

**RIVER ACRES WATER SUPPLY CORPORATION**

**MINUTES OF  
REGULAR MEETING**

**JANUARY 5, 2021**

**THE STATE OF TEXAS §  
  §  
COUNTY OF NUECES §**

On the 5th day of January, 2021, the Board of Directors of the River Acres Water Supply Corporation convened at 5:30 P.M. in a Regular Meeting at the Corporation's Office, 15602 Northwest Blvd., Suite H, Robstown, Texas, there being present and in attendance the following, to wit:

President	David Wishard
Vice-President	John Fernan <b>(Via Teleconference)</b>
Secretary	Janine Pruski
Director	Jeff Holley
Director	Ron Hellberg

Staff:	Office Manager	Brenda Zimmerman
	Office Manager	Kaylee Reed
	Attorney	Charles W. Zahn, Jr. <b>(Via Teleconference)</b>

Members		
Absent:	Director	Roy George

**CALL TO ORDER**

1. A quorum being present, the meeting was called to order by the presiding officer, Mr. Wishard, pursuant to posted notice.

**RECOGNITION OF GUESTS**

2. The presiding officer, Mr. Wishard introduced the following guests: Mr. Marcos Alaniz and Mr. Hector Benavides, of the Nueces County Water Control and Improvement District No. 3.

**PUBLIC COMMENT**

3. There was no public comment received by the Board of Directors.

**MINUTES**

4. Upon motion by Ron Hellberg and second by Janine Pruski the Minutes of the December 22, 2020 Regular Meeting of the Board of Directors were approved as corrected.

**UPDATE BY NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3**

5. Marcos Alaniz with the Nueces County Water Control and Improvement District No. 3, (the "District") provided an update on the District managing the field operations for RAWS. There was one after-hours leak during the holidays which was a customer leak and therefor a customer responsibility.

Mr. Alaniz advised the Board of Directors that all of the old meters that had been replaced in the meter project were at the District's offices. He stated that he had received bids for the meters between \$3.00 and \$5.00 each. Upon motion by Jeff Holley and second by Ron Hellberg that Board of Directors authorized the District to sell the old meters for the best price, but for not less than \$3.00 each.

Mr. Alaniz then advised that the water line at Quail Valley had been completed but that the new meters had not been installed. He stated that the District could install the meters. The Board of Directors stated that they believed that the installation of the meters was in the construction contract for the new water line and advised Mr. Alaniz to verify that with the District Engineer, Mr. Paul Pilarczyk.

Mr. Alaniz then advised the Board of Directors that he had an inquiry from a customer on the cost of a water tap and needs the Board to establish that fee so he can respond.

Mr. Alaniz then advised the Board of Directors that the District had responded that day to the enforcement action by the Texas Commission on Environmental Quality.

#### **AFTER-HOURS CALLS**

6. Marcos Alaniz advised the Board of Directors that there had been one after-hours incident since the last meeting of the Board of Directors. The repair was the responsibility of the customer.

#### **UPDATE BY NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3 PARALLEL 3" DISTRIBUTION LINE**

7. Mr. Alaniz provided an update to the Board of Directors on the 3" parallel water line project. He estimated that the cost for labor and equipment for the District to install a 3" water line on CR 73 with RAWS providing the materials would be \$34,717.32. The cost to purchase the materials was estimated to be \$19,803.00 for a total of \$54,520.00. He obtained a bid from RJ Contracting & Painting, Inc. for \$78,600 and from GP Minc for \$69,500. The totals for all 3 bids exceeded the sum of \$50,000.00. Upon motion by Janine Pruski and second by Ron Hellberg the Board of Directors authorized the District Engineer, Paul Pilarczyk, to prepare plans and specifications and bid the 3" water line project.

#### **ENGINEER'S REPORT**

8. Paul Pilarczyk, engineer for the Corporation, was not present, so there was no engineering report presented to the Board of Directors.

#### **TEXAS WATER DEVELOPMENT BOARD CFO TO GO UPDATE**

9. Carleton Wilkes and Dennis Kyhos, of the Texas Water Development Board, provided an update to the Board of Directors on the CFO to Go Program. They advised the Board that the program would begin on February 1, 2021 and that it should be completed in late March or early April.

