

**Regular Called Meeting
Riverbend Water Resources District
Board Meeting Minutes**

November 16, 2022

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

M I N U T E S

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

Pursuant to a notice posted on the District website, the Chair, Van Alexander, President of the Board, called the meeting to order at 12:02 p.m.

Directors Present:

Van Alexander, President
Sonja Hubbard, Secretary
Fred Milton, Treasurer

Directors Absent:

Steve Mayo, Vice President
Tina Veal Gooch, Past President

Administration Present:

Kyle Dooley, Executive Director/CEO
Eli Hunt, Operations Manager
Tara Houck, CFO
Becky Melton, HR Manager/Executive Assistant

Public Present:

Please see the attached list for additional guests.

II. Invocation & Pledge

Van Alexander led the invocation and the pledge of allegiance.

III. Public Comments

None.

IV. Consent Agenda Items

Item IV. A. was considered under a Consent Agenda for one single motion of approval.

A. Discussion and possible action regarding October 26, 2022 Regular Called Meeting Minutes.

A single motion was made by **Fred Milton** and seconded by **Sonja Hubbard** to approve the Consent Agenda Item as listed above. The motion passed unanimously.

V. Regional Entity Reports

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

No report. No action taken.

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

Scott Norton, Executive Director/CEO provided that the TAC Board unanimously reappointed Tina Veal Gooch as their representative on the Riverbend Board. The board also approved a new subdivision platting policy and then file those with the county. An architecture firm has been hired to design the new Downtown Center in Hooks, Texas. This will include new office space for TAC employees. Two tenants extended leases last month. They are working on getting everything complete on the spec building. They're hoping to have a sale finalized by December. There are negotiations ongoing with a current tenant to expand into more buildings soon. There is also a plastics recycling company that is interested in coming to the area. Prospect activity is picking back up after a typical slowdown near election time.

C. Discussion and possible action regarding activities with Ar-Tex REDI.

Sonja Hubbard provided that they had their quarterly meeting earlier this week. There are discussions with a company that paints airplanes that is looking to move to the area. One of the auto manufacturer put our site in the top three of their choices for a new plant but unfortunately, they chose a different site. There is another company currently working with the Army Corps of Engineers to be out of the floodplain. The board is looking for a company to safely burn the trees on the Texas side property.

VI. Agenda Items for Individual Consideration

A. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to execute an amendment to the funding contract with the Texas Water Development Board for the 6th Cycle of Regional Planning on behalf of North East Texas Regional Water Planning Group.

Kyle Dooley, provided that this contract change executing Amendment No. 1 to the contract between TWDB and RWRD for the development of the 2026 Regional Water Plan for Region D. This contract was originally executed on July 13, 2021. This will be the first of a few amendments as we go through the planning cycle and TWDB makes funding available. This amendment would take the total committed funds from \$205,691 up to \$606,747. It also amends several exhibits in the contract as they pertain to scope of work, task and expense budgets, and general guidelines for the 2026 Regional Water Plan deliverables. TWDB has

executed this amendment. We are required to seek approval and submit an executed copy to TWDB before the end of the year. Staff recommends approval.

A motion was made by **Sonja Hubbard** and seconded by **Fred Milton** to approve **RESO 20221116-01** authorizing the Executive Director/CEO to execute an amendment to the funding contract with the Texas Water Development Board for the 6th Cycle of Regional Planning on behalf of North East Texas Regional Water Planning Group. The motion passed unanimously.

B. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to enter into a service agreement for water and wastewater services with the City of Annona.

Kyle Dooley provided that, in August, staff brought a service agreement forward for consideration with the City of Maud to provide wastewater services and the hope was that this service agreement could be used in the future as a template for other members who might like RWRD to provide water/wastewater services for them in the future. Since then, staff has been working on finalizing a water/wastewater services agreement with the City of Annona using the service agreement from Maud as the template. We have met with Annona to go over the proposed services to be provided and discuss the possible costs for this agreement. The draft agreement is attached in the packet and with board approval, we would work with Annona to finalize the agreement in the near future. The agreement has an initial five-year term, with renewable options going forward after the initial term. The annual amount of the agreement is for \$38,480 (\$740/week) and the contract provides for a “true-up” every year after the initial year.

