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MINUTES OF THE MEETING OF
THE BOARD OF DIRECTORS OF
WELLS BRANCH MUNICIPAL UTILITY DISTRICT

March 21, 2006

A regular meeting of the Board of Directors was held March 21, 2006, at the Wells Branch Community Center, 2106 Klattenhoff, Austin, 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".

Members of the Board as it was called to order are:

Charles R. Walters	-President
Donna Howe	-Vice President
Robert O'Donnell	- Secretary
Joy Smith	- Treasurer
	and Assistant Secretary
Janet Maxey	- Assistant Secretary-Treasurer

and all of the Directors were present, except Director O'Donnell, thus constituting a quorum. Also present during the course of the meeting were Don H. Williams, District general manager; Margret Wingrove of ECO Resources, the District's utility firm; John Bartram of Armbrust & Brown, LLP, the District's law firm; Robert Ferguson, P.E., of Murfee Engineering, the District's engineering firm; Richard Fadal of TexaScapes, Inc., the District's landscaping firm; Tom Cheshire of 1810 Gaylord Drive in the District; Mike Shay of _____; Marcus Horton of 2219 Klattenhoff in the District; Ira Greenstein of _____; Richard Heneghen of 15425 Ozone Place in the District; and Cliff Avery of Gilleland Creek Press.

Director Walters called the meeting to order at 6:00 p.m. and recognized Ms. Wingrove for a financial report, attached as Exhibit "B," and utility manager's report, attached as Exhibit "C." Ms. Wingrove pointed out that tax receipts for the month were lower than budgeted, but she said this was a reflection of timing of receipts and that receipts year-to-date were above budget. Director Howe noted that the Finance Committee had been working with ECO to resolve some charting errors, and she anticipated that the Finance Committee would submit a budget adjustment to the Board soon. Ms. Wingrove reported that the number of terminations of service after nonpayment had declined in February.

Director Walters then announced that the Board would receive input from citizens and recognized Mr. Shay who reported that recent rains had damaged the tee boxes on the disk golf course and suggested that the granite tee boxes be replaced with concrete. Director Walters said the Recreation Committee would review the suggestion. Mr. Shay also asked about the installation of baskets on the course, and Mr. Williams said the baskets had arrived and would be installed soon. Mr. Shay offered the assistance of some of the regular disk golf players. Director Maxey

1 inquired if Mr. Shay and his disk golfing colleagues would consider offering lessons in
2 the sport, and Mr. Shay responded that they would be happy to provide such lessons.
3

4 Director Walters then recognized Mr. Horton who reported the appearance of strange
5 decals on electrical boxes in the District. Mr. Williams said that District staff would
6 remove the decals. Director Smith reminded the Board of its policy of removing
7 graffiti promptly so that vandals would not be able to enjoy their “work.” She also
8 reported on success in removal of bandit signs from the neighborhood. Director
9 Howe noted that Mr. Williams had met with a self-defense enterprise that was
10 particularly aggressive in placing signs illegally in the neighborhood. After the
11 meeting, the enterprise agreed to cease this practice.
12

13 Director Walters then announced that the Board would receive a report from the
14 District’s manager, including reports on the Community Gardens; solid
15 waste/recycling services; facilities; landscape; restrictive covenants enforcement;
16 customer service; recreation, and aquatics, attached as Exhibits “D” through “K.” Mr.
17 Williams reported that the Community Gardens were completely leased out, and that
18 he may be suggesting a second site for more gardens. Mr. Williams reported that he
19 had met with the most recent appointee in charge of IESI. Director Walters suggested
20 that with the fluid administrative situation at the District’s solid waste contractor, the
21 District should require a representative to attend Board meetings periodically. Mr.
22 Williams stated that the requirement may already be in the District’s contract with
23 IESI, and he would explore that possibility. In discussing facilities, discussion
24 centered on rental rates for the children’s moonwalk. *The Board directed the*
25 *Recreation Committee to review rates for delivery and rental of the Moonwalk.*
26 Mr. Williams reported that the District had been informed it had received an award
27 from the Texas Section of the American Water Works Association and from the Water
28 Environment Association of Texas for its water conservation and reuse efforts. Mr.
29 Williams reported that restrictive covenant enforcement was focused on weedy lots.
30 Mr. Williams discussed forthcoming recreational activities.
31

32 Director Walters then recognized Mr. Bartram for a report from the District’s
33 attorney. Mr. Bartram discussed requirements for Board members to receive Open
34 Meetings and Open Records training. He pointed out that if the Board wished, the
35 Board could designate Denise Motal of Armbrust & Brown as its public information
36 coordinator, which would satisfy the requirement that each Board member receive
37 Open Records training. *The Board generally concurred.* Mr. Bartram discussed
38 forthcoming opportunities for training.
39