#### **P & C NETWORKS UPDATE**

10. There was no representative from P & C Networks present so no update was presented to the Board of Directors.

#### **BRENDA ZIMMERMAN UPDATE**

11. Brenda Zimmerman, Office Co-Manager, provided an update to the Board of Directors as follows:
- a. Customers with past due accounts have been coming in and either settling the account or making arrangements to pay it over time. They are pursuing these accounts.
  - b. They are organizing and filing RAWs records.
  - c. She is working on the membership list for the upcoming election.

#### **KAYLEE REED REPORT**

12. Kaylee Reed, Office Co-Manager, provided an update to the Board of Directors as follows:
- a. They are pursuing delinquent accounts. There are 68 accounts that are past due with no payment plans. They are sending a delinquent account letter with 10 days to bring the account current. They then place a door hanger at the delinquent members property with notice to bring the account current or water service will be disconnected. If they don't pay or enter into a payment plan by that date, service is disconnected. By following this process, the Board of Directors is meeting its fiduciary responsibility to the Members of the Corporation.
  - b. RAWs landlord has advised that the parking lot will be fixed soon.
  - c. RVS has advised the office staff that RAWs needs a new printer.

#### **DROUGHT CONTINGENCY PLAN**

13. Charles W. Zahn, Jr., attorney for the Corporation, advised the Board of Directors that he had prepared a Drought Contingency Plan for the Corporation. He has provided it to the Corporation's engineer, Paul Pilarczyk, and to Mr. Marcos Alaniz with the District for their review and comment. Mr. Zahn asked the Board to table the approval of the Drought Contingency Plan pending comments from the Corporation's engineer and the District. Upon motion by Jeff Holley and second by Janine Pruski the Board tabled consideration of the Drought Contingency Plan.

#### **ELECTION PROCEDURES FOR THE APRIL, 2021 ELECTION**

14. Charles W. Zahn, Jr., attorney for the Corporation, advised the Board of Directors that he had prepared Election Procedures for Member Meetings for the April, 2021 Member meeting. Upon motion by Ron Hellberg and second by Jeff Holley consideration of the Election Procedures for the April, 2021 Election were tabled.

#### **ELECTION COMMITTEE FOR THE APRIL, 2021 BOARD OF DIRECTORS ELECTION**

15. Charles W. Zahn, Jr., attorney for the Corporation, advised the Board of Directors that the Election Committee is to be made up with 3 members. The Secretary of the Corporation is the Chairperson. The remaining members include another member of the Board of Directors and a member of the Corporation. After discussion, upon motion by Jeff Holley and second by Ron Hellberg, the Board of Directors agreed to have a 1<sup>st</sup> and second alternate also appointed to the Election Committee.

**AMENDMENT OF CERTIFICATE OF CONVENIENCE ASND NECESSITY WITH THE PUBLIC UTILITY COMMISSION OF TEXAS UPDATE**

16. Charles W. Zahn, Jr., attorney for the Corporation, provided an update to the Board of Directors on the Application by RAWS to Amend its Certificate of Convenience and Necessity. All deadlines have been extended 30 days to allow the Public Utility Commission of Texas to complete its review of the financial information provided by RAWS.

**RATES AND TARIFF SCHEDULE**

17. Kaylee Reed provided a revised rate and tariff schedule to the Board of Directors for its consideration, stating that it tracked the rate and tariff schedule of the District. After discussion, upon motion by Jeff Holley and second by John Fernan, the Board of Directors tabled the rate and tariff schedule for further review with Nueces County Water District #3.

**UPDATE TO THE CORPORATION'S BYLAWS**

18. Director Ron Hellberg provided a proposed update to the Corporations' Bylaws to the Board of Directors for its consideration. Upon motion by Ron Hellberg and second by Jeff Holley the consideration of the proposed update to the Corporations' Bylaws was tabled until the January 19, 2021 meeting of the Board of Directors.

**POSTING OF OPEN DIRECTOR POSITION**

19. Upon motion by David Wishard and second by Jeff Holley he Board of Directors approved posting the position for the vacant unexpired 3-year term on the Corporations' web site as well as by a separate communication to the Members of the Corporation, with applications to be considered for the position to be submitted no later than 12:00 noon on February 1, 2021. The Board of Directors will fill the position at its February 19, 2021 Regular Meeting.

**DIRECTOR COMMENTS**

20. Mr. Wishard asked for comments from the Directors.

**ADJOURN**

21. As there was no further business to come before the Board of Directors, a motion was made by Ron Hellberg and seconded by Janine Pruski and approved to adjourn.

By   
David Wishard, its President

ATTEST:

  
Janine Pruski, its Secretary