Emmons stated that, every few years, it was normal to have to replenish the fall zone and that the fill deteriorated and compacted. Director Roberts asked if Ms. Emmons had obtained a playscape safety report. She responded that she had, but this was for another playscape that had gravel and not engineered fiber. Director Roberts stated that she would like information on this so the Board could budget for the cost of replenishing the fill going forward. Ms. Emmons stated that the gravel at the other playscape was fine. Upon being put to a vote, the motion was unanimously adopted.

Ms. Emmons then reviewed the Block House Creek Owners' Association ("OA") requests for use of facilities and waiver of fees attached as **Exhibit "H"** and reported that the Girl Scouts Starlight Services had requested a waiver of fees for use of the Pavilion on April 7, 2019 for their Spring into Science activity. Ms. Emmons updated the Board on the proposed OA adult swim and explained that the OA proposed to host the event on evenings when the pool was not open. Director Roberts asked if the District should offer this rather than the OA. Director Logan asked about a potential conflict with swim team practice. Director Horak asked, if there was no charge for the event, whether the OA sponsorship was an issue. The Board directed Ms. Emmons to find out if the OA planned to charge for the adult swim and she agreed to do so. After discussion, upon motion by Director Logan and second by Director Bennett, the Board voted 4-0-1 to approve the requests, with the exception of the proposed OA adult swim which the Board agreed should be brought back to the Board at the next meeting, with Director Horak abstaining from the vote.

Ms. Emmons then stated that the application for the computer fraud insurance had been submitted earlier in the day after her discussion with Ms. Motal.

Director Roberts stated that the Board would next discuss Walker House maintenance. Ms. Emmons stated that the new doors had been ordered and then distributed the proposal for replacement of five of the in-ground light fixtures by SunTech Electric attached as **Exhibit "I"**. She explained that the proposal included removal of the existing lights and installation of two wall mounted lights. Ms. Emmons stated that the one in-ground fixture that was set in concrete would remain in place, but there were legal requirements for removal of the other five and that the wall-mounted lights would be consistent with the one over the front door. Director Koenig moved approval of the proposal. Director Bennett seconded the motion for discussion purposes and then asked if Director Koenig had reviewed the scope, noting that he felt the scope was very vague. Director Koenig stated that, until the contractor started the work, it would not be able to tell how the line was routed and explained that the contractor would need to install a junction box to replace each light fixture removed. Director Bennett expressed concern about the potential for an underground live circuit. The Board discussed including an allowance for additional costs due to the potential for encountering unexpected conditions. Director Bennett stated that he agreed there should be an allowance, but noted there were two proposals, one for the in-ground fixtures and one for replacement of light fixtures in the trees in front of the Walker House with LED fixtures, attached as **Exhibit "J"**. He stated that, in the future, he felt the Board needed much more specific descriptions in any proposals, so the Board could be sure it understood what was included. Director Koenig amended his motion to include approval of both proposals, plus an allowance, for a total authorized expenditure not to exceed \$10,000. Director Bennett accepted the amendment and, upon being put to a vote, the amended motion was unanimously adopted.

Director Logan pointed out that the OA's initial kite festival, which would include a kite trickster, was scheduled and the OA would send information out to the neighborhood about the event. The Board confirmed that approval of the kite festival was included in the prior OA event approval.

Director Roberts stated that the Board would next discuss pool operations, repairs and management. Ms. Emmons reported that the Maintenance and Engineering Subcommittee did an initial walk-through and then referred its report to the Pools Subcommittee. She reviewed the report, attached as **Exhibit "K"**, with the Board and stated that most of the items on the report had been completed. She noted that there were a few remaining items, one of which was the HVAC system. She called the Board's attention to the proposal from Cool Atmosphere attached as **Exhibit "L"** and stated that she had met with the Pools Subcommittee to review it. She reported that the Pools Subcommittee recommended replacement of the system, as the A/C would not kick on. Director Logan moved approval of option 1 on **Exhibit "L"**. Director Koenig seconded the motion. Director Roberts noted that the contractor recommended Champion equipment and asked if the Subcommittee was comfortable with the warranty. She asked if it would provide more assurance to get a brand name unit. Director Koenig responded that the contractor recommended Champion, so he was comfortable with this choice. Director Logan stated that Ms. Emmons had asked all the right questions when reviewing the proposal. Director Bennett asked for clarification that the proposal included all of the new ductwork. Ms. Emmons responded that the relocation of the electronic equipment was not included, but the new ductwork was included. Upon being put to a vote, the motion was adopted by a vote of 4-0-1, with Director Logan abstaining from the vote.

