

# AVALON WATER AND SEWER SERVICE CORP

115 E Main  
PO Box 246

Itasca, Texas 76055  
Phone: 254-687-2331  
Fax: 254-687-2428

## AGENDA

### Officers

David Waishes, President

Jimmy Brown, Vice-President

Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish

Harrison Romero

Manuel Rodriguez

Jeremy Langley

### Notice of Monthly Meeting for August 2012

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for August 2012 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday August 9, 2012 at 7:00 p.m.

The agenda for the meeting is as follows:

1. Call meeting to order and determine presence of a quorum
2. Visitor's concerns and comments
3. Review and approval of minutes of previous meeting July 12, 2012
4. Review and approval of repair invoices
5. Review and approval of financial report for payment of current expenses
6. Attorney's Report
  - Discuss and Act on Attorney Legal Representation and fees
7. President's Report
8. Sewer Update/Waste Water Treatment Plant Improvements
  - Approval to submit Discharge Monitoring Report Electronically
9. Managers Report/Water Update
  - Discuss and Act on Well #1 Repairs
10. Executive Session
  - Legal brief concerning waste water treatment site *no action*
  - Land appraisal *no action*
  - General Manager designation *Tabled*
  - Avalon/HILCO Contract *Tabled*
11. Open Forum
12. Adjourn *Accept contract from Jesse Munghia. Lev Firm*

AVALON001239

# **Avalon Water and Sewer Service Corp**

## **Board of Directors Meeting August 9, 2012**

### **MINUTES**

The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church at 206 Giles St., Avalon, Texas 7:00 pm on Thursday August 9, 2012.

Directors present for this meeting were Robin Donaldson, David Waishes, Jimmy Brown, Jeremy Langley, Denice Wimbish, Avalon Employee Gregg Rodriguez and Jesse Munguia Attorney. Present from HILCO Electric Cooperative was Kent Smith Water Operations Manager and Abby Bason Water Customer Service Representative.

Meeting was called to order at 7:01p.m. by Board President David Waishes. Jimmy Brown determined the presence of a quorum.

There were two members present Marcia & Carol Gillespie and Contractor Wendy Frank.

Minutes of previous meeting of July 12, 2012 approved with a motion by Jimmy Brown, second by Denice Wimbish. Motion carried unanimously.

Jimmy Brown made a motion to approve the one repair invoice, second by Robin Donaldson. Motion carried unanimously.

Jimmy Brown made a motion to approve the financial report for payment of current expenses but amend previous accounts payable register, second by Denice Wimbish. Motion carried unanimously.

Attorney Jesse Munguia discussed with Board capping his invoice. Jimmy Brown made a motion to delay action until after Executive Session, second by Robin Donaldson. Motion carried unanimously.

David Waishes informed Board that the TCEQ inspection had gone well, TCEQ seems to be satisfied with what is being done and future plans for repairs, Mr. Waishes advised Board that an Engineer approved plan is needed.

Employee Gregg Rodriguez informed Board of materials (structure steel) needed to make frame for Aerator. He also informed Board that Frost has smoke test machine right now and that it would take \$100-\$200 for canisters. Jimmy Brown made a motion to approve submitting Discharge Monitoring Report electronically, second by Jeremy Langley. Motion carried unanimously.

AVALON001240

Kent Smith reported that Todd Watson with J.L. Myers should have camera in Avalon first part of next week. David Waishes reported that Avalon School had agreed to help with the cost of Well #1 repair.

Board went into Executive Session at 7:57 pm. Board returned from Executive Session at 8:36 pm. No action therefore no vote on legal brief concerning waste water treatment site or land appraisal. General Manager Designation was tabled. Jimmy Brown made a motion to discuss Avalon/HILCO contract further, second by Jeremy Langley, motion carried unanimously. Motion made by Jimmy Brown to accept and sign contract between Jesse Munguia Law Firm and Avalon, second by Jeremy Langley. Motion carried unanimously.

In open forum Gregg Rodriguez asked about attending next class, states he will use his own vehicle and supply gas and then will turn in paper work for reimbursement. The remaining charges class, room, meals he will use credit card spending no more than \$2000.

With there being no further business the meeting was adjourned at 8:56 pm with a motion by Jimmy Brown, second by Robin Donaldson. Motion carried unanimously.

APPROVED BY THE BOARD OF DIRECTORS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2012.

\_\_\_\_\_  
David Waishes, President

\_\_\_\_\_  
Robin Donaldson, Sec/Trea

AVALON001241

# **AVALON WATER AND SEWER SERVICE CORP**

115 E Main  
PO Box 246

Itasca, Texas 76055  
Phone: 254-687-2331  
Fax: 254-687-2428

## **AGENDA**

### **Officers**

David Waishes, President  
Jimmy Brown, Vice President  
Robin Donaldson, Secretary/Treasurer

### **Directors**

Denice Wimbish  
Harrison Romero  
Manuel Rodriguez  
Jeremy Langley

## **Notice of Special Called Meeting for August 2012**

To All Members:

A Special Called meeting of Avalon Water and Sewer Service Corporation for August 2012 will be held at the First Baptist Church, 206 Giles St., Avalon Texas, on Monday August 20, 2012 at 7:00 p.m.

The agenda for the meeting is as follows:

1. Call special meeting to order and determine a quorum
2. Discuss and act on repair of water storage tank
3. Discuss and act on repair of Well No. 1
4. Adjourn

AVALON001242

# Avalon Water and Sewer Service Corp

## BOARD OF DIRECTORS MEETING

August 20, 2012

### MINUTES

The Board of Directors of Avalon Water and Sewer Service Corporation met for a special called meeting on Monday August 20, 2012 at 7:00 PM at the First Baptist Church, 206 Giles St., Avalon Texas.

Directors present for this meeting were David Waishes, Jimmy Brown, Robin Donaldson, Denice Wimbish, Harrison Romero, Manuel Rodriguez and Jeremy Langley. Present from HILCO Electric Cooperative were Operations Manager Kent Smith and Debra Cole General Manager/CEO. Attorney Jesse Munguia was also present.

President David Waishes called the meeting to order at 7:00 PM and determined the presence of a quorum.


There were no visitors present.

Cate Welding had submitted a bid of \$15,000.00 to clean and restore all 3 rings at Well #2, Mr. Waishes contact Mr. Cate via telephone during the meeting and Mr. Cate agreed to lower the bid to \$14,500.00. Jimmy Brown made a motion to accept the \$14,500.00 bid contingent on the contractor submitting a new written bid, with a second by Manuel Rodriguez. Motion carried.

The board discussed Well No. 1 and the amount it would cost to continue providing water non potable water from the well site. Because of the lack of definite information on the total cost to repair the well Denice Wimbish made a motion to table the discussion to a later date and Manuel Rodriguez second. Motion carried.

APPROVED BY THE BOARD OF DIRECTORS THIS 11<sup>th</sup> DAY OF October, 2012.

  
David Waishes, President

  
Robin Donaldson, Secretary-Treasurer

AVALON001243

# AVALON WATER AND SEWER SERVICE CORP

115 E Main  
PO Box 246

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Phone: 254-687-2331  
Fax: 254-687-2428

## AGENDA

### Officers

David Waishes, President

Jimmy Brown, Vice-President

Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish

Harrison Romero

Manuel Rodriguez

Jeremy Langley

### Notice of Monthly Meeting for September 2012

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for September 2012 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday September 13, 2012 at 7:00 p.m.

