

**RIVER ACRES WATER SUPPLY CORPORATION**

**MINUTES OF  
REGULAR MEETING**

**OCTOBER 18, 2022**

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

On the 18th day of October 2022, 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
	Secretary/Treasurer	Janine Pruski
	Director	Ron Hellberg
	Director	Michael Olszewski
	Director	Jeff Holley
Staff:	Office Manager	Kaylee Reed

Board of Directors Members  
Absent: John Fernan (excused)

Number of Members Present: One (1) in person

**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. Mr. Paul Pilarczyk, Engineer for the Corporation and Renee Hellberg, member of the Corporation.

**RECEIVE CONFLICT OF INTEREST AFFIDAVITS**

3. President David Wishard asked for Conflict-of-Interest Statements. No Conflict-of-Interest Statements were provided by any member of the Board of Directors.

**PUBLIC COMMENT**

4. Public comment was provided by RAWS member Renee Hellberg.

**MINUTES**

5. Approval of the minutes.
  - a. Upon motion by Mike Olszewski and a second by Janine Pruski, the Minutes of September 20, 2022, Regular Meeting of the Board of Directors were unanimously approved by the Board of Directors.

**DISCUSS LIFTING STAGE 1 OF THE DROUGHT CONTINGENCY PLAN**

6. The Board of Directors reviewed and discussed the current drought conditions and the RAWS Drought Contingency Plan. No action was taken. Stage 1 of the Drought Contingency Plan is still in effect.

#### **UPDATE FROM THE DISTRICT ON SYSTEM OPERATIONS**

7. Mr. Marcos Alaniz and Mr. Hector Benavidez with The District were absent for the meeting but provided the following updates via email to the Board of Directors:
  - a. Approximately 75 personal water wells have been checked for potential cross connections in the system. There have been no cross-connection issues discovered.
  - b. There have been no leaks since the last board meeting on September 20, 2022.
  - c. The GIS Map has been updated to include properties with personal water wells. The system operators in the field are now able to update the system in real time as needed.
  - d. The valve exercise program will begin again next week.

#### **UPDATE FROM RAW'S ENGINEER, PAUL PILARCZYK**

8. Mr. Paul Pilarczyk, the Corporation's engineer provided the following updates to the Board of Directors:
  - a. Upon motion by Jeff Holley and a second by Mike Olszewski, the Board of Directors unanimously approved authorization for the Corporation's Engineer, Paul Pilarczyk to draft a Scope of Work for the repair/preventative maintenance of the Existing Elevated Storage Tank.
  - b. Mr. Pilarczyk discussed the additional Water Well attributes added to the GIS Model for RAW'S.

#### **UPDATE FROM RAW'S ATTORNEY CHARLIE ZAHN**

9. Charlie Zahn, the Corporation's legal counsel was absent from the meeting but provided the following updates via email to the Board of Directors:
  - c. Again, there has been no movement by the District Attorney's Office on the investigation of alleged nefarious activity by a former employee of River Acres Water Supply Corporation. I also have not been able to arrange a conference with the District Attorney to obtain a status report on the investigation. I will continue to try and get a meeting with the District Attorney in hopes of getting some type of update.
  - d. The latest public information request from Kathy Vinson was a request for the exact digital readings of her water usage for the period January 2021 through September 2022. After about 45 minutes with the manufacturer of the meters Kaylee Reed was able to obtain the requested information and send it to Ms. Vinson. On July 19, 2022, Ms. Vinson sent public information request for the video conference recording of the RAW'S Board of Directors meeting held on October 27, 2020. After investigation it was determined that technical difficulties with the RAW'S system prohibited Kaylee Reed from recording that meeting with RAW'S equipment. An account maintained by Debbie Bond was used instead. Kaylee has reached out to Ms. Bond as well as GoToMeeting to obtain a copy of the tape and to date has been unsuccessful.
  - e. In the case of River Acres Water Supply Corporation v. Victor Leo Villarreal, Cause No. 2022-SC-0014-JP 5-1 we have submitted an Affidavit of Fact from Kaylee Reed as well as an Affidavit from the undersigned which prove up the damages incurred by RAW'S in this matter. We also submitted a proposed Default Judgment for the Court to consider. If he does not favorably consider the two affidavits, we will obtain a trial setting and try the matter. I have attached a copy of the two affidavits for your files along with a copy of the proposed Default Judgment.
  - f. Mr. Zahn spoke with Paul Pilarczyk late last week concerning the retainage being held by River Acres Water Supply Corporation from Person's for the water line replacement project. The work has been completed by Persons and work being done now, or to be done in the future is warranty work. Mr. Pilarczyk asked whether River Acres Water Supply Corporation could hold the retainage it has until the warranty work was completed. I advised Mr. Pilarczyk that the retainage was being held by RAW'S to ensure that the work in the original contract was completed as bid and specified. Mr. Pilarczyk advised me that the work has been completed as specified and that the work has been accepted. RAW'S cannot keep the retainage to ensure that the warranty work is completed and therefore must release the retainage.