Director Roberts then recommended that the unit be serviced on an annual basis right before winter. Director Koenig recommended that Mr. Greenwood be directed to monitor the condition of the air filter monthly and replace the filter on an as-needed or every three month basis. The Board concurred and directed that these maintenance activities be coordinated by Ms. Emmons.

Ms. Emmons stated that she had not yet received a proposal for additional lighting at Apache Pool and Tumlinson Pool, but presented the proposal for renovation of the guard room at Tumlinson Pool. She explained that this included relocating some electronic equipment and recommended that the Board authorize the Pools Subcommittee to proceed with the renovation work at a cost not to exceed \$8,000. Upon motion by Director Logan and second by Director Bennett, the Board voted unanimously to do so.

Ms. Emmons then stated that she did a visual inspection of the roof at Apache Pool and there was no visual evidence of damage, but asked if the Board wanted to get the roof inspected. The Board directed her to proceed with an inspection of the roof by a professional. Director Bennett noted that there were several flues in the roof that were not operational and would need to be removed and patched up. Director Koenig stated that he would like the temperatures of the room monitored after the new A/C unit was installed. Ms. Emmons stated that she would also monitor the temperature of the Tumlinson Pool pump room because there was also electronic equipment in that room. Ms. Emmons stated that the contractor preferred to move the equipment out of the pump room to the closet or the guard room.

Director Roberts asked if there was anything else from the Pools Subcommittee. Ms. Emmons reported that the back of the waterfall had sprung another leak.

Director Roberts then called the Board's attention to the solid waste report from Texas Disposal Systems, Inc. ("**TDS**") noting that there had been 62 bulky waste pickups, 188 tons of

solid waste collected, and almost 39 tons of recycling collected in January. She stated that she would question TDS on the number of containers reported. Director Logan stated that the bulky waste collection was an excellent service and TDS was very nice to deal with. Director Logan suggested publicizing the collection information using a fun graphic and the Board concurred that this should be done.

Director Roberts then stated that the Board would receive a report on property maintenance, repairs and replacements. Directed Bennett presented the Maintenance and Engineering Subcommittee report attached as **Exhibit "M"** and reviewed it with the Board. He reviewed some of the findings and recommendations. He explained that there was a fence down by the Capital Metro creek crossing and suggested a temporary fence for safety reasons. Ms. Emmons was directed to contact Capital Metro regarding the needed repair. Director Bennett then stated that the blue-green fence needed to be repainted and asked if the Board wanted this done as a Scout or volunteer project. Director Roberts asked that Ms. Emmons ensure that the area was mowed before any volunteer activity due to the risk of snakes. Director Bennett agreed to coordinate scheduling a volunteer group for the project. Director Logan stated that she liked the presentation of Director Bennett's report.

Director Roberts briefly left the meeting at 7:55 p.m. and returned at 7:58 p.m. Director Bennett then reviewed his proposed protocol for volunteer activities, attached as **Exhibit "N"**. Director Logan recommended development of a spread sheet of volunteer groups to encourage wider participation. Director Bennett stated that he liked the inclusiveness of this approach, but the Board would need to ensure the task matched the group. Director Bennett requested that Ms. Littlefield review the waiver and protocol and she agreed to do so. Director Roberts commended Director Bennett for development of this protocol, but suggested some wording changes including changing "we" to "the District". Director Bennett then reviewed the proposed trails access project and explained that there would be contributions to the volunteer groups based on a fraction of the cost that a contractor would charge for the work, noting that these volunteer activities provided a leadership opportunity.

Director Roberts asked if the landscaper should oversee some of these projects, such as debris removal. Director Bennett stated that the debris would be accumulated and then mulched or otherwise disposed of. Ms. Emmons noted that there had been complaints regarding storage of debris at Jumano Community Center. Director Horak stated that this just needed to be better coordinated so there wasn't a storage issue. The Board agreed that Ms. Emmons needed to coordinate the removal of any debris from the creek projects so it was handled promptly.

