

**Regular Called Meeting
Riverbend Water Resources District
Board Meeting Minutes
September 26, 2018**

228 Texas Avenue, Suite A, New Boston, Texas 75570

MINUTES

I. Call to Order, Roll Call, and Establishment of Quorum and Certification of Notice

Pursuant to a notice posted on the District website on September 19, 2018, the Chair, Marshall Wood, President of the Board, called the meeting to order at 12:06 p.m.

Directors Present:

Marshall Wood, President
Fred Milton, Vice President
Sonja Hubbard, Treasurer
Sean Rommel, Secretary

Directors Absent:

Jim Green, Past President

Administration Present:

Elizabeth Fazio Hale, Executive Director/ CEO
Becky Melton, Financial Director/HR Manager
Eli Hunt, Systems Manager

Public Present:

See attached list.

II. Invocation & Pledge

Sean Rommel led the invocation.

Sonja Hubbard led the pledge.

III. Public Comments

No public comments.

IV. Consent Agenda Items for Consideration

Items IV.A. through IV.E were considered together under a consent Agenda for one single motion of approval.

A. Discussion and possible action regarding August 29, 2018 Regular Meeting minutes.

No discussion on the minutes.

B. Discussion and possible action regarding Amendments to the Riverbend Personnel Manual.

The recommended changes included the following:

4-5 Personnel Files

Proposed – Opt-Out form-protecting personal information of employees in the event a public records request is made.

6-6 Check Writing Policy

Current – All checks over \$5,000.00 require two (2) signatures, one of which must be a member of the Board of Directors.

Change approved March 28, 2018 – All checks over \$25,000.00 require two (2) signatures, one of which must be a member of the Board of Directors.

7-4 Leave Without Pay (new)

The Executive Director/CEO may grant leaves of absence without pay requested by regular, full time employees that have successfully completed a 90-day probationary period. If the request of a Leave Without Pay is approved, it will be granted in increments of four (4) week periods, not to exceed twelve (12) weeks within any calendar year. Leave Without Pay may only be requested in the event the employee exhausts all of his/her accrued sick leave and annual leave. The initial request for such leave shall be in writing and submitted in advance of the date the employee will commence such leave. Each request to extend leave for additional four (4) week periods shall be submitted in writing no less than five (5) business days prior to the expiration of the existing leave. In granting such leave, the Executive Director/CEO shall give primary consideration to the District's need for the employee's services. Leave Without Pay may be granted for any legitimate purpose; however, employees will be obligated to show that granting such leave is in the interest of the District. An example of a legitimate purpose is medical with documentation from the prescribing doctor.

While utilizing Leave Without Pay, the employee will not accrue additional sick or annual leave. The employee will also be responsible for the cost of any insurance premiums; the District will not pay any insurance premiums on behalf of the employee. In addition, the District will not make any employer matched contributions to any retirement plan during the leave period.

While utilizing Leave Without Pay, the employee will not perform work for any other employer.

C. Discussion and possible action regarding approval of a resolution adopting the FY 2017-2018 Member Entities' True-Up For use in FY 2018-2019.

The overhead rate using new method approved last year- changes from 6.04% to 6.26% for Fiscal Year 19. The FY 2017 True-up resulted in monthly credits on Fiscal Year 2019 billing for 5 out of 8 member entities. The Fiscal Year 2019 proposed water production rate changes from .8914 to .9006, an increase of 1.04%. Fiscal Year 2019 monthly billing after applying the FY 17 True-up is a reduction from FY 18 for 3 out of 8 member entities.

D. Discussion and possible action regarding approval of a resolution appointing the officers of the Board of Directors for FY 2018-2019.

Proposed Slate for Executive Officers:

Fred Milton, President
Sonja Hubbard, Vice President
Sean Rommel, Treasurer
Jim Green, Secretary
Marshall Wood, Past President

E. Discussion and possible action regarding the Riverbend Calendar and Board Schedule for FY 2018-2019

No discussion on the Riverbend Calendar and Board Schedule.

A single motion was made by **Fred Milton** and seconded by **Sean Rommel** to approve items from the Consent Agenda, as follows:

August 29, 2018 Regular Meeting Minutes;

RWRD RESO 20180926-01 Approving Amendments to the Personnel Policy Manual;

RWRD RESO 20180926-02 Adopting the FY 2017-18 Member Entities' True-Up for use in FY 2018-21019;

RWRD RESO 20180926-03 Affirming the 2018-2019 Elected Officers of the Board of Directors of the Riverbend Water Resources District; and Riverbend Calendar and Board Schedule for FY 2018-2019.

The motion was approved unanimously.

V. Agenda Items for Individual Consideration

A. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to enter into a professional legal services agreement for the purpose of receiving advice on local, state, and federal water and wastewater issues.

This item was moved to the end of the agenda to discuss in Executive Session.

B. Discussion and possible action regarding approval of a resolution adopting the Second Amended 2017-2018 Administrative Member Fund Budget and the Second Amended 2017-2018 Wet Utilities Budget of the Riverbend Water Resources District.

Liz Fazio Hale provided information on FY17-18 budget amendments.

