

## LUMBERTON MUNICIPAL UTILITY DISTRICT

625 FM 421  
P.O. BOX 8065  
LUMBERTON, TEXAS 77657

OFFICE: (409) 755-1559

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**April 13, 2017 #6 – R**

### **Chapter 551, Subchapter D, of the Texas Government Code**

#### **Notice of a Regular Meeting of the Board of Directors of the Lumberton Municipal Utility District, Lumberton, Texas.**

**Notice is hereby given that a Regular Meeting of the Board of the Lumberton Municipal Utility District of Lumberton, Texas will be held in the Lumberton Municipal Utility District's office at 625 FM 421, MONDAY, THE 17<sup>TH</sup> DAY OF APRIL AT 6:30 P.M., at which time the following items of business will be considered:**

1. Prayer and Pledge to the Flag
2. Public Comments of Agenda Items
3. Approval of Minutes of March 20, 2017
4. Consideration and Possible Capacity approval – Madison Park Subdivision, 41 lots, Frost Enterprise, Inc.
5. Consideration and Possible approval – Amendment to Capacity dated March 2, 2016, Walton Creek Subdivision, 30 lots, Robert Bodle, owner
6. Consideration and Possible Construction approval – Walton Creek Subdivision, 30 lots, Robert Bodle, owner
7. Consideration and Possible Final approval – Riverbirch Subdivision, Phase II, Section II-B, 25 lots, James Abshire, owner
8. Consideration and Possible approval of Resolution No. 2017-2, Letter of Agreement for an Emergency Water Connection Between the Lumberton Municipal Utility District and Water Necessities in the Beaumont Colony Subdivision, Kelly Brewer, owner
9. Consideration and Possible Action – Authorizing District Manager to sell surplus equipment thru Horn Auction Company
10. Consideration and Possible action of Manager's Report
  - A. Presentation of Financial Statement and Accounts Payable
  - B. Presentation of Production Report and Operations Report
  - C. Presentation of Important Dates
11. Public Comments
12. Payment of Bills
13. Adjournment

If, during the course of the meeting covered by this Notice, the Board should determine that a closed or executive session of the Board should be held or is required in relation to any agenda item included in this Notice, then such closed or executive meeting or session, as authorized by the Texas Open Meetings Act, will be held by the Board at the date, hour, and place given in this Notice concerning any and all subjects for any and all purposes permitted

by §551.071-551.084 of the Texas Government Code and the Texas Open Meetings Act, including, but not limited to, §551.071—for the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law.

**POSTED: April 13, 2017**

**Roger Fussell  
District Manager**

Lumberton Municipal Utility District

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By: \_\_\_\_\_

*Anna Saldana*

**REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
LUMBERTON MUNICIPAL UTILITY DISTRICT**

The regular meeting of the Board of Directors of the Lumberton Municipal Utility District was held on Monday, March 20, 2017, at 6:30 p.m. at the offices of the District pursuant to notice duly posted in accordance with the law. The following members of the Board were present:

David Desormeaux

David Pitchford

Nick Carter

Jimmy Burk

Roger Smith

Also present were Roger Fussell, Carla Belt and Robb Starr as employees of the District, Mr. Behannon, Jeff Leavins of LJA Engineering and Guy N. Goodson of Germer PLLC as legal counsel for the District.

Agenda Item No. 1: Prayer and Pledge. A quorum being present, the meeting was called to order, the prayer was led by Director Pitchford and pledge was led by President Carter.

Agenda Item No. 2: Public Comments of Agenda Items. None.

Agenda Item No. 3: Minutes. The Minutes of February 20, 2017 were approved as presented.

Agenda Item No. 4: Amendment to Real Estate contract at 55 West Chance cut-off, Lumberton, TX. The Board moved into executive session at 6:33 p.m. on the consideration of the Amendment to Real Estate Contract at 55 West Chance cut-off, Lumberton. The Board returned from executive session at 6:40 p.m. After discussion and upon motion duly made by Director Burk and seconded by Director Desormeaux, the Board agreed to extend the closing date for the sale of 55 West Chance from April 15 to June 1, 2017.