Director Bennett then moved that the Board approve proceeding with the Trails Access Projects 1-19, 2-19 and 3-19 utilizing the protocol and waiver, subject to Ms. Littlefield's final review and approval of protocol and waiver. Director Horak seconded the motion. Director Logan stated that she was aware of one volunteer group that wanted to be involved in the project. Ms. Emmons stated that, ultimately, all of the paperwork and documentation needed to go through her office. Director Bennett concurred. Upon being put to a vote, the motion was unanimously adopted.

Director Roberts then stated that the Board would receive the landscape report. Mr. Hamby presented the landscape report, attached as **Exhibit "O"**, and stated that mulch was typically applied in March, but he would do it in April this year with Board approval. The Board agreed. Mr. Hamby reported that pre-emergent weed killer had been applied earlier in the month. He then provided the proposal for Top Choice fire ant control application (Estimate #2097) attached as **Exhibit "P"**. Upon motion by Director Horak and second by Director

Logan, the Board voted unanimously to approve the proposal. Mr. Hamby reported that the granite trails had been topped off throughout the walking system, including filling the areas with washouts. He called the Board's attention to the proposal for decomposed granite walking trail improvements in all parks (Estimate #2099) attached as **Exhibit "Q"** and explained that this was to address areas with mud and bike ruts. Director Roberts stated that, in the past, there had not been a need to repair, but just do an overlay. Mr. Hamby stated that this was a long-term solution and would be longer lasting, noting that 2-3 inches of granite would be removed and then re-compacted. Director Koenig stated that his understanding was that the District wouldn't have to redo this as often with the repair. Mr. Hamby stated that these areas were not washed-out areas. Director Horak moved approval of the proposal and Director Koenig seconded the motion. Director Roberts stated that her concern was the project cost a lot of money and asked what the warranty was on the work. Mr. Hamby stated that it was dependent on the weather. Director Roberts stated that she wanted assurance that the repaired trails would be maintained as required by the contract. Mr. Hamby stated that Priority would fix what needed to be fixed within reason. Director Logan stated that a small area could be done to see how it functioned. Director Roberts stated that the project would be okay, as long as it was maintained per the contract. The Board agreed the Parks Subcommittee would review the contract so that everyone was on the same page. Upon being put to a vote, the motion to approve Estimate #2099 was unanimously adopted.

Mr. Hamby then reviewed the proposal for the installation of sod on the left side of the Walker House exit drive (Estimate #2098) attached as **Exhibit "R"**. Upon motion by Director Horak and second by Director Koenig, the Board voted unanimously to approve the proposal.

Mr. Hamby stated that seasonal color would be installed at the end of March or early April. The Board commended Mr. Hamby and his crews for the appearance of the Lookout Tree. Director Roberts suggested installing a bronze plaque commemorating the Lookout Tree. The Board directed Ms. Emmons to provide a proposal for a plaque. Mr. Hamby stated that the backstop repair was now done and Director Roberts stated that it looked very good. He stated that the storm sewer system had been cleaned out and the transplanting of the trees was complete. Director Roberts stated that there was a low limb in Luther Chance Field and asked that this be trimmed and Mr. Hamby agreed to do so.

Director Roberts then recognized Director Bennett for purposes of receiving a report on the storm water system and creek maintenance. Director Bennett provided the subcommittee report as well as the Year 5 Phase II (Small) MS4 Annual Report attached as **Exhibit "S"** and reviewed them with the Board. Upon motion by Director Bennett and second by Director Logan, the Board voted unanimously to approve the Year 5 Phase II (Small) MS4 Annual Report. Director Logan encouraged the Board to include information from the report as a page on the District's website. The Board agreed that this would be a great way of providing constant communication on the program.

Director Roberts then stated that the Board would discuss the parks and nature trails. Director Logan requested that she be added to the Community Garden Subcommittee with Director Bennett. The Board agreed that she would replace Director Horak on the Subcommittee.

Director Roberts then stated that the Board would discuss restrictive covenant enforcement and pending and contemplated litigation. Director Logan stated that 15352 English River Loop was foreclosed on and would be put up for auction. Director Logan asked if the District could consider buying it, tearing the house down and making it a pocket park. Ms. Littlefield stated that she would add an item to the next meeting agenda to discuss this.