The agenda for the meeting is as follows:

1. Call meeting to order and determine presence of a quorum
2. Visitor's concerns and comments
  - Charla Sparks - High bill in November 2011
  - Todd Watson with J.L. Myers concerning Well #1
3. Review and approval of minutes of previous meeting August 9, 2012
4. Review and approval of repair invoices
5. Review and approval of financial report for payment of current expenses
6. Attorney's Report
7. President's Report
8. Sewer Update/Waste Water Treatment Plant Improvements
  - Purchase of Testing Kit
9. Managers Report/Water Update
  - Discuss and Act on Well #1 Repairs
10. Discuss and Act On HILCO Contract
11. Executive Session *no meeting + 11/12*
  - Legal brief concerning waste water treatment site
  - Land appraisal
  - General Manager designation
12. Open Forum
13. Adjourn

Dean req. move to exec. session  
Joey ask to table  
paper work not complete he said

Joey  
req. move  
to exec. session

Dean Greg Joey went outside to have dis. Dec. 2012

AVALON001244

# **Avalon Water and Sewer Service Corp**

## **Board of Directors Meeting September 13, 2012**

### **MINUTES**

The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church at 206 Giles St., Avalon, Texas 7:00 pm on Thursday September 13, 2012.

Directors present for this meeting were Jimmy Brown, Harrison Romero, Denice Wimbish, Jeremy Langley, Manuel Rodriguez. Avalon Employee Gregg Rodriguez and Jesse Munguia Attorney were also present. Present from HILCO Electric Cooperative was Debra Cole General Manager, Kent Smith Water Operations Manager and Abby Bason Water Customer Service Representative.

Meeting was called to order at 7:00p.m. by Board Vice-President Jimmy Brown determined the presence of a quorum.

There were two members present Marcia & Carol Gillespie. Also present Contractor Dean Carroll and Wendy Frank and Todd Watson with J.L. Myers.

Charla Sparks member that asked to be put on Agenda to discuss high bill did not show, so the discussion was tabled. Todd Watson explained the Myers bid and told Board they would do whatever the Board wanted them to do, but he recommended plugging the well. Denice Wimbish made a motion to table Well #1 repairs until they had a chance to look bid over, second Jeremy Langley. Motion carried unanimously.

Minutes of previous meeting of August 9, 2012 were approved with a motion by Jeremy Langley second by Manuel Rodriguez. Motion carried unanimously.

Harrison Romero made a motion to approve repair invoices, second by Jeremy Langley. Motion carried unanimously.

Jeremy Langley made a motion to approve the financial report for payment of current expenses, second by Manuel Rodriguez. Motion carried unanimously.

Attorney Jesse Munguia asked that Attorney's Report be moved into Executive Session, approved with a motion by Jeremy Langley, second by Denice Wimbish. Motion carried unanimously.

President David Waishes was not present to give President's Report.

Sewer Update/Waste Water Treatment Plant Improvements was tabled due to Dean Carroll not getting information to Board they had requested, Denice Wimbish made the motion and second by Harrison Romero. Motion carried unanimously. Manuel Rodriguez made a motion to purchase Testing Kit at a cost of \$350.00, second by Harrison Romero, this will be purchased at next training class Gregg attends.

AVALON001245

Kent Smith had nothing to add on Manager's Report/Water Update since Todd Watson had gone over bid for Well # 1 repairs.

HILCO GM Debra Cole went over HILCO Contract Memo to the Avalon Board of Directors dated September 4, 2012 as to HILCO will not renew the contract with Avalon Water and Sewer Service Corporation. There were questions from Jimmy Brown and Jesse Munguia regarding the HILCO contract and Ms. Cole explained the original amount of the contract was lowered at origination in 2000 because the Avalon Board had voted to retain employee Juan Rodriguez and he would perform more of the regular operation duties, and that was the procedure that had been followed for the past 12 years. It was also explained that the job description was adopted by the Avalon Board and it would be the duty of the HILCO Operations Manager to make sure Mr. Rodriguez received daily work orders and at that time they were sent via fax and HILCO had also provided Mr. Rodriguez with a phone to enable him to communicate with HILCO staff. Mr Brown also indicated he thought the management fee increase from \$2000.00 a month in the year 2000 to \$5,000.00 a month in 2012 was too high. Mr. Brown asked why records had been sent to the Board President and not the entire board and Ms. Cole explained per protocol if the Board President request something it is sent and if the Board wished to vote to direct HILCO that if the Board President requested something it should be sent to all board members that was a board decision. Mr. Brown inquired about a previous meeting that he was not in attendance of when the Avalon Board voted to employee help for Mr. Rodriguez to read the meters. He stated that he believed HILCO should have offered to assist. Ms. Cole advised that she was not in attendance of that meeting either so she could not comment but HILCO would have offered to assist if she had been aware. HILCO staff said the offer was made to assist, attorney Munguia indicated he recalled it was to assist with clearing brush and Mr. Rodriguez said it should have been to assist in reading meters as well when he was ill or out of town, but Mr. Rodriguez had not been at the meeting so he did not know and Mr. Munguia agreed that reading meters was included, and that is what the minutes reflected. Mr. Munguia and an Avalon Board Member said they did not recall the offer being made for HILCO to assist with the reading of the meters. The employee had not been hired due to the nepotism with a board member. Ms. Cole stated if the December 14, 2012 date was used that HILCO would prorate the monthly charge. It was recommended by Attorney Munguia that the contract stay in effect until November 30, 2012 and not the December 14, 2012 as offered by HILCO. It was decided and a motion made by Denice Wimbish to move remaining discussion on the HILCO Contract to Executive Session second by Jeremy Langley.

Jesse Munguia suggested going into Executive Session at 8:03 pm, at 8:30 pm returned out of Executive Session with Jesse Munguia stating that the items discussed fell under Attorney Client Privileges. Debra Cole will provide the Avalon Board with some suggested timelines for transition to new management prior to the next board meeting.

With there being no further business the meeting adjourned at 8:30 pm with a motion by Denice Wimbish, second by Manuel Rodriguez. Motion carried unanimously.

APPROVED BY THE BOARD OF DIRECTORS THIS 11<sup>th</sup> DAY OF October 2012.

  
David Waishes, President

  
Robin Donaldson, Sec/Trea

AVALON001246



# AVALON WATER AND SEWER SERVICE CORP

5 E Main  
Box 246

Itasca, Texas 76055  
Phone: 254-687-2331  
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## AGENDA

### Officers

David Waishes, President

Jimmy Brown, Vice-President

Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish

Harrison Romero

Manuel Rodriguez

Jeremy Langley

### Notice of Monthly Meeting for October 2012

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for October 2012 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday October 11, 2012 at 7:00 p.m.

The agenda for the meeting is as follows:

1. Call meeting to order and determine presence of a quorum
2. Visitor's concerns and comments
  - Charla Sparks -- High bill in November 2011
  - Cinda Maples - \$20 late fee for being 12 hours late
  - Debra Wakeland -- High bill due to leak (Thomas Baxter)
3. Review and approval of minutes of previous meeting September 13, 2012
4. Review and approval of repair invoices
5. Review and approval of financial report for payment of current expenses
  - CD renewal -- matures on October 19, 2012
6. Attorney's Report
7. President's Report
8. Sewer Update/Waste Water Treatment Plant Improvements
9. Managers Report/Water Update
  - Discuss and Act on Well #1 Repairs
  - Meter set on Armstrong Road
10. Review and approval of August 20, 2012 Special Called Meeting
11. Confirm cease management transition timeline
12. Executive Session
  - Legal brief concerning waste water treatment site
  - Land appraisal
  - General Manager designation
13. Open Forum
14. Adjourn

AVALON001247

# **Avalon Water and Sewer Service Corp**

## **Board of Directors Meeting October 11, 2012**

### **MINUTES**

The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church at 206 Giles St., Avalon, Texas 7:00 pm on Thursday October 11, 2012.

Directors present for this meeting were David Waishes, Jimmy Brown, Robin Donaldson and Denice Wimbish. Jesse Munguia Attorney was also present. Present from HILCO Electric Cooperative was Debra Cole General Manager, Kent Smith Water Operations Manager and Abby Bason Water Customer Service Representative.

