

**Chateau Woods MUD
Meeting of the District Board of Directors
September 3, 2020**

Meeting Minutes

September 3, 2020

Opening

Special meeting for Chateau Woods MUD was called to order at 7:00 pm on September 3, 2020 at 10224 Fairview Drive, Conroe, TX 77385 by David Schoop MUD Board President. Mr. Schoop said 8/27/2020. However, the meeting did take place on 09/03/20. The 08/27/20 meeting was postponed and rescheduled because of a power outage in the area on that date.

Present

MUD Board Members: David Schoop-President, Alanna Hardage- Treasurer, Cassandra Merceri-Secretary Steven Mitschke- Vice President; and Larry Foerster, District legal counsel.

Tiffany Loggins sitting in for Debra Loggins- District accountant; Levi Love- District engineer; and Lisa Hudson- Minutes Secretary

Absent

Board member David Hansen

Approval of Agenda

Agenda written by Darcy Tramm with A-1 Utilities, Posted Doc # 19-1632 Anna Sanchez – 11/18/2019 Mark Turnbull, County Clerk Montgomery County, Texas. Agenda Approved and signed by David Schoop, District President.

Open Issues

1. Meeting Called to order at 7:00 pm by David Schoop
2. Roll call of board members present: David Schoop, Alanna Hardage, Steven Mitschke, Cassandra Merceri, and District legal counsel, Larry Foerster

3. Invocation and pledge

Public in attendance: Debra Loggins- Accountant, Darcy Tram- A-1 Utility, Derick Dickman- A-1 Utility, Levi Love- LSquared Engineering, Lisa Hudson, Dean McDade, Kitty Jones, Miles & Connie Bednex, Oscar Alvarez, Penny Whitaker, Shane Ramsour.

4. Discuss and take possible action to approve the minutes for the July 23, 2020 regular meeting, July 23, 2020 public hearing, August 3, 2020 special meeting, August 13, 2020 special meeting and August 13,

2020 budget workshop. Dave Schoop made motion to table approval until 09-10-20 meeting. Steven Mitschke seconded motion, all in favor and approved.

5. Comments from Public:

Mr. Miles Bednex asked if District allows building metal buildings in the subdivision. He asked specifically what about on Twin Oaks? David Schoop asked if he is making a complaint and Mr. Bednex said no. Larry Foerster advised him that he could make a complaint. Steven Mitschke said the Board is bound by state code, deed restrictions, and drainage plans. The Board cannot regulate the building of a metal garage. Mr. Bednex said the garage that is being built is bigger than the house on the property. Mr. Miles Bednex, the homeowner at 107417 Twin Oak Rd, was upset because someone living nearing him is now building a metal garage. He was also upset that he was told he could not build a metal building more than 5 years ago. Steven Mitschke went over District policy regarding metal buildings. He said he was familiar with the property Mr. Bednex was referring to and he understood his concern; however, that property is not in any violation for what they are building. His neighbor had followed all MUD Board guidelines, state law and was not in violation of any restrictions regarding the building that is currently under construction. The building is being built in the person's backyard, and he came before the board before starting to build for approval. Mr. Bednex said he did not want to take up any more board meeting time and was satisfied with the answer although he still is concerned it will bring his property value down.

Kitty Jones 605 Chateau Woods Parkway stated she wants to build temporary cover for the RV. Its to protect the RV from weather damage only. It is on a separate property and will not be lived in. Board asked that it not be an eyesore.

Shane Ramsour introduced himself and said he would like to be appointed for the vacant position on the board. He is a resident and has lived here for some time. Larry Foerster asked that he submit something (a biography) regarding who he was and why he wants to be on the board. Dave Schoop agreed.

6. Comments from Board of Directors:

Cassandra Merceri said she got an email complaint regarding water run off on a new build on Pinewood Drive. She then read the email from Amanda Tate. The Tate's are putting the MUD on notice. David Schoop asked Derick Dickman if he had been by the location to see what is going on with the drainage. Derick Dickman responded he had been by to check on it. There are some issues that need to be resolved and will be. However, the drainage/property grade has not been completed yet. Grade should be done in the next couple of weeks. The home is still under construction. David Schoop asked that the Board members keep an eye on it since we are now in hurricane season.

Cassandra Merceri also brought up another complaint regarding trash bags in the front yard on Twin Oaks; they put several trash bags in the front yard full of leaves and construction trash from gutting the home after Harvey. This property has been that way since Hurricane Harvey. All the bags are in the front

yard sitting. Larry Foerster was asked to write letter to owners regarding removing the trash. (Larry Foerster will get information from Cassandra as to the property address and owner.)

