MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE FERN BLUFF MUNICIPAL UTILITY DISTRICT

December 8, 2020

THE STATE OF TEXAS §
WILLIAMSON COUNTY §

The Board of Directors (the "**Board**") of the Fern Bluff Municipal Utility District (the "**District**") convened in a **regular** meeting open to the public at 6:00 p.m. on December 8, 2020, via teleconference and videoconference in compliance with an advisory issued by the Office of the Governor, pursuant to notice duly given in accordance with the law.

George Sabatino	President
Joseph Teiber	Vice President
Jessica Stempko	Secretary
Kevin Barnes	Treasurer
Marc Smith	Assistant Secretary/Treasurer

and all Directors were present, thus constituting a quorum.

Also in attendance or joining during the meeting, were Janey Miller, the District's General Manager; Hector Alanis, the District's Operations Manager; Jack Gardner of Texas Lawn and Garden, LLC, ("**Texas Lawn**") the District's landscaper; and Zachariah T. Evans and Suzanne McCalla of McGinnis Lochridge, the District's Attorney ("**McGinnis**").

Director Sabatino called the meeting to order, after which Director Teiber led those present in the Pledge of Allegiance.

Mr. Gardner next presented the Landscaping Report. He stated that Texas Lawn had installed the final round of flowers at the Fern Bluff Community Center as well as applied ant treatment to ant mounds within the District's parks. He reported that deer were rubbing against several of the newly installed trees within the District and that Texas Lawn was looking at ways to mitigate the damage. Mr. Gardner told the Board that Texas Lawn planned to begin the trailhead enhancement at Brightwater Park in the near future and then planned to move on to the installment of trees in Olson Meadows Park. After discussion, Mr. Gardner thanked the Board for their time and departed the meeting.

Director Sabatino then noted that there were residents present who wished to address the Board at this time.

Trennah Dishongh, Yoram Givon, and Aaron Harrison addressed the Board regarding a request for closed captioning of District meetings, to express appreciation to the Board for conducting a special workshop to discuss deed restrictions, and a request for clarification regarding the deed restrictions policy, respectively. No action was taken on these items.

The Board then considered approval of the monthly consent agenda containing the minutes of the November 10, 2020, regular Board of Directors meeting; payment of bills and

invoices; payment of transfers for operation expenses; pay requests; change orders; and customer charge write-offs. After a brief discussion, upon a motion duly made by Director Teiber and seconded by Director Barnes, the Board voted unanimously to approve the Consent Agenda, including the minutes of the November 10, 2020, regular Board of Directors meeting, as written.

The Board next heard the appeals of deed restriction violations by residents residing at 8405 Priest River Drive and 17512 Klamath Falls Drive. Director Sabatino reviewed the District's procedures to appeal a deed restriction violation, noting a five-minute time limit for each side to present their evidence. The Board heard evidence from both sides, with Ms. Miller presenting evidence on behalf of the District. After a motion duly made by Director Barnes and seconded by Director Smith, the Board voted to suspend the appeal proceeding for 8405 Priest River Drive until the District's January Board meeting to allow the Board time to review and clarify the appeal process. The motion passed with Directors Stempko, Barnes, and Smith voting in favor; Director Teiber voting against the motion; and Director Sabatino abstaining.

The second appeal heard by the Board was for 17512 Klamath Falls Drive. Evidence was presented for both sides, with Ms. Miller presenting for the District. A lengthy discussion then ensued. After a motion duly made by Director Stempko and seconded by Director Barnes, the Board voted to suspend the appeal proceeding until the District's January Board meeting to allow the Board time to review and clarify the appeal process. The motion passed with Directors Stempko, Barnes, Smith, and Teiber voting in favor and Director Sabatino abstaining.

Ms. Miller next updated the Board on the status of the road issues at the intersection of Smyer's Lane, Wyoming Springs and FM 620. She reported that Williamson County Commissioner Terry Cook reported that plans to upgrade the intersection were in progress, funding was available, and the project should be included in an upcoming Williamson County road project. Director Smith noted that he had spoken with the project manager for the construction and installation of lighting along O'Conner Drive, who indicated that the project should be complete by the end of January.

Next, Ms. Miller presented the General Manager's Report in its entirety, a copy of which is included in the Board Packet and attached hereto. She reported that the District's accounting software would be updated this date, but that customers would not be affected.

Continuing her report, Ms. Miller stated that the Fern Bluff Community Center (the "**Community Center**") would not be accepting rentals through the end of the year. She noted that the District had received very few calls to reserve the Community Center for 2021, and she stated her belief that the residents understood the need to restrict access to the Community Center as a result of the ongoing pandemic.

Next, Mr. Alanis reviewed the District's water loss report as included in the Board Packet. He noted that the District's water accountability for the month of November was at 88% of water pumped versus water distributed. He added that the District's water accountability for the past 12 months was at 106% of water pumped versus water

distributed. He also reported that the pump motor at Lift Station No. 1 was replaced. He explained that the old motor would be sent off for repair and the repaired pump would be retained as a backup motor for the lift station.

At this point Director Teiber departed the meeting.

The Board then entered into executive session at 7:37 p.m., pursuant to V.T.C.A. Government Code, Chapter 551.071, to receive the Mr. Evan's advice on Agenda Item No. 10(g)(i) as listed on the District's agenda. The Board reconvened in open session at 8:19 p.m. Director Sabatino reported that no decisions were made and no votes taken on the items discussed in executive session.

Director Stempko then requested that the District's Deed Restriction Violation Order be included on the District's January agenda for reconsideration by the Board.

Director Barnes presented the Budget Committee Report. He noted that several budgeted line items had come in well under budget, and he congratulated Mr. Alanis and Ms. Miller on working diligently to save the District money.

Next, Director Smith presented the Communications Report. He stated that he continued to work with the District's Landscaper to identify plants in the District's Butterfly Garden, which information would be made available to residents on their smart phones for use in identifying the plants while at the Butterfly Garden.

The Board then discussed the date of the District's next regular Board of Directors meeting. After discussion, the Board decided that the District's next regular meeting would be held at 6:00 p.m. on January 12, 2021.

There being no further business to come before the Board, the meeting was adjourned.

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Secretary, Board of Directors
Fern Bluff Municipal Utility District

(SEAL)

Attachments to the Minutes of the
Fern Bluff Municipal Utility District
December 8, 2020, Board of Directors Meeting

1. Board Packet.