Meeting was called to order at 7:00p.m. By Board President David Waishes and determined the presence of a quorum.

There were two members present Marcia & Carol Gillespie. Also present Contractor Dean Carroll and Wendy Frank and Kevin McDonald Attorney & Agent of Jesse Munguia.

Charla Sparks concern on high bill was dismissed due to lack of concern on member's part since she did not attend meeting when she had asked to be put on agenda, motion made by Jimmy Brown, second by Robin Donaldson. Motion carried unanimously. Cinda Maples request for \$20 late fee to be removed was denied, motion made by Jimmy Brown, second by Denice Wimbish. Motion carried unanimously. Debra Wakeland's request for adjust to her bill due to leak on customer's side, David Waishes had received a letter on this, Jesse Munguia will answer Ms. Wakeland's letter. Motion made by Jimmy Brown, second by Robin Donaldson, motion carried unanimously.

Jesse Munguia asked that Executive Session be moved up to number 3 position so Mr. Kevin McDonald could give his presentation to Board.  
Board went into Executive Session at 7:29 pm, out of Executive Session at 8:25 pm.  
Jesse Munguia advised discussion in Executive Session is under Attorney Client Privilege.

Minutes of previous meeting of September 13, 2012 were approved with a motion by Jimmy Brown second by Denice Wimbish. Motion carried unanimously.

Jimmy Brown made a motion to approve repair invoices, second by Robin Donaldson. Motion carried unanimously.

Jimmy Brown made a motion to approve the financial report for payment of current expenses, second by Robin Donaldson. Motion carried unanimously. Denice Wimbish made a motion to renew October 19, 2012 maturing CD for 24 months, seconded by Jimmy Brown, motion carried unanimously.

President David Waishes had nothing to add to President's Report.

AVALON001248

Dean Carroll advised that there was one violation issued and it had to do with making sewer rounds and writing down dates and times this was done. Mr. Carroll advised this has been addressed. Smoke test machine has been received (10-10-12), will need six people to do work for six-seven hours. Debra Cole with HILCO stated HILCO could send help and also mail notices but need specific information and contact telephone numbers as to when this will be done, Wendy Frank stated they could do notices. Jimmy Brown also said he could provide help.

Dean Carroll stated permit is not finished it has been on hold but looks like it will be the 75/90 rule, also need an Engineer. Information was given to Jesse Munguia.

Kent Smith asked about decision on Well #1 Repairs, Jimmy Brown made a motion to plug well, second by Robin Donaldson. Motion carried unanimously. Kent Smith advised Board about a request for a meter on Armstrong Road, hydraulic study has already been done and it stands at 39 PSI. Jimmy Brown made a motion to OK setting a meter on Armstrong Road, second by Denice Wimbish. Motion carried unanimously.

Minutes of Special Called Meeting of August 20, 2012 were approved with a motion by Jimmy Brown, second by Robin Donaldson. Motion carried unanimously.

Mrs. Cole went over the cease management transition timeline; Jimmy Brown made a motion to accept transition timeline, second by Robin Donaldson. Motion carried unanimously.

With there being no further business the meeting adjourned at 9:56 pm with a motion by Jimmy Brown, second by Robin Donaldson. Motion carried unanimously.

APPROVED BY THE BOARD OF DIRECTORS THIS 8 DAY OF Nov 2012.

  
David Waishes, President

Jimmy Brown - Vice-President

  
Robin Donaldson, Sec/Trea

AVALON WSSC  
SPECIAL MEETING MINUTES  
10/16/2012

The Board of Directors of Avalon Water and Sewer Service Corporation met for a special meeting at the First Baptist Church at 206 Giles St., Avalon, Texas at 7:00 p.m. on Tuesday, October 16, 2012.

Meeting was called to order at 7:20 p.m. and presence of a quorum was determined.

Directors present were Harrison Romero, Manuel Rodriguez, Jeremy Langley and Denice Wimbish.

Harrison made a motion to hire K. J. McDonnell for the exit audit and budget analysis for Avalon WSSC. Manuel seconded the motion. Motion carried unanimously.

Manuel made a motion to appoint David Waishes as general manager of Avalon WSSC, with a max spending authority of \$5,000.00, without board approval, month to month. Jeremy seconded the motion. Motion carried unanimously.

Regarding replacement of Hilco as management for Avalon WSSC:

Denice made a motion that bids for admin will be taken by David Waishes beginning 10/16/2012 and end on or before 11/2/2012. Harrison seconded the motion. Motion carried unanimously.

Table discussion of CLE conference for water and sewer

Harrison made the motion to approve exist time line with Hilco.  
Manuel seconded the motion. Motion carried unanimously.

Denice made a motion to adjourn, Harrison seconded the motion. Motion carried unanimously.

Meeting adjourned at 8:15 p.m.



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## AGENDA

### Officers

David Waishes, President  
Jimmy Brown, Vice-President  
Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish  
Harrison Romero  
Manuel Rodriguez  
Jeremy Langley

### Notice of Monthly Meeting for November 2012

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for November 2012 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday November 8, 2012 at 7:00 p.m.

The agenda for the meeting is as follows:

1. Call meeting to order and determine presence of a quorum
2. Visitor's concerns and comments
3. Review and approval of minutes of previous meeting October 11, 2012
4. Review and approval of repair invoices
5. Review and approval of financial report for payment of current expenses
6. Consider & Act On updated information on State Requirements for Eminent Domain
7. Attorney's Report
8. President's Report
9. Sewer Update/Waste Water Treatment Plant Improvements
10. Managers Report/Water Update
11. Review and approval of October 16, 2012 Special Called meeting
12. Review and approval of November 1, 2012 Special Called Meeting
13. Confirm cease management transition timeline
14. Executive Session
  - Legal brief concerning waste water treatment site
  - Land appraisal
  - General Manager designation
15. Open Forum
16. Adjourn

*no minutes*

AVALON001251

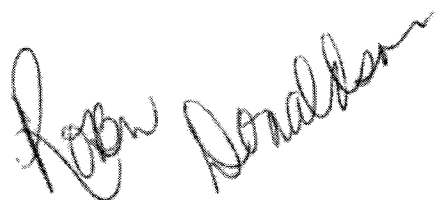
**AVALON WATER SEWER SERVICE CORPORATION**

**SPECIAL MEETING**

**November 1, 2012**

**First Baptist Church Avalon Annex**

1. Meeting was called to order by Vice President Jimmy Brown at 7:00 p.m. Presence of quorum was determined. Board members present: Manuel Rodriguez, Harrison Romero, Denice Wimbish, Robin Donaldson and Jimmy Brown. Also attending, board attorney, Jesse Mungula, consultant- Dean Carrell and his assistant- Wendy Frank. Visitors attending - Carol Gillespie, Marcia Gillespie.
2. Dean Carrell presented a bid handout to board members for management of water system upon Hilco's exit as manager. The bid stated Dean and Wendy would each receive \$900.00, per month as salary. Complete bid handout available upon request from board members and attorney. Jimmy Brown also stated that Petra Bruner has expressed interest in being trained to do billing and manage a local office once transition is completed.
3. A motion was made to move agenda items #4 and #5 to be covered after executive session.
4. At 7:37 p.m. the board moved into executive session. The board moved out of executive session at 8:19 p.m. Executive session is covered under attorney client privilege.
5. Robin made a motion to accept the contract from Dean Carrell, while making good faith negotiation with the only material change being price per person for labor. Harrison second, motion carried unanimously.
6. Harrison made a motion to purchase RVS items as listed in handout from Dean Carrell, totaling \$6270.44. Denice second, motion carried. Motion made by Robin to strike the above motion, second Denice. Motion carried. Amount for purchase of RVS items did not include shipping. New motion made by Harrison, to purchase RVS items including shipping, second by Manuel. Motion carried.
7. Manuel made a motion to purchase a computer and printer/fax combo for water board office not to exceed \$2,000.00. Harrison second, motion carried.
8. There was discussion concerning purchase of cell phone for employee Gregg Rodriguez, since Hilco has supplied a phone in the past. A motion was made by Robin to table this item until more research on prices can be made. Second by Denice. Motion carried.
9. There was discussion concerning our present building and a site for the local water board office. Manuel made a motion to table discussion until next regular meeting. Denice second. Motion carried.
10. Robin made a motion to adjourn, Harrison second. Motion carried. Meeting adjourned at 8:50 p.m.