### **APPROVE 2023 CREDENTIAL COMMITTEE**

10. Mr. David Wishard, Board President, appointed Directors Ron Hellberg, Jeff Holley and Mike Olszewski as the members of the 2023 Election Committee.

### **OFFICE MANAGER UPDATE**

11. Kaylee Reed, Office Manager, provided an update to the Board of Directors as follows:
- a. Kaylee Reed reviewed the bank account reconciliation with the Board of Directors.
  - b. Kaylee Reed advised the Board of Directors that the Corporation's bank account balances are as follows:
    - i. Operating account \$384,678.11
    - ii. Construction account \$0
    - iii. Bond Reserve I \$201,000.27
    - iv. Bond Reserve II \$43875.78
    - v. UMB Green Money \$50.47
    - vi. UMB Sweep Money \$203,546.15
  - c. The Original Petition for the CR73A property has been filed and served on the tenant for legal action.
  - d. The 2021 financial audit is wrapping up and awaiting review by the auditor to submit a draft to RAWs. Kaylee Reed will pursue Gowland, Morales & Smith, PLLC as the new auditors beginning in 2023 for the 2022 financial year.
  - e. Kaylee Reed discussed the new electronic filing system to take place immediately in the RAWs office. To reduce waste, vendor files including accounts payable will be scanned and filed electronically, instead of in the filing room.
  - f. Kaylee Reed informed the Board of Directors that meters have been read today.
  - g. Kaylee Reed informed the Board of Directors that the BBQ luncheon with the District will be on Thursday, October 27<sup>th</sup>.
  - h. Kaylee Reed informed the Board of Directors that Norma Vela attended the TRWA office professionals conference in San Antonio last week and had good feedback from the conference.

### **DISCUSS OPEN BOARD OF DIRECTORS POSITION**

12. The Board of Directors discussed the open board position. No action was taken as a result of that discussion.

### **DISCUSS THE "TO DO'S" FROM THE 2022 ANNUAL MEMBERS' MEETING**

13. The Board of Directors discussed the following items:
- a. Process/Procedure to amend sections of the Bylaws annually.

### **DISCUSS SEPTEMBER 2022 LTM REPORT**

14. The Board of Directors reviewed the September 2022 LTM report.

### **DISCUSS SEPTEMBER 2022 DIRECTOR'S REPORT**

15. The Board of Directors reviewed the September 2022 Director's report.

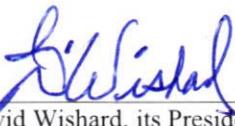
### **DIRECTOR COMMENTS**

16. Mr. Wishard asked for comments from the Board of Directors.

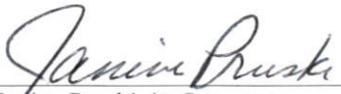
### **ADJOURN**

17. As there was no further business to come before the Board of Directors, a motion was made by David Wishard with a second by Ron Hellberg to adjourn.

RIVER ACRES WATER SUPPLY CORPORATION

By   
David Wishard, its President

ATTEST:

  
Janine Pruski, its Secretary