

WINDERMERE OAKS WATER SUPPLY CORPORATION

424 COVENTRY ROAD, SPICEWOOD, TX 78669

NOTICE OF REGULAR BOARD MEETING

The Board of Directors of the **Windermere Oaks Water Supply Corporation**
Thursday January 23, 2020 at 6:00 p.m.
at the Spicewood Community Center, 7901 Co Rd 404, Spicewood TX, 78669

TAKE NOTICE THAT A MEETING OF THE ABOVE-REFERENCED BOARD OF DIRECTORS OF WINDERMERE OAKS WATER SUPPLY CORPORATION will commence at the time and location as noted above to consider and act by motion, resolution or otherwise upon any matter in connection with the subjects as listed below. This public meeting is being held pursuant to Texas Government Code § 551.001 et seq. All deliberations of the Board shall be made in Open Meeting unless made in Executive Session pursuant to Government Code, Chapter 551, Subchapter D to discuss an item listed below or under the specified agenda item for Executive Session. In the event of an Executive Session, no action will be taken by the Board until the Board has closed the Executive Session and returned to the noticed Open Meeting. All open and closed meetings shall be recorded if required in accordance with Government Code, Chapter 551, Subchapters B and E, respectively. Members who desire to address the Board regarding an item on the agenda during an open meeting may do so before consideration of the item by the Board during the public comment portion of the agenda. All public comments shall be subject to the Public Comment Policy adopted by the Board on November 20, 2019.

AGENDA:

- 1) Call to Order.
- 2) Roll call.
- 3) Comments from citizens and members who have signed sign-up sheet to speak (3-minute limit per person).¹
- 4) Review, consider and take action to approve minutes of prior meetings:
 - a) December 14, 2019
 - b) December 19, 2019
- 5) MANAGER'S REPORT –
 - a) INSTALLATION OF GENERATOR – Update on timeline for completion of installation, including concrete slab, electrical work, possibility of service disruption and options to mitigate.
 - b) PRE-TREATMENT FACILITY – Update on any new bids and plans.
 - c) TRWA RATE ANALYSIS – Update on TRWA availability for rate analysis.
- 6) TRWA MEMBERSHIP AND CONFERENCE ATTENDANCE – Consideration and possible action on TRWA 2020 Membership Dues Renewal Statement, including annual membership fees and voluntary contributions to Legal Defense Fund, Disaster Relief Fund, Building Fund, and Voluntary Foundation. Consideration and possible action on approval of Board member attendance at TRWA 2020 RuralWaterCon in San Antonio, March 25-27.
- 7) REPLACEMENT OF VACANCY -- Article 8, Section 9 of the WOWSC Bylaws state that “[a]ny vacancy occurring in the board of directors may be filled by affirmative vote of the remaining directors, though less than a quorum of the board. A director elected to fill a vacancy shall be elected

¹ The Board is not allowed to take action on any subject presented that is not on the agenda, nor is the Board required to provide a response; any substantive consideration and action by the Board will be conducted under a specific item on a future agenda.

for the unexpired term of his predecessor in office.” Following the resignation of Board member Bill Earnest, the Board will consider and act upon filling the vacancy.

- 8) ANNUAL MEMBERS MEETING – Consideration of any items related to execution of annual members meeting on February 1, and action as needed.
- 9) FINANCIAL REPORT – The Treasurer will provide overview of previous month’s financial report and amend 2020 budget projections.
- 10) CONSIDERATION OF RATE INCREASE OR SPECIAL ASSESSMENT – In light of a total cost of over \$100,000 in upgrades to WOWSC utility infrastructure incurred in 2019 and budgeted for 2020, and in view of significant legal costs incurred in FY 2019 in defense of the corporation, in addition to unprecedented costs budgeted for FY 2020 regarding same, the Board will consider options for addressing the budgeted shortfall including a possible rate increase and/or approving a monthly assessment to member bills, as authorized by WOWSC’s Tariff, Section G, Rates and Service Fees, #11 Assessments, which expressly provides: “[i]f at the end of the fiscal year, or in the event of emergency repairs, the Board of Directors determines the total amount derived from the collection of water or wastewater charges to be insufficient for the payment of all costs incident to the operation of the Corporation’s system during the year in which such charges are collected, the Board shall make and levy an assessment against each Member of the Corporation as the Board may determine or as may be required by Rural Development, so that the sum of such assessments and the amount collected from water and other sources is sufficient to fully pay all costs of the operation, maintenance, replacement and repayment on indebtedness for the year’s operations.”
- 11) Executive Session under Texas Government Code § 551.071(1) and (2) regarding:
 - a) Jay Grissom Letter to WOWSC advising of intent to take issues to small claims court.
 - b) Ffrench, et al., Intervenor-plaintiffs and Double F Hangar Operations, LLC, et al. v. Friendship Homes & Hangars, LLC, Windermere Oaks WSC, et al., Cause No. 48292, 33rd Jud. Dist., Burnet County Dist. Ct.; and
- 14) Consideration and possible action on potential engagement of insurance coverage counsel.
- 15) Consideration and possible action on items discussed in Executive Session.
- 16) New business and discussion and possible action on agenda for next meeting.¹
- 17) Set date, time, and place for next meeting.
- 18) Adjourn.

The undersigned certifies that this notice has been duly and properly posted at least 72 (seventy-two) hours preceding the scheduled meeting in a place accessible to the public at all times, at the corporation’s office located at 424 Coventry, Spicewood, Texas 78669, and this notice has been provided to the Burnet County Clerk or on the corporation’s Internet Web site for posting at least 72 (seventy-two) hours preceding the scheduled meeting pursuant to Section 551.054, Texas Government Code.



Joe Gimenez, Board President