AVALON001252

# AVALON WATER AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Waishes, President  
Jimmy Brown, Vice-President  
Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish  
Harrison Romero  
Manuel Rodriguez  
Jeremy Langley

### Notice of Monthly Meeting for December 13 2012

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for December 2012 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday December 13, 2012 at 7:00 p.m. The governing body of Avalon Water and Sewer Service Corporation reserves the right to adjourn into closed/executive session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, and authorized by Texas Government Code 551, or to seek the advice of an attorney on any matter in which the duty of the attorney to Avalon Water and Sewer Service Corporation board under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551

The agenda for the meeting is as follows:

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
2. Visitor's concerns and comments
3. Review and approval of Dean Carrell's water contract
4. Discuss and act on renewal of Dean Carrell's wastewater contract
5. Review and approval of minutes of previous meeting November 8, 2012
6. Review and approval of repair invoices
7. Review and approval of financial report for payment of current expenses
8. Request from Jimmy Brown for water refund at rental houses at 403 E. Hwy 34 and 108 Sissom.
9. Consider and Act upon cancelling \$30 data package on Gregg's personal cell phone.
10. Attorney's Report
11. President's Report
12. Sewer Update/Waste Water Treatment Plant Improvements
13. Managers Report/Water Update
14. Executive Session
  - Legal brief concerning waste water treatment site
  - Land appraisal
  - General Manager designation
  - Government Code 551.074 Personnel Matter
15. Open Forum
16. Adjourn

*No minutes*

AVALON001253

# AVALON WATER AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Waishes, President

Jimmy Brown, Vice-President

Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish

Harrison Romero

Manuel Rodriguez

Jeremy Langley

### Notice of Monthly Meeting for January 10, 2013

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for January 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday January 10, 2013 at 7:00 p.m. The governing body of Avalon Water and Sewer Service Corporation reserves the right to adjourn into closed/executive session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, and authorized by Texas Government Code 551, or to seek the advice of an attorney on any matter in which the duty of the attorney to Avalon Water and Sewer Service Corporation board under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551

The agenda for the meeting is as follows:

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
2. Visitor's concerns and comments
3. Review and approval of minutes of previous meeting December 13., 2012
4. Review and approval of repair invoices
5. Review and approval of financial report for payment of current expenses
6. Review and approve special meeting
7. Discuss and act on Creek Land and Cattle water tap fee's on Jack Easton road
- 8.
9. President's Report
10. Sewer Update/Waste Water Treatment Plant Improvements
11. Managers Report/Water Update
12. Discuss status of office relocation and new billing process
13. Executive Session (if required)
14. Open Forum
15. Adjourn

AVALON001254



**AVALON WATER AND SEWER SERVICE CORPORATION**

**BOARD OF DIRECTORS MEETING  
JANUARY 10, 2013**

**MINUTES**

The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church, Avalon, Texas 7:00 p.m. on Thursday, December 13, 2012.

Directors present for this meeting were David Waishes, Jimmy Brown, Robin Donaldson, Denice Wimbish, Manuel Rodriguez, and Jeremy Langley.

President David Waishes called the meeting to order at 7:00 p.m. and Jimmy Brown determined the presence of a quorum.

Visitors present were Mary Bates and Carol Gillespie. Also present were Dean Carrell, Wendy Frank, Clint McCasland, and Jacob Hopkins, and Jesse Munguia, and Maria Estrada.

Resident Maria Estrada spoke to the board regarding water bill concerns, and overcharges on the sewer. Board assured her that the issue would be resolved, and an adjustment would be made to her bill to correct the error.

After reviewing the minutes from the December 2012 meeting, a motion was made by Jimmy Brown and seconded by Manuel Rodriguez to table approval of the minutes until some errors in wording were corrected. Motion passed unanimously.

The financial reports for December 2012 and January 2013 were reviewed. Motion was made by Jimmy Brown to approve the financial report for December. Motion was seconded by Manuel Rodriguez. Motion passed unanimously.

A separate motion was made by Jimmy Brown to approve the financial report for January. Motion was seconded by Manuel Rodriguez. Motion passed unanimously.

A motion was made by Jimmy Brown to table the refund request for his rental properties at 108 Sissom and 403 E. Hwy 34 until research could be done on the matter, and the amount of refunds could be determined, if any.

A motion was made to table the matter of previous payment arrangements made by customer Susan Snellings with HILCO, until research could be done on how much the balance is on the charges, and any documentation supporting these arrangements.

The board discussed the resignation of attorney Jesse Munguia, per the letter submitted to the board on December 15, 2012. Per the terms of the contract between the board and Jesse Munguia, the final day of counsel will be February 15, 2013. Jesse advised that the details of the resignation should be moved to executive session. Motion was made nby Jimmy Brown to accept Jesse's resignation. Motion was seconded by Manuel Rodriguez. Motion passed unanimously.

President David Waishes commented during the President's Report that the transition of the water billing system is under control. He stated that there will be no harm to the customers during this transition time. David also stated that he appreciates all the efforts from everyone during the last couple of months.

Dean Carrell stated that the wastewater plant is working very well. Well enough that small problems can be noticed with ease now. He mentioned that there are some changes that will need to be made, and would like to add phosphates to the system to help reinforce parts of the system to make it last longer. It is a less expensive way to maintain the plant than going in right now and replacing parts. Dean also notified the board of an upcoming TCEQ inspection that is scheduled for January 24. Gregg Rodriguez commented that the excessive rain over the past couple of days increased the amounts of water in the ponds, almost to capacity.

Gregg Rodriguez stated to the board that there were no major problems with the water system. There had been a small power outage during the rain, but it did not create any problems for the water department.

President David Waishes commented on the water billing, and the consideration of hiring a part time person to work 4 hours a day. He would like to see the board form a committee to look at resumés. David also stated that this would be a transition period until a person has been trained.

During open forum, Vice President Jimmy Brown mentioned a collapsed sewer line between PSC and Avalon's system, and that the problem could possibly be on Camarino's property, and that it needs to be checked out to see where repairs need to be made, and who is responsible for the repairs.

The board went into executive session at 8:00 p.m.

The board reconvened into regular session at 8:23 p.m. No action was necessary due to details being attorney/client privileged.

During a second open forum, there were no comments or concerns.

A motion was made by Robin Donaldson to adjourn at 8:24 p.m.. The motion was seconded by Denice Wimbish, and passed unanimously.