A motion was made by **Sean Rommel** and seconded by **Sonja Hubbard** approving **RWRD RESO 20180926-05** adopting the Second Amended 2017-2018 Administrative Member Fund Budget and the Second Amended 2017-2018 Wet Utilities Fund Budget of Riverbend Water Resources District. The motion was approved unanimously.

C. Discussion and possible action regarding approval of a resolution adopting the FY 2018-2019 Administrative Member Fund Budget, FY 2018-2019 Wet Utilities Fund Budget and Labor Table, and the FY 2018-2019 TAC-East Budget of the Riverbend Water Resources District.

Liz Fazio Hale provided information on the FY 2018-2019 Wet Utilities Fund Budget and Labor Table, the FY 2018-2019 Administrative Member Fund Budget, as well as the FY 2018-2019 TAC East Budget.

A motion was made by **Fred Milton** and seconded by **Sonja Hubbard** to approve **RWRD RESO 20180926-06** adopting the FY 2018-2019 Administrative Member Fund Budget; the FY 2018-2019 Wet Utilities Budget; and the FY 2018-2019 TAC East Budget of Riverbend Water Resources District. The motion was approved unanimously.

D. Discussion and possible action regarding approval of a resolution approving the Regional Water Master Plan 2018 conducted by Susan Roth Consulting and the Second Cost Estimates at Level III conducted by AECOM, and the Riverbend RWMP Compilation and Summary 2018.

Liz Fazio Hale provided information on recent changes to the Riverbend Regional Water Master Plan by Susan Roth Consulting. One change was to ensure the any mention of International Paper (IP) is changed to Graphic Packaging International (GPI). In addition, the inclusion of information about the new water treatment for Cass County (the 2.5 MGD facility), only producing water for municipal needs, and not for GPI. In addition, other items related to GPI facilities at GPI's request and meeting on September 22, 2018.

No changes have been made to the AECOM Second Cost Estimates nor the Regional Water Rate Presentations.

Marshall Wood asked about the inclusion of the City of Texarkana, Arkansas in the regional plan and their commitment, if any. Liz Fazio Hale stated that there has been no comment from the City of Texarkana, Arkansas but Riverbend will work with them in any way necessary to ensure an affordable, future water supply to the city.

A motion was made by **Sean Rommel** and seconded by **Sonja Hubbard** approving **RWRD RESO 20180926-07** approving the Riverbend Regional Water Master Plan 2018 conducted by Susan Roth Consulting; the Second Cost Estimates at Level III conducted by AECOM, and the Riverbend RWMP Compilation and Summary 2018, all as FINAL drafts ready for distribution and publication. The motion was approved unanimously.

E. Discussion and possible action regarding a template resolution concerning a recommended regional water rate increase for the purpose of implementing certain projects within the Riverbend Regional Water Master Plan 2018.

Liz Fazio Hale provided information that the purpose of this template resolution is to secure a commitment from Riverbend entities that total at least an 80% of regional water use. This commitment should support the raising and/or setting aside of water rates for the purpose of pursuing regional water infrastructure projects outlined in the Riverbend RWMP, so that Riverbend can begin to work on TWDB financial funding applications that will be due in the December 2018 to February 2019 timeframe. If Riverbend can acquire at least 80% commitment, Riverbend will pursue funding this year for a bond that would issue in August 2019 and funds to be release September 2019 timeframes.

A motion was made by **Sean Rommel** and seconded by **Sonja Hubbard** to adopt the template resolution for distribution and authorize the Executive Director/CEO to make changes and further redistribute, as necessary. The motion was approved unanimously.

F. Discussion and possible action regarding approval of a resolution opening another checking and/or savings account at Texana for the Admin Member Fund.

Liz Fazio Hale provided information on the need for an additional checking account for the Administrative Member Fund. With projects coming forwards related to planning for future water infrastructure projects in the Riverbend RWMP, it is necessary to open additional accounts at Texana in order to keep those funds separate from Wet Utility and avoid some confusion on the movement of those funds.

A motion was made by **Sean Rommel** and seconded by **Fred Milton** to approve **RWRD RESO 20180926-08** authorizing the opening of additional checking and/or savings accounts at Texana, as necessary, with the appropriate signatories. The motion was approved unanimously.

G. Discussion and possible action regarding approval of a resolution validating the vote cast by the Executive Director/CEO electing trustees of Nationwide Life Insurance Company and Eaton Vance Atlanta Capital SMID-Cap Fund.

Liz Fazio Hale provided information on the origination of the need for this vote. Each year Riverbend receives this vote sheet. It comes in at the beginning of

September and is required to be submitted on average within 15 days, and therefore, the opportunity to place this item on a Riverbend Agenda is missed. In the past, a vote has not been cast. This year with advances in voting online, the ED/CEO cast a vote and this resolution verifies that it is consistent with the will of the Board of Directors, as well as gives the ED this authority in the future.

A motion was made by **Fred Milton** and seconded by **Sean Rommel** to approved **RWRD RESO 20180926-09** validating the vote case by the Executive Director/CEO electing trustees of Nationwide Life Insurance Company and Eaton Vance Atlanta Capital SMID-Cap Fund and providing the Executive Director with the authority to cast votes for the trustees of Nationwide in the future. The motion was approved unanimously.