A motion was made by **Fred Milton** and seconded by **Sonja Hubbard** to approve **RESO 20221116-02** authorizing the Executive Director/CEO to enter into a service agreement for water and wastewater services with the City of Annona. The motion passed unanimously.

C. Discussion and possible action regarding approval of a resolution approving changes to the Personnel Policy Manual.

Kyle Dooley provided that Section 8-13 of the Personnel Policy Manual discusses Conflict of Interest and Business Ethics. In a bullet list in that section, it discusses possible conflict of interests while being employed by RWRD. This agenda item pertains to the board considering updating the wording of one of the bullets to more clearly state allowable service opportunities for RWRD employees.

A motion was made by **Fred Milton** and seconded by **Sonja Hubbard** to approve **RESO 20221116-03** approving RESO 20221116-03 changes to the Personnel Policy Manual. The motion passed unanimously.

VII. Riverbend Reports

A. Board Members

No reports.

B. Executive Director/CEO

Kyle Dooley provided the following updates:

Regional Water System Project: Pape-Dawson has shared the application letter that they have put together for the intake permitting with the USACE. Comments on what that letter needs to say are being prepared. The meeting to put the final touches on the letter will be tomorrow afternoon. The goal is Corps concurrence and RFQ timelines planned out to get approval from TWDB so that design funds can be released.

TCEQ & Water Rights Application: Lines of communication are still open between the District and those requesting a contested case hearing. Other than that, no new update.

Ultimate Rule Curve and Environmental & Cultural Resources Study: Still working with the USACE. We are moving towards having draft programmatic agreement and environmental documents ready from the Corps. On the most recent call with the USACE that the historic operational curve, which is much higher, is what will be used as a baseline for the elevations that are being studied instead of the Interim Rule Curve. At its highest, the historic operational curve is a better representation of how the lake will function. The USACE will come back to Riverbend with more accurate amounts on the contributed funds agreement based on the necessary studies. Initially the cost estimates were close to \$2.3 million and the new estimates look like they will be closer to \$4.4 million.

Industrial Waste Water Plant: The amortization schedules previously requested by the Army have been sent over to them for review. We are waiting on a meeting date.

Typically, this is our last meeting of the calendar year. We may need to have a quick December meeting to cover a couple of items that don't need any action, but they do need to be discussed. The board decided that December 7th at noon will work for them.

No action taken.

VIII. Executive Session

The board stood at ease at 12:28 p.m.

The board reconvened in Executive Session at 12:30 p.m. with quorum pursuant to section 551.071 and 551.072 of the Texas Open Meetings Act.

The board came out of Executive Session at 1:30 p.m.

The board reconvened with quorum at 1:31 p.m.

IX. Next Riverbend Meetings

Riverbend Special Called Meeting, Wednesday, December 7, 2022 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

Riverbend Regular Meeting, Wednesday, January 25, 2023 at 12:00 p.m. at Riverbend Offices, 228 A Texas Avenue, New Boston, Texas 75570.

X. Adjournment

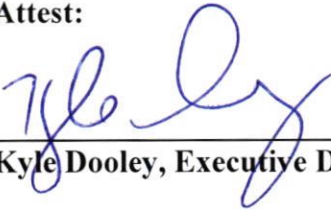
With no additional business to be discussed, a motion was made by Fred Milton and seconded by Sonja Hubbard to adjourn the meeting at 1:35 p.m. The motion passed unanimously.

The minutes of the Riverbend Water Resources District Board of Directors meeting, held on November 16, 2022, were read and approved on the 25th day of January, 2023.



Van Alexander, President

Attest:



Kyle Dooley, Executive Director/ CEO