*David Waishes*  
*Robin Donaldson*

AVALON001256

# AVALON WATER AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Waishes, President  
Jimmy Brown, Vice-President  
Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish  
Harrison Romero  
Manuel Rodriguez  
Jeremy Langley

### Notice of Monthly Meeting for February 14, 2013

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for February 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday February 14, 2013 at 7:00 p.m. The governing body of Avalon Water and Sewer Service Corporation reserves the right to adjourn into closed/executive session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, and authorized by Texas Government Code 551, or to seek the advice of an attorney on any matter in which the duty of the attorney to Avalon Water and Sewer Service Corporation board under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551

The agenda for the meeting is as follows:

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
2. Visitor's concerns and comments
3. Review and approve minutes of special meeting held January 2013
4. Review and approval of minutes of previous meeting January 2013
5. Review and approval of repair invoices
6. Review and approval of financial report for payment of current expenses
7. Discuss and act on Creek Land and Cattle water tap fee's on Jack Easton road
8. President's Report
9. Managers report on Water and Waste Water treatment plant update
10. Discuss and take action on Board Member Elections
11. Discuss and take action on Board Member effective and termination dates
12. Discuss and take action on payment arrangements with past due customers
13. Discuss and take action on water department procedures
14. Discuss and take action on Wendy Franks payroll compensation
15. Discuss and take action on Gregg returning to work and workers comp claim
16. Discuss and take action on Web site creation and email address
17. Discuss and take action on setting up online banking and procedures
18. Discuss and take action on hiring office personal
19. Executive Session (if required)
20. Open Forum
21. Adjourn

AVALON001257

# **AVALON WATER AND SEWER SERVICE CORPORATION**

## **BOARD OF DIRECTORS MEETING**

**FEBRUARY 14, 2013**

### **MINUTES**

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
  - The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church, Avalon, TX 7:00 pm on Thursday, February 14, 2013.
  - President David Waishes called the meeting to order at 7:00 pm and determined the presence of a quorum
  - Directors present for this meeting were David Waishes, Jimmy Brown, Robin Donaldson, Denice Wimbish, Not Present were Manuel Rodriguez and Jeremy Langley.
  - Visitors present were Patsy Russell, Carol Gillespie, Marcia Gillespie Oscar Palacios, and also present were Dean Carrell, Becky Boyd, Greg Rodriguez, and Clint McCasland.
2. Visitor's concerns and comments.
  - Patsy Russell spoke to the board regarding water bill concerns, and overcharges on the sewer. Board assured the visitors that the issue would be resolved.
3. Review and approve minutes of special meeting held January 2013.
  - Meeting minutes from Special Meeting were not available at this meeting. Item was tabled until a future meeting.
4. Review and approval of meeting minutes of previous meeting January 2013.
  - Attendees read the minutes from the last meeting. Jim Brown made a motion to approve the minutes of the January 2013 meeting, seconded by Robin Donaldson. Motion passed unanimously.
5. Review and approval of repair invoices

AVALON001258

- The repair invoice for January 2013 were reviewed, Motion was made by Jim Brown to approve the repair invoices, motion was seconded by Robin Donaldson. Motion passed unanimously.
6. Review and approval of financial report for payment of current expenses.
    - The financial report for payment of current expenses was reviewed and a motion was made by Jim Brown to approve the financial report for payment of current expenses for January 2013, motion seconded by Robin Donaldson. Motion passed unanimously.
  7. Discuss and act on Creek Land and Cattle water tap fees on Jack Easton road
    - Dean Carrell discussed a contractor doing work on this property request for a grievance for the fee to put in master taps in the same houses he is building. Motion was made that since Creek Land and Cattle was not present to plead his case the board would take no action or discuss this agenda item.
  8. President's Report
    - David Waishes stated the he was happy to see that Gregg Rodriguez was doing well.
    - Waishes also stated that the residents were working with us regarding the transition.
    - Waishes stated that Dean Carrell and Rodriguez needed to work on work safety protocols and attempt to get something in writing in place for current and future employees who work in the field
  9. Managers Report on Water and Waste Water treatment plants update
    - Dean Carrell discussed the Directors Report and explained that it is a basic overview of what is going on with the water.
    - Carrell advised the board that late fees in February were waived
    - Carrell also explained that the waste water treatment plant was operating well. TCEQ noted no violations
    - Carrell also advised the board that we had received some water bills back in the mail due to incorrect address.
  10. Discuss and take action on Board Member Elections
    - A motion was made to table the matter of Board Member Elections by Jim Brown. Motion was seconded by Robin Donaldson. Motion passed unanimously
  11. Discuss and take action on Board Member effective dates and termination dates

- Jimmy Brown made a motion to table this item. Seconded by Robin Donaldson. Approved unanimously
12. Discuss and take action on payment arrangements with past due customers
    - Discussed that the Corporation should mail all bills on or about the first working day of the month and all bills should be paid on the 18<sup>th</sup> of every month. On the 19<sup>th</sup> late fees will be in place. If payment is then not received customer's service will be terminated in 15 days. Discussed that customer payment arrangements will be taken on a case by case basis.
  13. Discuss and take action on water department procedures
    - Carrell stated that the Water Department needs procedures put into place for training and organizational purposes. A motion was made to take action on creating water department procedures by Jim Brown. Motion was seconded by Robin Donaldson and motion passed unanimously.
  14. Discuss and take action on Wendy Frank's payroll compensation
    - Motion was made by Jim Brown to issue payment for the 15 day period that Frank worked in January. Seconded by Denise Wimbish and approved unanimously.
  15. Discuss and take action on Gregg Rodriguez returning to work and workers comp claim
    - Board discussed what duties Rodriguez could perform while on light duty. Also informed Rodriguez that he should keep a binder with copies of all medical documentation. Motion was made by Jimmy Brown that Rodriguez would perform line locates, residuals, check meter readings, and coordinate dig test and not to work over 23 days and seconded by Robin Donaldson. Motion passed unanimously.
  16. Discuss and take action on Web site creation and email address
    - Board stated that the office personal should obtain more detailed information regarding this.
  17. Discuss and take action on setting up online banking and procedures
    - Motion was made by Jimmy Brown to set up the online banking account with First State Bank. Motion seconded by Denise Wimbish and approved unanimously.
  18. Discuss and take action on hiring office personnel

- A motion was made to take action on hiring office personnel by Jimmy Brown. Motion as seconded by Robin Donaldson. Motion passed unanimously.

19. Executive Session (if required)

- No session

20. Open Forum

- During the open forum, there was a question of establishing a work order system.

21. Adjourn

- A motion was made by David Waishes to adjourn. The motion was seconded by Robin Donaldson and passed unanimously.

# AVALON WATER AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Waishes, President

Jimmy Brown, Vice-President

Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish

Manuel Rodriguez

Jeremy Langley

### Notice of Monthly Meeting for March 14, 2013

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for March 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday March 14, 2013 at 7:00 p.m. The governing body of Avalon Water and Sewer Service Corporation reserves the right to adjourn into closed/executive session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, and authorized by Texas Government Code 551, or to seek the advice of an attorney on any matter in which the duty of the attorney to Avalon Water and Sewer Service Corporation board under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551

The agenda for the meeting is as follows:

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
2. Visitor's concerns and comments
3. Review and approval of special meeting (January 21, 2013)
4. Review and approval of previous meeting February 2013
5. Review and approval of repair invoices
6. Review and Discuss Government Capitol Fund Assessment Program
7. Review and approval of financial report for payment of current expenses
8. Discuss and act on Creek Land and Cattle water tap fee's on Jack Easton Road
9. President's Report
10. Sewer and Water Update
11. Manager's Report
12. Discuss and take action on Board Member Elections
13. Discuss and take action on Board Member effective and termination dates
14. Discuss and take action on Annual meeting (timeline, date and election)
15. Discuss and take action on Appointment to fill Harrison Romero's vacancy
16. Executive Session (if required)
17. Open Forum
18. Adjourn

AVALON001262



# **AVALON WATER AND SEWER SERVICE CORPORATION**

## **BOARD OF DIRECTORS MEETING**

**MARCH 14, 2013**

### **MINUTES**

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
  - The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church, Avalon, TX at 7:00 pm on Thursday, March 14, 2013.
  - President David Waishes called the meeting to order at 7:00 pm and determined the presence of a quorum
  - Directors present for this meeting were David Waishes, Robin Donaldson, Denice Wimbish, Manuel Rodriguez. Not Present were Jimmy Brown and Jeremy Langley.
  - Visitors present were Patty Hernandez, Carol Gillespie, Marcia Gillespie Oscar Palacios, and also present were Dean Carrell, Sandra Carrell, Becky Boyd, and Clint McCasland.
2. Visitor's concerns and comments.
  - Patty Hernandez spoke to the board regarding water bill concerns for the Avalon ISD. In regards to the late fees being waived. The Board assured the school representative that the late fee issue had already been addressed and that the school would be exempted from late fees, due to the fact that the School Board must approve all bills before payment is issued.
3. Review and approve minutes of special meeting held January 21, 2013.
  - Motion was made to approve the meeting minutes from Special Meeting with no changes by Denice Wimbish and seconded by Robin Donaldson. Motion passed unanimously.
4. Review and approval of meeting minutes of previous meeting February 2013.
  - Board members read the minutes from the last meeting. Denice Wimbish made a motion to table the approval of these minutes until the April 2013 meeting as corrections needed to be made, motion was seconded by Robin Donaldson. Motion passed unanimously.