7. Discuss and take possible action to accept bookkeeper's report for July 23rd to September 3rd and approve payment of bills. Steven Mitschke made motion to approve, Alanna Hardage seconded motion, all in favor and approved. Stephanie Loggins handed out the bookkeeper's report and she went over all the items. ***Steve Mitchke made motion to approve bookkeeper's report. David Schoop seconded motion. All in favor and motion approved.***

8. Discuss and take possible action on water bill adjustment request from Penny Whitaker at 1020 Chateau Woods Parkway. Penny Whitaker spoke and said there was a leak where the water softener connects to the home. Original pipe that was installed split, so they have been back out to property and replaced the pipe. It is now fixed and no longer leaking. Average bill \$66.00. Mud District to write off water usage part of the bill but we normally do not cover GRP taxes. ***Steven Mitschke made motion to cover water only on 1st bill Original bill (1) \$187.81 bill reduced to GRP taxes only in the amount of \$123.03, 2nd bill of \$ 219.09, waive usage and GRP bill now \$66.19. David Schoop seconded motion. All in favor and motion approved.***

9. Discuss and take possible action on water bill adjustment request from Storri Forrester at 10232 Forest Glade Court (Darcy Tramm spoke on her behalf because homeowner was not present at meeting) ***Steven Mitschke made motion to do option #4, reducing bill for usage but not writing off GRP fee because it was a Sprinkler issue, new bill \$54.29. David Schoop seconded motion. All in favor and motion approved.***

10. Discuss and take possible action on water bill adjustment request from Dianna Jones at 10940 Twin Oaks Drive.(Dianna not present so Darcy Tramm spoke on her behalf). ***David Schoop made motion to do option # 4, reduce bill to \$209.33 for GRP fees only. Alanna Hardage seconded motion. All in favor and motion approved.***

11. Discuss and take possible action on new garage/addition at 431 Tallow for Luis Osorio. ***Not present, so tabled until next meeting.***

Larry asked that Tiffany Loggins be excused from the meeting. Tiffany left the meeting.

12. Discuss and take possible action on new construction for the following properties based on Engineer's bulk recommendations:

- a) 1335 Glen Oak - Section 7, Block 3, Lot 7A for Jose Alvarez
- b) 10900 Mockingbird – Section 7, Block 6, Lot 31A for Jose Alvarez
- c) Section 7, Block 7, Lot 13B (on Beech) for Jose Alvarez-

d) Section 7, Block 7, Lot 13C (on Beech) for Jose Alvarez-

e) 312 Tallow – Section 1, Block 6, Lot 6C for Conad, LLC- property is off in cad, asked that person have new form survey. Property owner present and is having his engineer to redo survey. No hold

f)304 Tallow – Section 1, Block 6, Lot 6A for Conad, LLC

Levi Love said all will be a conditional approval; he discussed in detail regarding each property and the special conditions said to refer to his report. ***David Schoop made motion to approve above construction of items a through f, with conditions (per Levi Love’s report). Steven Mitschke seconded motion. All in favor and approved with conditions as stipulated by engineer.***

13. Discuss and take possible action on new construction at:

a) Section 7, Block 6, Lot 89 (on Fairview) for Jose “Benny” Chavez- Tabled as absent

b) 1506 Glen Oak – Section 7, Block 2 Lot 10C for Gavin Conrad- Tabled as absent

c) 1508 Glen Oak – Section 7, Block 2, Lot 12A for Gavin Conrad – Tabled as absent

d) Section 6, Block 3, Lot 12A (on Fairview) for Milos Bednar

e) Section 6, Block 3, Lot 10C (on Fairview) for Milos Bednar

f) Section 6, Block 3, Lot 14C (on Fairview) for Milos Bednar

g) Section 6, Block 3, Lot 14B (on Fairview) for Milos Bednar

Fill on above lots has already been completed. In the future, any building will require drainage plans. Levi Love did not have any objection to the above lots and plans being built. Derick Dickman will review drainage and swales on each lot. A condition added that side lot swales are done correctly. ***David Schoop made motion to approve items d - e with conditions regarding drainage. Alanna Hardage seconded the motion. all in favor and motion approved.***

h) 1503 Beech - Section 7, Block 7, Lot 9B for Alex Reyes- *no action (remove from future agenda)*

i) 10920 Oriole – Section 7, Block 6, Lot 71 for Alex Reyes- *no action (remove from future agenda)*

14. Discuss and take possible action on deed restriction complaint at 10308 Beech (Section 7, Block 12, Lots 7 & 6b). – *completed – no action (remove from future agenda)*

15. Discuss and take possible action on deed restriction violation at 10900 Oriole Place. ***Steven Mitschke made motion to have Larry Foerster send second letter regarding dumping of black water. David Schoop seconded motion All in favor and motion approved.***

16. Discuss and take possible action on any new deed restriction complaints, updates (if any) on previous complaints. Property at 1407 Beech was brought up regarding tires, trash, appliances in front yard. **David Mitchke made motion to have Larry Foerster send letter to homeowner. Alanna Hardage seconded motion all in favor and approved.**

17. Adjourn into Closed Executive Session under Section 551.071 of the Texas Open Meetings Act for consulting with District's attorney regarding litigation and other matters.

David Schoop adjourned public to include Lisa Hudson who is not needed for minutes for Executive Session. Time was 7:55pm.

