

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

**January 24, 2024**

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, Steve Mayo, President of the Board, called the meeting to order at 12:00 p.m.

**Directors Present:**

Steve Mayo, President

Tina Veal-Gooch, Secretary

Van Alexander, Past President

**Directors Absent:**

Sonja Hubbard, Treasurer

**Administration Present:**

Kyle Dooley, Executive Director/CEO

Eli Hunt, Director of Operations

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. Special Agenda Items for Individual Consideration**

**A. Discussion and possible action regarding approval of RESO 20240124-01 accepting the recommendations of the City of Texarkana, Texas and the City of New Boston that Steve Mayo and Lynn Davis, respectively, to serve terms as members of the Board of Directors of Riverbend Water Resources District.**

A motion was made by Tina Veal Gooch and seconded by Van Alexander to approve RWRD RESO 20240124-01-01 accepting the recommendations of City of Texarkana, Texas and the City of New Boston that Steve Mayo and Lynn Davis, respectively, to serve terms as members of the Board of Directors of Riverbend Water Resources District. The motion passed unanimously.

**B. Oaths of office, administered by Judge Bobby Howell, for Directors Steve Mayo and Lynn Davis.**

Bowie County Judge Bobby Howell administered the Oaths of Office swearing in directors Steve Mayo and Lynn Davis.

**V. Consent Agenda Items**

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

**A. Discussion and possible action regarding November 15, 2023 Regular Called Meeting Minutes and December 4, 2023 Special Called Meeting Minutes.**

A single motion was made by **Van Alexander** and seconded by **Tina Veal Gooch** to approve the Consent Agenda Item as listed above. The motion passed unanimously.

**VI. 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).**

No report. No action taken.

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

No report. No action taken.

**VI. Agenda Items for Individual Consideration**

**A. Discussion and possible action regarding approval of a resolution appointing Lynn Davis as the Vice President of the Board of Directors of Riverbend Water Resources District.**

Kyle Dooley provided information on the normal rotation of Board Officers. With the new appointment of Lynn Davis to the Board of Directors, his appointment should fall to the Vice President position.

A motion was made by Tina Veal Gooch and seconded by Van Alexander to approve RESO 20240124-02 appointing Lynn Davis as the Vice President of the Board of Directors of Riverbend Water Resources District. The motion passed unanimously.

**B. Discussion and possible action regarding approval of a resolution authorizing an update of authorized signatures for all bank accounts.**

Kyle Dooley provided information on authorizing board members to have signature authority on all bank accounts. With the appointment of Lynn Davis to the Board, the authorized account signatures must be updated.

A motion was made by Van Alexander and seconded by Tina Veal Gooch to approve RESO 20240124-03 authorizing an update of authorized signatures for all bank accounts. The motion passed unanimously.

**C. Discussion and possible action regarding approval of a resolution authorizing the Executive Director/CEO to submit a withdrawal of the Request for Exclusion from the 3M settlement agreement for a lawsuit pertaining to polyfluoroalkyl substances (PFAS) in drinking water.**

Kyle Dooley provided an update on the PFAS lawsuit. At the November 15th Regular meeting and the December 4th Special Called meeting, the 3M and DuPont PFAS class action settlement agreements were discussed. At the December 4th meeting, the Board decided to submit a Request for Exclusion from the 3M settlement agreement to see if any new information or answers to some of the questions around the settlement agreements were answered in the time between that December meeting and the Final Fairness Hearing for the 3M settlement is held in early February. The Final Fairness Hearing is also the deadline for anyone who wants to withdraw their Request for Exclusion submittals. It was the staff's understanding, based on the last Board discussion, that if no new information was available, the board would like the opportunity to have an agenda item to consider withdrawing the Request for Exclusion on the 3M settlement. Upon the review of the information since our last meeting in December, it is the staff's determination, along with review from our legal counsel, that nothing has been presented that would change the prior Board discussion in this regard.

A motion was made by Van Alexander and seconded by Lynn Davis to approve RESO 20240124-04 authorizing the Executive Director/CEO to submit a withdrawal of the Request for Exclusion from the 3M settlement agreement for a lawsuit pertaining to polyfluoroalkyl substances (PFAS) in drinking water. The motion passed unanimously.

**D. Discussion and possible action regarding approval of a resolution approving amendments to the second and third quarter Investment Reports for FY 2023.**

Tara Houck, Chief Financial Officer, presented amendments to the second and third quarter investment reports for FY 2023. These amendments were attributed to the calculation of interest earned.

A motion was made by Tina Veal Gooch and seconded by Van Alexander to approve RESO 20240124-05 approving amendments to the second and third quarter investment reports for FY 2023. The motion passed unanimously.

**E. Discussion and possible action regarding approval of a resolution approving the fourth quarter financials of FY 2023.**

Tara Houck, Chief Financial Officer, presented the final version of the FY 2023 fourth quarter financials.

A motion was made by Van Alexander and seconded by Tina Veal Gooch to approve RESO 20240124-06 approving the fourth quarter financials of FY 2023. The motion passed unanimously.