5. Review and approval of repair invoices.

- The repair invoices were discussed. It was decided that these invoices were not true contractor invoices. These should be approved on a job by job basis in the future. The Board decided to remove this agenda item for future meetings unless Contractor's Invoices became a routine occurrence. No further action was taken or required.

6. Review and discuss Government Capitol Fund Assessment Program.

- Dean Carrell informed the Board that he had been to TCEQ in Austin and discussed grant opportunities. TCEQ advised that only two contractors were approved for grant projects. A free assessment of the water and sewer system needed be conducted to determine what AWSSC's current situation is. This would include the infrastructure, wells, minerals found therein, wastewater treatment plant, administration, finances, audits, etc. AWSSC would then be able to apply for a grant. TCEQ informed that depending upon the outcome of this assessment some grants could be approved 100%. Motion was made by Denise Wimbish to pursue this and seconded by Robin Donaldson. Motion passed unanimously.

7. Review and approval of financial report for payment of current expenses.

- Board reviewed the spreadsheet regarding the checking account and bank balance as of this meeting. Becky Boyd advised the Board that the Checkbook was in balance and that the Online Banking was a very useful tool in determining the balance at any given time.
- Becky Boyd requested direction from the Board in regards to two accounts that currently had Realtors signs posted on the property. Were vacant properties still subject to a minimum billing regardless of usage amounts. Board advised that this was true per the current Tariff. Vacant properties are still subject to minimum billing. Board advised the office staff to contact these realtors and inform them that water transfer from the current owner to a buyer would not occur until the past due on these accounts was compensated. Motion made by Robin Donaldson, seconded by Denise Wimbish. Motion passed unanimously.
- The financial report for payment of current expenses was reviewed and a motion was made by Denise Wimbish to approve the financial report for payment of current expenses for March 2013, motion seconded by Robin Donaldson. Motion passed unanimously.

8. Discuss and act on Creek Land and Cattle water tap fees on Jack Easton road

- Dean Carrell informed this contractor that he was liable for the full tap fees in regards to this property.

9. President's Report

- David Waishes informed the Board of Dean Carrell's contract and that funds were incorporated into this contract to cover the expense of the office personnel's payroll. Carrell will be in charge of this expense from now until his contract expires.
- Carrell also inform the President that Capital Improvement Plans and various others needed to be addressed in the near future and put into practice.

10. Sewer and Water update.

- Carrell discussed the On-Call phone and explained to the Board how this worked.
- Carrell informed the Board that there were pump issued at the race track. They did not seem to be getting the correct voltage. He will be checking into this.
- The fire hydrant on Sissom needed to major repairs. Parts are approximately \$600. Carrell will obtain estimates for this repair.

11. Manager's Report

- This item will be combined with Agenda Item # 9 for future meetings

12. Discuss and take action of Board Member Elections

- Terms for Denise Wimbish and Manuel Rodriguez are ending June 2013.
- Becky Boyd informed the Board that postage rates would be increasing. Election information needed to be in the mail so that this increased rate would not have to be paid. Also inform the Board that only 4 sheets could be mailed at the \$0.45 rate.
- Motion made to mail the notices for the annual meeting by Manuel Rodriguez and seconded by Denise Wimbish. Motion passed unanimously.

13. Discuss and take action on Board Member effective and termination dates

- Denise Wimbish and Manuel Rodriguez's terms will expire on June 2013. (these were three year terms)
- David Waishes, Jim Brown, and Jeremy Langley's terms will expire in June 2014.
- Harrison Romero and Robin Donaldson's terms will expire in June 2015
- Discussed no action taken

14. Discuss and take action on Annual meeting (timeline, date and election)

- Motion was made to delay the annual meeting until the first week of June 2013 by Manuel Rodriguez and seconded by Denise Wimbish. Motion passed unanimously.
15. Discuss an act on Appointment to fill Harrison Romero's vacancy
- Board discussed appointing Ricky Johnston to fill the vacant seat of Harrison Romero. Johnston was present at this meeting and agreed to serve the remainder of this term if the Board approved him. Motion made by Robin Donaldson to fill the vacant seat of Harrison Romero with Ricky Johnston. Seconded by Manuel Rodriguez. Motion passed unanimously.
16. Executive Session (if required)
- No session
17. Open Forum
- Becky Boyd asked the Board when the fiscal year begins and ends. Board advised that they believed the Fiscal Year ends on October 31<sup>st</sup> however this information should be verified with the auditors.
  - Boyd asked the Board if late fees, disconnects and reconnects would be in effect this billing cycle. The Board advised that the new system was online and that all regular billing practices would be observed henceforth.
  - Boyd asked the Board if the 15 day grace period was the norm. Board advised that the grace period after due date per the tariff is 10 days. Therefore making disconnect day the 28<sup>th</sup> unless this day falls on a Friday, holiday or weekend, Should this occur the next regular business day will become disconnect day.
  - Boyd asked the Board who would be in charge of approving Credit application for the corporation. These are to be forwarded to Robin Donaldson on an as needed basis.
  - Boyd asked the Board who would be in charge of approving any adjustments to accounts or waiving of any fees. David Waishes advised that only he or Jim Brown would have the authority to remove fees. These issues would be addressed on a case by case basis.
18. Adjourn
- Motion made to adjourn at 8:37pm by Robin Donaldson and seconded by Denise Wimbish. Motion passed unanimously.

David C. Waishes  
President  
4/11/2013

Robin Donaldson  
Sec. Treas.  
4/11/2013  
AVALON001266

# AVALON WATER AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Waishes, President  
Jimmy Brown, Vice-President  
Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish  
Ricky Johnston  
Manuel Rodriguez  
Jeremy Langley

### Notice of Monthly Meeting for April 11, 2013

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for April 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday April 11, 2013 at 7:00 p.m. The governing body of Avalon Water and Sewer Service Corporation reserves the right to adjourn into closed/executive session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, and authorized by Texas Government Code 551, or to seek the advice of an attorney on any matter in which the duty of the attorney to Avalon Water and Sewer Service Corporation board under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551

The agenda for the meeting is as follows:

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
2. Visitor's concerns and comments
3. Review and approval of February 14, 2013 meeting minutes
4. Review and approval of regular meeting minutes for March 14, 2013
5. Review and approval of financial report for payment of current expenses
6. Discuss and act on any changes for annual meeting
7. President's Report
8. Sewer and Water Update
9. Discuss and act on Reimbursement for Jim Brown's properties
10. Executive Session (if required)
11. Open Forum  
Adjourn