Agenda Item No. 5: **Capacity approval – Mobile Home Park, 1119 S. Main, 20 lots, Cole Realty Partners, LLC.** The Board received a presentation from Jeff Leavins indicating that based upon his capacity study, there was both wastewater collection and treatment capacity for the project. Mr. Leavins did note along with Mr. Fussell that the City of Lumberton had not yet approved this project. The Board noted that theirs was only capacity approval, and any construction approval would be contingent upon the City providing zoning authority and construction approval as well. After discussion and upon motion duly made by Director Burk and seconded by Director Smith, the Board provided capacity approval only for 20 lots, Cole Realty Partners, LLC.

Agenda Item No. 6: **Possible action – Presentation of Waste Water Treatment Plant evaluation, Jeff Leavins, LJA Engineering, Inc.** The Board again recognized Mr. Leavins who advised that the District had asked LJA to perform an analysis of its Wastewater Treatment Plant. Mr. Leavins presented a map of the District showing both developed, undeveloped and potentially to be developed areas within the District over a span of 20 years. Mr. Leavins reviewed the Wastewater Treatment Plant, its current operations, and current and anticipated capacities for a 40-year period. Mr. Leavins reviewed the sanitary sewer flows together with the growth projections, and indicated that the District should be under design for improvements to its Wastewater Treatment Plant based on current connections and anticipated growth by the year 2023, and the District would need to have a plant constructed for both then current and anticipated growth by 2027. The Board reviewed and asked questions concerning the analysis including the calculation of additional connections along with anticipated changes in Wastewater Treatment Plant permitting issues which might affect the design and the life of the Plant. The Board also reviewed the flow of capacities, including peak flow, average flow and average and daily flows per connection. A discussion also followed on the calculations based on connections vs. equivalent units. The Board

appreciated Mr. Leavins report, and he indicated he would be happy to answer any further questions from the Board at future meetings.

Agenda Item No. 7: Possible action – Update on Harris Computer Software status. President Carter provided a report stating that he, Vice President Smith, Roger Fussell, Carla Belt and other District staff had met with Harris to discuss the pending issues, and President Carter indicated that it was clear that there had been an initial failure of communication between Harris and its technicians working with the District and the District staff and properly training, cross-training, and analyzing the system's parameters and its interface with the then District billing inventory and financial systems. President Carter indicated he felt that Harris was redesigning certain facets of its program to provide more seamless interaction between the District's inventory, accounting and other operating systems. An analysis had been provided by Harris to meet these upcoming demands and setting time frames for completion.

Agenda Item No. 8: Manager's Report.

**A. Presentation of Financial Statement and Accounts Payable.** The Board recognized Carla Belt who reviewed the monthly financial statements from Wells Fargo and BBVA Compass Bank together with the Wells Fargo collateral pledge. Ms. Belt then also reviewed the accounts payable followed by a review of the budget year-to-date and monthly accounting charts and graphs.

**B. Presentation of Production Report and Operations Report.** Mr. Starr had presented the Facility Summary for the Water Treatment and Wastewater Treatment Plants, noting no bad samples and all systems operating properly. Mr. Starr presented the Overtime Report for the month followed by the presentation of the Production Report. Questions followed from the Board, and Mr. Starr also reviewed the charts of water billed and water usage, including flushing and

estimates of water leakage and non-meter water service. The Board also reviewed the water pumpage and billing reports along with the Customer Usage Profile for the period 2014-2016. The Board was presented with the Vehicle Report for the month, and Mr. Starr answered questions concerning District operation and maintenance issues. Mr. Starr's presentation ended with a presentation of the February 2017 Complaints and the review of the various categories of complaints. It was noted that the District had a significant drop in water quality complaints from January to February of 2017.

**C. Presentation of Important Dates.** The Board then recognized Mr. Fussell who reminded the Board of the April 3 Chamber event, and the District would provide a table for the Board. Mr. Fussell also indicated that the companies were reviewing the District's insurance in hopes of providing a presentation to the Board on possible revisions to insurance providers for the District. Mr. Fussell closed with advising he would be out again for surgery.

Agenda Item No. 9: Public Comments. None.

Agenda Item No. 10: Payment of Bills. After discussion and upon motion duly made by Director Pitchford and seconded by Director Burk, the payments of bills were approved as presented.

Agenda Item No. 11: Adjournment. There being no further business, the meeting was adjourned at 8:04 p.m.



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President of the Board

ATTEST

  
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Secretary of the Board