**F. Discussion and possible action regarding approval of a resolution approving the fourth quarter investment report for FY 2023.**

Tara Houck, Chief Financial Officer, presented a new version of the FY 2023 Investment Report. It includes separating all interest income from each investment line.

A motion was made by Tina Veal Gooch and seconded by Steve Mayo to approve RESO 20240124-07 approving the fourth quarter investment report of FY 2023. The motion passed unanimously.

**G. Discussion and possible action regarding approval of a resolution approving the FY 2021 Annual Audit performed by Wilf and Henderson, P.C.**

Carol Wilder, Wilf & Henderson, P.C. presented the audit for FY 2023. She stated that Riverbend is in good financial condition. She also included that compliance and internal controls are strong. Ms. Wilder also stated that as a government entity spending federal bond funds, we are required to complete a single audit. That audit was clean and in addition, the 2023 audit has no findings. She also provided that there was a new pronouncement this year requiring government entities to capitalize subscriptions that last longer than one year. Our new financial software fits those requirements because it is a three-year subscription. In addition, Kyle provided that Riverbend received an award for the fourth year in a row from GFOA for Excellence in Financial Reporting for FY 2022.

A motion was made by Van Alexander and seconded by Tina Veal Gooch to approve RESO 20240124-08 approving the FY 2023 Annual Audit performed by Wilf and Henderson, P.C. 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: Matt Garcia provided an update on the project. We received a Letter of No Permit Required from the Army Corps of Engineers. This means we do not have to do an Individual Permit for the project. We will need to meet the requirements for waters of the US, but that will be far less difficult than an Individual Permit. This Letter, along with a response to all other comments on the Environmental Information Document have been provided to the reviewer at TWDB. We are scheduling a follow-up conference call to try to expedite the review process. We had the first Value Engineering meeting with the successful design consultants last month. There are some data exchange tasks that we are completing for the design consultants. The next set of meetings is slated for next week. Pape has completed the contract documents for the Value Engineering portion of the Design for the successful Design Consultant and will assist Riverbend to negotiate these contracts. Once the contracts are reviewed and final costs are discovered, Riverbend can make the request to TWDB for the remaining funds. Susan Roth is completing applications for the Cities of Avery and Leary for principal forgiveness that are the same as the grants received in the name of the City of Annona and Oak Grove Water Supply Corporation.

Industrial Waste Water Plant: Kyle Dooley met with command staff and Department of Public Works (DPW) on December 13<sup>th</sup> to discuss the timeline and what their responsibilities are with relation to keeping the project on track. The contract language will need to be reviewed before responsibilities are delegated. The Directorate of Resource Management wants to meet with Riverbend and DPW next week to go over the final numbers for the bond and what the facility charge will be to the Army for that bond. Once that is approved by Resources Management, they could have a contract for us to review within 48 hours. We hope to get it on the next agenda.

Ultimate Rule Curve and Environmental & Cultural Resources Study: State Historic Preservation Office has signed the Programmatic Agreement. The environmental assessment document is ready. Hydraulics and hydrology inside the Corps have completed their assessments. It looks like it will be March when the Cultural Resources Study cost is finalized and awarded to the contractors. That is when discussions will take place to assess any necessary changes to the contributed funds agreement.

No action taken.

## **VIII. Executive Session**

The board stood at ease at 12:35 p.m.

The board reconvened in Executive Session at 12:40 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 2:00 p.m.

The board reconvened with quorum at 2:01 p.m.

### **IX. Next Riverbend Meetings**

Riverbend Regular Meeting, Wednesday, February 22, 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 Van Alexander and seconded by Lynn Davis to adjourn the meeting at 2:02 p.m. The motion passed unanimously.

The minutes of the Riverbend Water Resources District Board of Directors meeting, held on January 24, 2024, were read and approved on the 28<sup>th</sup> day of February, 2024.

  
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Steve Mayo, President  
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Kyle Dooley, Executive Director/ CEO



## Board Meeting

**12:00 p.m.**

Name	Organization	Title	Phone	Email
David Weidman	SRBA	Executive Director		dweidman@srba.org
Steward Walker	De Kalk	Mayor		steward.walker@dekalk.ga.gov
Stephanie Baiche	Black & Veatch	V.P.	614-459-8624	baiche.s@blackandveatch.com
Dawn Ticker	Tidewaters			dticker@tidewaters.com
Conrad Murphy	City of New Boston	Mayor	903-306-9921	mayor@cityofnb.org
Wynne Day	City of <del>New Boston</del> <sup>Alford</sup> City Alford			
Brandon Walker	City of New Boston	Director of Public		
Bobby Howard	Bowen Co.			
Carlynn Weller	Wells Henderson	President		
Matt Geeser	Pape-Dewasa Eng	Sr. V.P.	214-773-2330	mtg@pape-dewasa.com
Hal Heams	Central Boise Cutz Inc	GM	703-628-5601	cheams@centralboise.com
Alfred Clarke	Pest Control Services			
Chuck Johnson	American Pipe	Sale Rep	316-250-4557	cdjohnson@americanpipe.com