AVALON001267

# **AVALON WATER AND SEWER SERVICE CORPORATION**

## **BOARD OF DIRECTORS MEETING**

**APRIL 11, 2013**

### **MINUTES**

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
  - The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church, Avalon, TX at 7:00 pm on Thursday, April 11, 2013.
  - President David Waishes called the meeting to order at 7:00 pm and determined the presence of a quorum
  - Directors present for this meeting were David Waishes, Robin Donaldson, Denice Wimbish, Ricky Johnston, Manuel Rodriguez. Not Present were Jimmy Brown and Jeremy Langley.
  - Visitors present were Carol Gillespie, Marcia Gillespie, Juan Balderas and spouse, and also present were Dean Carrell, Sandra Carrell, Becky Boyd, and Gregg Rodriguez.
2. Visitor's concerns and comments.
  - Juan Balderas spoke to the board regarding water bill concerns for his house. The Board, office and field personnel informed Balderas that the meter had been sent to be tested. The bill that he was questioning would stand as is until the results of the testing had been received. Once the calibration sheet was received it would determine whether the meter was reading correctly or not. Late fees would not be charged on the account as long as it was current. A minimum water bill is still due each month. The Board will revisit this issue once the results of the testing were received.
3. Review and approval of February 2013 meeting minutes.
  - Board members read the minutes from the last meeting. Manuel Rodriguez made a motion to approval of the minutes. Motion was seconded by Denise Wimbish. Motion passed unanimously.
4. Review and approval of regular meeting minutes March 14, 2013

- Board members read the minutes from the March meeting. Denise Wimbish made a motion to approval of the minutes. Motion was seconded by Manuel Rodriguez. Motion passed unanimously.
5. Review and approval of financial report for payment of current expenses.
    - Board reviewed and asked questions regarding various invoices. Dean Carrell explained to the Board that Prairieland charges AWSSC \$0.17 per 1,000 gallons of water monthly.
    - The financial report for payment of current expenses was reviewed and a motion was made by Robin Donaldson to approve the financial report for payment of current expenses for April 2013, motion seconded by Manuel Rodriguez. Motion passed unanimously.
  6. Discuss and act on any changes for annual meeting.
    - Sandra Carrell informed the Board that no nominations have been received. The deadline for these on the 19th
    - Board decided that a special meeting would be called to elect and auditor. Special meeting will be April 18<sup>th</sup> at 7:00.
  7. President's Report
    - Board President did not have a report this month.
  8. Sewer and Water update.
    - Dean Carrell informed the Board that the waste water treatment plant had issued this month.
    - Carrell also stated that the laboratory work is still good at the waste water treatment plant.
    - Carrell stated that the TCEQ agent Snyder did not recognize that an old violation had been corrected.
    - Karen Smith review and approved a letter regarding the smoke test. Once signed this can be copied and mailed. A spreadsheet would be created for the individuals that respond.
    - The main pump to the race track was damaged. The quote to get this pump changed out was \$1200. However, the pump was still covered under warranty.
    - Carrell discussed the Director's report and advised that the 1.79% water loss was excellent. Carrell and Becky Boyd explained to the Board that the Fire and flushing line on the report is accountable water loss. Need to get with the Fire Dept to determine how much water they are taking out of the system each month. This will aide in calculating the accountable water loss each month and will help with the figures that are paid to Prairieland.

9. Discuss and act on Reimbursement for Jim Brown's properties
  - David Wimbish stated that this item should be discussed when Jimmy Brown was present. Robin Donaldson made a motion to table this item until a future meeting. Denise Wimbish seconded this motion and it passed unanimously
10. Executive Session (if required)
  - No session
11. Open Forum
  - No open forum was requested
12. Adjourn
  - Motion made to adjourned at by Robin Donaldson and seconded by Manuel Rodriguez. Motion passed unanimously.



# AVALON WATER AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Walshes, President

Jimmy Brown, Vice-President

Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish

Manuel Rodriguez

Jeremy Langley

Rickey Johnston

### Notice of a Special Call Meeting for April 18, 2013

To All Members:

The special call meeting of Avalon Water and Sewer Service Corporation for April 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday April 18, 2013 at 7:00 p.m. The governing body of Avalon Water and Sewer Service Corporation reserves the right to adjourn into closed/executive session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, and authorized by Texas Government Code 551, or to seek the advice of an attorney on any matter in which the duty of the attorney to Avalon Water and Sewer Service Corporation board under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551

The agenda for the meeting is as follows:

1. Call meeting to order.
2. Determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
3. Discuss and Act on Board Elections.
4. Executive Session (if required)
5. Adjourn.

AVALON001271

# **AVALON WATER AND SEWER SERVICE CORPORATION**

## **BOARD OF DIRECTORS SPECIAL MEETING**

**APRIL 18, 2013**

### **MINUTES**

1. Call meeting to order. Determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
  - The Board of Directors of Avalon Water and Sewer Service Corporation met for a Special Meeting at the First Baptist Church, Avalon, Tx at 7:00 p.m. on Thursday, April 18, 2013.
  - President David Waishes called the meeting to order at 7:00 p.m. and determined the presence of a quorum.
  - Directors present for this meeting were David Waishes, Robin Donaldson, Manuel Rodriguez, Denice Wimbish. Not present Jimmy Brown, Jeremy Langley, Ricky Johnston.
  - Visitors present were Robert Spainhour, Carol Gillespie, Marcia Gillespie, and also present were Dean Carrell, Gregg Rodriguez, and Clint McCasland.
2. Discuss and take action on Board Member Elections
  - David Waishes discussed the timeline for the election which is on page 2 of the packet.
  - It was said that we're currently on the 47 day from elections at the time of this meeting which puts the election on June 3, 2013.
  - David Waishes asked that there be another packet sent 30 days prior to the elections. That said by May 3, 2013 the finalized packets can be sent out which is outlined in paragraph 6 of the packet.
  - It was said that Susan Clark will be the election auditor so 30 days prior she will formally be elected to do so.
  - David Waishes would like a day stamp for tomorrows date so Manuel can send out his election form in time.
  - There are 322 accounts in Avalon which means the rule is that the 400 or higher rule does not apply the candidates' will only need 17 signatures so said David Waishes.
  - One packet was not prepared so tomorrow it will be ready in time to meet the deadline.
  - David Waishes asked if any of the board had any questions on paragraph 1 through 5.
  - The secretary chair was asked if there was anything else needed to be discussed and there were no further questions asked.

AVALON001272

- David Waishes stated that this is an open forum anybody that is in this meeting is welcome to ask questions.

3. Visitor's concerns and comments

- Robert Spainhour a water member spoke to the board asking if he could receive a copy of the tariff and by-laws. The Board assured Mr. Spainhour a copy of the requested documents but would prefer him to get them from online or for the office to email, reason being that there are a lot of pages involved.
- Carol Gillespie a water member also spoke to the board pointing out that there were only six members on the agenda and that the board need to amend the agenda so that to add the new members name.

4. Executive Session (if required)

- No session

5. Adjourn

- A motion was made by David Waishes to adjourn at 7:28 p.m., the motion was seconded by Robin Donaldson and passed unanimously.