18. Reconvene into open session and take action based on deliberations in closed executive session. At 9:02 pm David Schoop reconvened meeting into open session.

19. Discuss and take action on the District's lawsuit with Porter Special Utility District. Larry Foerster to write letter/offer to Porter SUD to settle lawsuit. **Larry Foerster to make Settlement offer as follows : Authorize Legal Counsel For Chateau Woods MUD to submit a settlement offer to Porter SUD to settle all disputes relating to Porter SUD Lawsuit for the amount of GRP fees owed through the end of September 2020, that being an approximate amount of \$170,000.00. Plus make reimburse Porter SUD for any unpaid Lonestar Groundwater Conservation District pumpage fees that have been paid by Porter SUD on behalf of Chateau Woods MUD. Currently, we do not have a dollar figure for this amount. Steve Mitchke made motion to allow legal counsel Larry Foerster to do the above regarding resolution of contract dispute with Porter SUD. David Schoop seconded motion. All in favor and motion approved .**

20. Discuss and consider approval of Amended Rate Order. **Tabled until further discussion with engineer and attorney.**

21. Discuss and take action to approve Order of Cancellation of the November 3, 2020 election due candidates being unopposed. Dave Schoop made motion to cancel election, Steven Mitschke 2nd motion. All in favor and approved..

22. Discuss and take possible action on any new or ongoing legal matters. **None presented.**

23. Discuss and take possible action on the following Engineering Matters:

a) Payment application and other construction matters for water line replacement on Cactus, Springwood and Mockingbird Place. Pay vendor \$131,854.00 (hold balance of contract until all issues with ditches on Springwood Drive have been put back to somewhat normal status as they were prior to the waterline placement. Hydro-mulch and sod in budget, but it will be revisited after final Engineer walks with contractor that did. **David Schoop made motion to write check to Statewide Services for \$131854.50. Steven Mitschke seconded motion. All in favor and motion approved** (check written by Darcy Tramm- and given to Levi Love). Levi Love then mentioned he is overbudget on this project.

b) Manhole rehabilitation in 800-900 block of Chateau Woods Parkway- not a priority currently. Still needs culvert and many items to finalize this. ***Tabled until next meeting.***

c) Sanitary sewer service to Fairview Drive (South of Ashway) 300 feet of sewer line still working on additional bids. Considering having Statewide complete this item. ***David Schoop made motion to approve Statewide Utilities to complete this work. (bid close to \$49,000.00). Steven Mitschke seconded motion. All in favor and motion approved.***

Fairview drive Construction services contract presented from Levi Love. ***Steven Mitschke made motion to pay up to \$9800.00. David Schoop made motion. All in favor and motion approved.***

d) Developments in the District. Development of Valley Star still going strong

e) Update on wastewater treatment plant addition. Levi Love working on making new plans, still work to be done. Continuing to move forward on progress. ***Tabled until further notice.***

f) Update (if any) on request to TCEQ for sanitary control easement rule exception- invoiced. Levi Love reported ball is in their court, no response but we are in compliance.

g) Cleaning open drainage ditches. Conrad to do the ditch work first, slow progress

h) Partial clearing of District's lot on Primrose- Solomon made bid for \$6,500.00 (3 total bids). King Solomon will do the work. ***Steven Mitschke made motion to approve King Solomon to do the work. Alanna Hardage seconded motion. All in favor and motion approved.***

i) New and other ongoing Engineering projects- none

24. Discuss and take possible action on July operations report, including maintenance and repairs to water/sanitary sewer systems, plumbing permits/inspections, parks and customer billing. David Schoop made motion to approve sand filter system for Pump 1. ***Steven Mitschke seconded motion. all in favor and approved. Dave made motion to approve operation report. Seconded and motion approved.***

25. Discussion and take possible action on amending building rental contract and rates charged for rental of the District office. New fees for renting \$170.00, \$300.00 deposit per rental remains the same: \$270.00. Contract revisions to be done by Lisa Hudson. Board does not want to pay for supplies for renters to clean property after the rental is complete. Many contract revisions will be made. ***David Schoop made motion to raise fees for rental residence \$170.00 per day, and non- residents \$270.00 per month. Deposit fee of \$300.00 to remain the same. All in favor and motion approved***

26. Discuss and take possible action regarding resignation of David Hansen from the Board of Directors. ***David Schoop made motion to approve Dave Hansen's resignation. Steven Mitschke seconded motion. All in favor and approved.*** Add at next agenda to appoint a person to fill the vacancy in at next Board meeting.

27. Discussion of any items to be included on next meeting's agenda: Budget, A-1 Utility contract, and setting a public hearing for approval of property tax rate . Also add an item to consider Shane Ramsour to board and approve minutes from previous meeting.

David Schoop made motion to adjourn, Steven Mitschke seconded motion. All in favor and approved.

David Schoop adjourned meeting at 10:10 pm.

Minutes prepared by Lisa Hudson, Minutes Secretary

Approved by Larry Foerster, Legal Counsel, and David Schoop, President