## KING CREEK WATER SUPPLY CORPORATION **BOARD OF DIRECTOR'S MEETING MINUTES**

Date: August 13, 2024/Time: 6:30pm-7:40pm/Location: 204 CR 1605, Clifton, TX 76634 (Kurt Miner's

game room)/Dial In-Virtual-Access not available for this meeting due to technical limitations

Meeting called by: Kenneth Eubanks Attendees: Kenneth Eubanks, Pres., Craig Hoffman, VP

Type of Meeting: Monthly Meeting Pam Kellan, Sec., Bruce Roebuck, Ron White, Shauna **Facilitator: Kenneth Eubanks** 

Note Taker: Kenneth Eubanks Unable to Attend: Elizabeth Taylor

## **AGENDA TOPICS**

1. Public Address (15 minutes)......Kenneth

Members of King Creek WSC or the Public may address the Directors by completing a Public Participation Form provided on KCWSC Website prior to the Call to Order. Each member of the public may speak for (2) minutes regarding the topic addressed, 15 minutes total per topic discussed. No action will be taken; no response will be made by the Board during the public comment time. All comments are the opinion of the Speaker.) verbiage appeared on Agenda sent to Guests and Board

Kenneth asked Jackie if she wanted to address the Board with a public address or specifically on the agenda items she had inquired about. Jackie said that she would speak to the agenda items. Kenneth explained that he would call on her when those items were up for discussion. No public address was presented by guests.

- 2. Secretary's Report......Kenneth/Pam
  - A. Approval of July's Minutes-Open and Closed Minutes

Craig motioned to accept the July regular and closed minutes as presented. Bruce 2nd. Motion passed.

**Discussion: None** 

- B. Kenneth briefed the Board on the Boil Water Notice that was issued and rescinded due to the water main break on CR 1602.
- No other notification or business mailing was discussed.
- 3. Treasurer's Report......Kenneth
  - A. Approval of July's Treasurer Report

Bruce moved to approve the July Report. Pam 2nd. Motion passed.

Discussion: Kenneth raised his concern with the YTD expenses as compared to same period of 2023.

He explained that YTD net income was down 75% from 2023 and repairs/maintenance are up 2.300%

**B.** Reimbursement of expenses from Kenneth

Kenneth presented invoice for his expenses. Pam moved to approve the reimbursement for printing and signage for driveway. Craig 2nd. Motion passed.

Discussion: Pam will issue the reimbursement

4. Other Business......Kenneth

## A. Review and discuss customer inquiry

Member Inquiry on asking other members for money to complete projects:

Kenneth asked Jackie Pepperling to address the Board concerning her question about the Board asking other members for money for projects. She wanted to know if the current board had ever asked for funds from membership.

Member inquiry concern with Conflict of Interest Policy provided on KCWSC website:

Kenneth asked Jackie Pepperling to address the Board concerning her concern she had with the Conflict of Interest Policy. Jackie pointed to several sections of the policy that spoke to honesty. integrity, impartial business dealings, awareness o conflict of interest, disclosure of such conflicts and taking prompt action. Kenneth asked Jackie if she wanted to identify one or all of the board as violating the policy and if she wished to enter a formal complaint. Jackie said "No". Kenneth asked the Board if they believed that he, or any Board member had violated this policy. The Board members unanimously concurred that no one of the Board had violated this policy.

B. Use of Kurt's place for Director meetings:

Craig inquired with Kurt on use of his room for meetings. Kurt was okay with the use and suggested be compensated by having his base water bill paid. Craig indicated this his bill is normally the minimum. Kenneth stated that any compensation would need to be agreed on a set amount and be paid separately from his water bill. Kenneth stated that Board meetings have been hosted in various board member's homes. Kenneth stated that no longer would he host in his home, as he is no longer comfortable with the meetings in private residences. Kenneth asked the Board if they would be interested in holding the meetings in other public venues like USC conference room in Meridian or West Shore in Laguna Park. Craig stated that Bosque Resort Restaurant had a room. Shauna and Pam stated they preferred to have the meetings in the neighborhood. The Board decided to pursue an agreement with Kurt. Craig stated that he would get with Kurt and confirm a satisfactory dollar amount. Kenneth brought up that we needed to investigate the insurance to be sure Kurt was covered and also that KCWSC would be covered for any liability issues. Kenneth and Pam will ask the our insurance agent about coverage needed and will report back to Board.