H. Discussion and possible action regarding a new Riverbend logo for internet and print purposes.

Liz Fazio Hale provided information on the need for a more consistent logo for the District. Several options were presented to the board. The Board made a few suggestions but ultimately handed the final decision on the logo for Riverbend to the Executive Director.

A motion was made by **Fred Milton** and seconded by **Sonja Hubbard** to approve the options presented and authorized the Executive Director/CEO to make the final decision on a logo for the Riverbend Water Resources District. The motion was approved unanimously.

I. Discussion and possible action regarding Wright Patman Lake and various regional water issues, including activities in the Arkansas and Texas Legislatures.

Liz Fazio Hale provided an update on the ongoing studies for Wright Patman Lake including the Volumetric and Sedimentation Study and the Water Availability Model. The City of Texarkana, Texas has received its amended permit for an intake to be placed anywhere on the perimeter of the reservoir. This needs to be filed in Bowie and Cass Counties.

Mrs. Hale also provided information on the return of \$22,539.23 from the Corps for funds the Corps was not permitted to use for cultural studies without a funding agreement. In addition, an approved funding agreement with the US Corps is coming soon. Riverbend has been given the okay to begin negotiations for the scope of work on the Cultural Studies.

A motion was made by **Sonja Hubbard** and seconded by **Sean Rommel** to return the funds returned by the Corps to the City of Texarkana as long as they are willing to accept the funds. The motion was approved unanimously.

J. Discussion and possible action regarding activities with Sulphur River Basin Authority (SRBA).

Kelly Mitchell reported that an RFQ for an Executive Director is going to be sent out. The SRBA has a strategic plan in the works. He also stated that the funding agreement with the JCPD passed in August. A workshop for future budget planning will be scheduled. A response to the letter written by Riverbend to the SRBA is being drafted by the SRBA attorney. The October meeting date is still to be determined.

No action taken.

K. Discussion and possible action regarding activities with TexAmericas Center (TAC).

Scott Norton reported that activity to move businesses to the TAC footprint is high. A large potable and raw water user is scheduled for a site visit next week. The Army is working on an extension to the contract to clean up more of the TAC footprint.

No action taken.

L. Discussion and possible action regarding activities with REDI.

Sonja Hubbard reported that the Board of Directors of REDI, have conducted 2 rounds of interviews for an Executive Director and 3 candidates have been chosen.

The REDI launch held on September 4, 2018 was a great success.

No action taken.

VI. Reports

A. Board Members

No reports from Board Members.

B. Executive Director/CEO

Ongoing Projects:

- i. STAR (Stakeholder Technical Analysis Review) Committee
- ii. Regional Water Master Plan Project with Susan Roth and Consulting
- iii. Regional Water and Waste Water Rates Study
- iv. Water Availability Modeling Update to Sulphur Basin
- v. Pump Station and Ground Storage Tanks Project
- vi. GIS Mapping
- vii. Industrial Pre-Treatment Feasibility Study
- viii. Hooks Waste Treatment Feasibility Study
- ix. Volumetric and Sedimentation Study on Wright Patman Lake

- x. Waste Water Drying Beds
- xi. Army Invoicing and Payments
- xii. Future CIP Projects for a Facility Charge #3
- xiii. Member Entity Services
- xiv. Other Maintenance and Services Projects - Hooks, Maud, Etc.
- xv. Future Riverbend Studies - Preliminary Design on Intake and Raw Water Line, etc.

VII. Executive Session

The board did move into executive session at 1:25 p.m. pursuant to sec 551.071 of the Texas Open Meetings Act.

The discussion of Agenda Item V.A. was held at this time.

The board came out of executive session at 1:40 p.m.

A motion was made by **Sean Rommel** and seconded by **Fred Milton** approving **RESO 20191926-04** authorizing the Executive Director/CEO to execute an interlocal agreement/contract with Fancher Legal, PLLC and/or Kemp Smith LLP for professional legal services related to local, state, and federal water and wastewater issues. The motion was approved unanimously.

VIII. Next Riverbend Meetings

Regular Meeting Wednesday, October 24, 2018 at 12:00 p.m. at Riverbend Offices, 228A Texas Avenue, New Boston, Texas.

IX. Adjournment

With no additional business to be discussed, a motion was made by **Fred Milton** and seconded by **Sean Rommel** to adjourn the meeting at 1:42 p.m. The motion was approved unanimously.

The minutes of Riverbend Water Resources District Board of Directors meeting, August 29, 2018 were read and approved on the 24th day of October, 2018.


Fred Milton, President

Attest:


Elizabeth Fazio Hale, Executive Director/ CEO

Riverbend Water Resources District
 Board Meeting
 October 24, 2018
 12:00 p.m.

No.	Name	Organization	Title	Phone	Email
1	LARRY HENDERSON	WRT: Henderson			lharry@wrt.org
2	Sharon Etkin	Reg. Va Denver			
3	Scott Norton	TexAmericas			
4	Jennifer Middleton	Gazette			
5	Mike Buttkan	SRBA			
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