40 Director Walters then recognized Mr. Ferguson for a report from the District’s
41 engineer, attached as Exhibit “L.” He stated that he and representatives from ECO
42 Resources were attempting to address problems of high water pressure in portions of
43 the District. He reported that Tim Jamail (2222 Research Park, Ltd.), the developer of
44 Wells Branch Phase A, Section 10-B, Lots 1 and 2, was experiencing some difficulties
45 because of the designation of a portion of the property as wetlands. Director Howe
46 commended Director Smith for her forceful exposition of the District’s position
47 regarding impervious cover requirements on the property. Mr. Ferguson presented
48 his recommendation, attached as Exhibit M, to approve the increase of the utility
49 commitment for Wells Branch, Phase R, Section 3, Block A, Lots 57A, 58 and 61. **The**
50 **Facilities Committee recommendation served as a motion and second to**

1 **approve the request with the stipulation that the wastewater layout for**
2 **the site improvements provide for a second point of connection to the**
3 **wastewater line at the rear of the Phase R tract. The motion passed**
4 **unanimously.**

5
6 Director Walters then announced that the Board would consider items on its consent
7 agenda, including;

8
9 **Agenda Item No. 6** Approve, as amended, minutes of March 7,
10 2006 regular meeting;

11
12 **Agenda Item No. 7** Approve Finance Committee
13 recommendations regarding payment of bills
14 and invoices, and write-offs, attached as
15 Exhibits “N” and “O,” respectively;

16
17 **Agenda Item No. 8** Approve Continuing Disclosure Annual
18 Report, attached as Exhibit “P,” and
19 authorize filing the Report with the
20 appropriate authority; and

21
22 **Agenda Item No. 9** Ratify Recreation Committee’s
23 recommendation, attached as Exhibit “Q,”
24 regarding rates for recreation classes.

25
26 **Director Howe moved, seconded by Director Maxey, approval of the**
27 **Consent Agenda as presented, and the motion passed unanimously.**

28
29 Director Walters then announced that the Board would receive reports from
30 Committees:

31
32 **ADMINISTRATIVE COMMITTEE:** Director Walters said that there was no
33 report from the Committee, but noted that there had been a suggestion to include a
34 link on the District’s website to a site that included information about registered sex
35 offenders. Director Walters stated that the Committee would consider the suggestion.

36
37 **FACILITIES COMMITTEE:** Director Smith presented the Committee report,
38 attached as Exhibit “R.”

39
40 **FINANCE COMMITTEE:** Director Howe stated the Committee intended to review
41 the performance of the District’s financial advisor.

42
43 **PUBLIC SAFETY COMMITTEE:** No.

44
45 **RECREATION COMMITTEE:** Director Walters presented the report of the
46 Committee, a copy of which is attached as Exhibit “S.” Director Maxey reported that
47 she had received a request from a local karate school to perform community service
48 by conducting self-defense demonstrations and stated the Committee would review

1 the request. Director Maxey reported that she had been in conversations with the
2 Wells Branch Armada Swim Team. *She asked and the Board generally directed that*
3 *Mr. Bartram prepare a Pool Use Agreement for the Armada. **The Committee***
4 **recommendation serving as a motion and second to approve the proposal**
5 **of Design Electric, attached as Exhibit “T,” for the installation of lights at**
6 **the Shoreline Soccer Field for \$10,900, the motion passed unanimously.**
7 Director Maxey shared e-mail correspondence, attached as Exhibit “U,” regarding
8 problems at Mills Pond. *The Board directed the Public Safety Committee to review*
9 *and make recommendations for appropriate action.*

10
11 Director Walters then noted that Director O’Donnell had resigned as Place 1 Director,
12 and distributed copies of the resignation, attached as Exhibit “V.” **Director Howe**
13 **moved, seconded by Director Maxey, that the Board accept Director**
14 **O’Donnell’s resignation with deep regret and with gratitude for his**
15 **service to the District. The motion passed unanimously.** Director Howe
16 noted that there was only one candidate for the Place 1 Board position **and moved**
17 **that the Board appoint that candidate, Tom Cheshire, to fill the unexpired**
18 **term of Director O’Donnell. Director Smith seconded the motion, and it**
19 **passed unanimously.**

20
21 There being no further business to come before the Board, the meeting adjourned at
22 7:26 p.m.

23
24 Respectfully submitted:

25
26
27
28
29 _____
30 April 4, 2006

31 Date

31 _____
32 Joy Smith, Treasurer and
33 Assistant Secretary
34 Board of Directors
35 Wells Branch Municipal Utility District

36 (SEAL)