- C. Address current KCWSC standard procedures for Guest Speakers for both Board monthly meetings and Annual as discussed in "Closed" meeting
  - Kenneth suggested that the procedure to be reviewed and improved for guest and public speakers. He informed the Board that after review of the current policies that it was a bigger task that he could handle on his own and asked for assistance. Kenneth will ask Elizabeth to help and Pam said she would assist too. Board agreed. Need to review TRWA's model.
- D. Discuss and take appropriate action regarding transfer of membership and bill settlement at real estate closing for member owned properties:
  - Kenneth moved to defer this discussion and action regarding transfer of membership and bill settlement until a future meeting with Elizabeth with her expertise to a resolution of these issues. Shauna 2<sup>nd</sup>. Motion passed.

**Discussion: None** 

- E. Discuss and take appropriate action regarding the sale of KCWSC:
- Kenneth informed the Board that no communication or actions have transpired with Drew or the law firm in regards to the sale of the system. Furthermore, no solid interests had been obtained. Hilco had emphatically stated "not interested" giving the reason that the state and federal regulations were becoming too much to deal with. Kenneth said the two other companies that had expressed interest have just quit communicating with us. Kenneth recommended that the Board cease any further effort and expense in seeking a buyer. Pam will reach out to the attorney's accounting office in El Paso and get direction on how to terminate the legal relationship with Drew and finalize a final bill.
- F. Discuss status and take appropriate action regarding the driveway access:
  - Kenneth asked Jackie to address the Board with her comments and concerns with the driveway. Jackie stated that several members had shared with her that they did not want their money spent on a barrier fence along our driveway. Kenneth explained to Jackie that while the membership may not want funds spent a certain way that they had elected and empowered the Board to make the decision on what and how to manage and protect the water system. If the membership does not like how the Board is managing the funds and operations that they have every right to run for a seat on the Board. Kenneth further explained that the barrier would not come out of the \$12.00 service fee allocated for capital improvements due to the money was not 1st allocated for the asset. The money to fund the barrier would come out of the general operating account that is funded by the water sales and then would be transferred to the capital improvement to accumulate the funding to replace barrier at end of its service life.

Kenneth raised his concerns to the Board that with the recent and upcoming expenses, the barrier would be a financial burden that is not necessarily a priority. Pam raised the point that the contractors contacted apparently do not have insurance to cover any damages. Kenneth has not received anything back from his contacts. The Board agreed not a priority. Pam motioned to postpone the construction of the driveway barrier and wait till end of year to review our finances. Craig 2<sup>nd</sup>. Motion passed. Discussion: Pam reiterated to Jackie that we are going to wait for barrier, but use of driveway is still prohibited and signs will be going up.

G. Discuss and take appropriate actions regarding the well, equipment and operations:

Kenneth briefed the Board on the meter replacement project and what was remaining to complete the project and the expectation for the final costs. He updated the Board on the CR1602 main break and repair. He has concern about a clear definition of an "emergency outage" that justifies the expense of outside normal business emergency calls. He suggested a standard policy be created so that there would be a defined criteria that could be followed by any of the Board members. Kenneth asked Bruce

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if he would be agreeable to work on such a policy. Bruce agreed and Craig said he would help.

- H. Discuss and take appropriate actions regarding the Director's Report:
  - **Discussion: None**
- 5. Executive Session (closed to public)

6. ADJOURN MEETING:

Pam motioned to adjourn meetig at 7:40 pm. Shauna 2<sup>nd</sup>. Motion passed

Kennth Eubanks, Pres. Date Pam Kellan, Sec. Date

Date: 9-10-24 Name (print) KCWSC Member? (Yes/No) Email King Creek WSC Guest & Speaker Registration
Addressing
Board?
Phone (Yes/No) Subject