In response to a concern expressed by Director Logan, Ms. Littlefield stated that she would talk to Mr. York about his apparent failure to monitor the foreclosure status of the English River Loop house. Ms. Emmons stated that 612 Kathleen Lane showed no evidence of a covenant violation. Director Roberts stated that she understood the owner was running a junk-hauling business out of his home. Ms. Emmons stated that, when she drove by, she didn't see any evidence of a violation. She stated that this home was a rental and stated that the owner wasn't interested in having tenants that violated the District's covenants and was very supportive of enforcement. Director Roberts stated that the residents who had reported this violation had concerns about confidentiality due to a fear of retaliation. Ms. Emmons stated that there hadn't been a complaint for seven months. Director Logan stated that, if it was a business, the District could do a special drive-by in the early morning or evening. Ms. Emmons stated that she hadn't had a sense that this was needed, but that she would do that and maybe go from there. Director Roberts stated that it was her understanding that, in the early morning, there was a line of vehicles.

Director Roberts asked about the lack of an update to the covenant report and Ms. Emmons responded that it was received late from Ms. Reyes with Armbrust & Brown, PLLC. Ms. Littlefield agreed to follow up on the timing for the report. Ms. Emmons stated that there had been three matters referred to Mr. York and only one was ready to move forward, noting it was the violation where the owner was running a dog business. She stated that Mr. York was doing some research on the violations on English River and on Gabriel Mills. Ms. Emmons stated that there had not been any more complaints regarding the dog business, but she needed to contact the neighbors. Director Koenig stated that he would contact the neighbors to follow-up.

Director Roberts stated that the Board would next discuss the reinstatement of the Restrictive Covenant Subcommittee. Director Logan stated that she felt it was a very important committee, but that she had been on it since its inception and would like to share the service. Director Koenig offered to serve on the committee. Director Logan stated that she would be willing to serve on the committee, but wanted to reevaluate this six months from the date of the election. Director Horak stated that she was also willing to serve. The Board agreed that Directors Horak and Koenig would be appointed and to reevaluate committee compositions in May.

Director Roberts then stated that the Board would next discuss communications, media and website matters and asked if there was any information the Board members wanted to contribute to the newsletter. Director Logan suggested the Board schedule coffee with the Board once per quarter.

Director Roberts then stated that the Board would receive the attorney's report and recognized Ms. Littlefield. Ms. Littlefield reviewed her directives. The Board then discussed the District's Code of Ethics, Travel, and Professional Services Policy, and particularly Section 3.02.F, requiring Board members to communicate through the manager except in the event of an emergency. Ms. Littlefield stated that she felt all elected Board members should be able to discuss District business with the consultants and, if the concern was with a Director creating a problem with regard to a delegated action, that could be addressed in another manner, rather than it constituting an ethical violation. Director Logan disagreed. After further discussion, Director Bennett moved that the Board delete Section 3.02.F from the Code. Director Koenig seconded the motion, which was adopted by a vote of 4-1 with Director Logan voting "no".

Director Roberts stated that the Board would next discuss the District's five-year plan. Director Bennett requested that the Board schedule a special meeting to discuss this. Ms.

Littlefield agreed to schedule a special meeting of the Board on a Wednesday night for two hours.

Director Roberts stated that the Board would next discuss the consultant review process. Director Bennett stated that, when he was reelected to the Board, he requested to review the consultant reviews, but no one seemed to have them. Ms. Littlefield stated that she felt the process needed to be simplified, but the reviews needed to be done. She agreed to add discussion of this protocol to the proposed special meeting agenda.

The Board deferred discussion of subcommittee assignments until the May Board meeting.

The Board agreed that the report from the Ad Hoc Subcommittee regarding fire protection service options should be deleted from the agenda.

Director Roberts then stated that the Board would review the meeting notes attached as **Exhibit "T"**. Director Horak reviewed the notes and the Board concurred that no changes to the notes were necessary.

There being no further business to come before the Board, upon motion by Director Horak and second by Director Logan, the meeting was adjourned at 8:55 p.m.

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[SIGNATURE PAGE TO FEBRUARY 27, 2019 MINUTES]

Rayan Horak, Secretary  
Board of Directors

Date: 3-27-19