# AVALON WATER AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Waishes, President  
Jimmy Brown, Vice-President  
Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish  
Manuel Rodriguez  
Jeremy Langley  
Rickey Johnston

### Notice of Monthly Meeting for May 9, 2013

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for May, 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday May 9, 2013 at 7:00 p.m. The governing body of Avalon Water and Sewer Service Corporation reserves the right to adjourn into closed/executive session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, and authorized by Texas Government Code 551, or to seek the advice of an attorney on any matter in which the duty of the attorney to Avalon Water and Sewer Service Corporation board under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551

The agenda for the meeting is as follows:

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act
2. Visitor's concerns and comments
3. Review and approval of regular meeting minutes April 11, 2013
4. Review and approval of special call meeting minutes for April 18, 2013
5. Review and approval of financial report for payment of current expenses
6. Discuss and take action on changes for annual meeting
7. Presidents Report
8. Sewer and Water update
9. Executive Session (if required)
10. Open Forum
11. Adjourn

AVALON001274

# **AVALON WATER AND SEWER SERVICE CORPORATION**

## **BOARD OF DIRECTORS MEETING**

**May 9, 2013**

### **MINUTES**

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
  - The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church, Avalon, Tx at 7:00 p.m. on Thursday, May 9, 2013.
  - President David Waishes called the meeting to order at 7:00 p.m. and determined the presence of a quorum.
  - Directors present for this meeting were David Waishes, Robin Donaldson, Denice Wimbish, Manuel Rodriguez, Jeremy Langley, Rickey Johnston. Not present was Jimmy Brown.
  - Visitors present were Moises Hernandez, Matilda Williams, Lorenzo Williams, and also present were Dean Carrell, Sandra Carrell, Laura McCormack, and Gregg Rodriguez.
2. Visitor's concerns and comments.
  - Matilda Williams spoke to the board regarding the debt accumulated on the meter to the restaurant she rented out.
  - David Waishes stated that the Tariff was set long before the present board of directors had set in their sets. The rule states that the Member or Owner is responsible for the water used.
  - Matilda stated that she had no knowledge of the rules and regulations, if she had known she would of kept the account in her name.
  - David wants to know if Matilda did or did not give her rights away from the meter. If so she would have to pay \$3800 for a new membership and tap, if not then it will just be the accumulated debt.
  - Dean Carrell stated that he would personally go to the Hilco office and find out anything he could on Matilda's situation.
  - Jeremy Langley stated that the board members are here to help the members of the town.
  - David Waishes asked if anyone else had any concerns or comments, there was no reply.

AVALON001275

3. Review and approval of regular meeting minutes April 11, 2013.
  - Motion was made to approve the meeting minutes from April 11, 2013 with no changes by Denise Wimbish and seconded by Manuel Rodriguez. Motion passed unanimously.
4. Review and approval of special call meeting minutes for April 18, 2013.
  - Motion was made to approve the meeting minutes from the special meeting April 18, 2013 with no changes by Manuel Rodriguez and seconded by Denise Wimbish. Motion passed unanimously.
5. Review and approval of financial report for payment of current expenses.
  - David Waishes asked for a "snap shot" of the banking account to see what is in the reserve to get a better grasp on the financial situation.
  - The financial report for payment of current expenses was reviewed and a motion was made by Robin Donaldson to approve the financial report for payment of current expenses for April 2013, motion seconded by Jeremy Langley. Motion passed unanimously.
6. Discuss and take action on changes for annual meeting.
  - Robin Donaldson states that Susan Clark will be sworn in to be the election auditor at the annual meeting June 3, 2013.
7. President's Report.
  - David Waishes states that upon the visit from the TWRA agent he requested a historical report on small towns in a similar situation.
  - Dean Carrell states that at any time during the duration of the agreed order it could be taken away which means that the money to be owed will be due up front.
  - Dean Carrell would also like the board members to sit and have a session to get better educated on the inner workings in what it takes to provide water to a town.
  - David Waishes would like a report on the finances and changes that should be made in order to keep stable financial revenue which should be on the agenda for every meeting.
  - Dean Carrell talked about what could be done to help fix the financial situation.
  - Rickey Johnston states that the board members need to operate first then see what else should be done to insure stable financial revenue for the corporation.
  - David Waishes states the board will act upon the financial situation.
8. Sewer and Water update.
  - Dean Carrell gave the update on the water and sewer system which everything is running as to be expected.

9. Executive Session (if required)

- No Session

10. Open Forum

- David Waishes states that it was an open forum anyone could speak if they had any concerns or comments.
- Gregg Rodriguez states he was currently taken a class and that he would like to further his education with a class in San Antonio.
- David Waishes would like a budget for school expenses.
- A motion was made to end the open forum by Robin Donaldson and seconded by Manuel Rodriguez. Motion passed unanimously.

11. Adjourn

- Motion was made to adjourn at 9:00 p.m. by Robin Donaldson and seconded by Denice Wimbish. Motion passed unanimously.

# AVALON WATER AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Waishes, President

Jimmy Brown, Vice-President

Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish

Manuel Rodriguez

Jeremy Langley

Rickey Johnston

### Notice of Monthly Meeting for June 13, 2013

To All Members:

The Annual meeting of Avalon Water and Sewer Service Corporation for June 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Monday June 13, 2013 at 7:00 p.m. The governing body of Avalon Water and Sewer Service Corporation reserves the right to adjourn into closed/executive session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, and authorized by Texas Government Code 551, or to seek the advice of an attorney on any matter in which the duty of the attorney to Avalon Water and Sewer Service Corporation board under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551

The agenda for the meeting is as follows:

1. Presiding director calls the meeting to order at 7:00 p.m.
2. Presiding director makes a last call for submission of ballots.
3. Presiding director announces the total number of members present as of 7:00 p.m. at the meeting and the total number of ballots received prior to the meeting. Presiding director will then announce that a quorum of the membership is present and that the meeting may proceed. Election Auditor will begin counting the ballots. Members arriving after a quorum has been established may still vote as long as the Election Auditor has not completed the written report of the election results.
4. Open or Public Forum: Comments from members who signed up to speak, limited to three minutes each.
5. Election Results
  - a. Election Auditor provides the presiding director with a written report of the election results for director positions, amendments to Bylaws; and any other proposition voted on by the members.
  - b. Presiding director announces election results.
  - c. Presiding director introduces newly elected directors and if no objections, declares them as board members to assume the position of directors immediately.
  - d. Discuss and take action on appointment of new secretary/treasurer.
  - e. Comments from the newly elected directors.
6. Visitors concerns and comments.
7. Review and approve of regular meeting minutes May 9, 2013
8. Review and approval of financial report for payment current expenses.
9. Discuss and take action on base rate change.
10. Presidents report.
11. Sewer and water update.
12. **Executive Session (if required)**
13. Open Forum
14. Adjourn

AVALON001278



**AVALON WATER AND SEWER SERVICE CORPORATION  
BOARD OF DIRECTORS MEETING**

**June 13, 2013**

**MINUTES**

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
  - The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church, Avalon, Tx at 7:00 p.m. on Thursday, June 13, 2013.
  - Vice-President Jimmy Brown called the meeting to order at 7:02 p.m. and determined the presence of a quorum.
  - Directors present for this meeting were Jimmy Brown, Denice Wimbish, Manuel Rodriguez, and Rickey Johnston. Not present were David Waishes, Robin Donaldson, and Jeremy Langley.
  - Visitors present were Carol Gillespie, Chris Brewster, Candice Brewster, Karen Mathiowetz. Also present were Dean Carrell, Sandra Carrell, Laura McCormack, Susan Clark, and Gregg Rodriguez.
2. Presiding director makes a last call for submission of ballots.
  - Denice Wimbish announced last call for submission of ballots.
3. Presiding director announces the total number of members present as of 7:00 p.m. at the meeting and the total number of ballots received prior to the meeting. Presiding director will then announce that a quorum of the membership is present and that the meeting may proceed. Election Auditor will begin counting the ballots. Members arriving after a quorum has been established may still vote as long as the Election Auditor has not completed the written report of the election results.
  - Jimmy Brown states that there are four members present and that the quorum of the membership is present so that the meeting may proceed.
  - Susan Clark election auditor began counting the ballots.

AVALON001279

4. Open or Public Forum: Comments from members who signed up to speak, limited to three minutes each.
- Jimmy Brown called for the first speaker who was Carol Gillespie; her question was why the board members were electing officers when technically they were not an authorized organization of the State of Texas.
  - Carol Gillespie then provided the board members with a document from the Office of the Secretary of State for an Involuntary Termination of Avalon Water Supply and Sewer Service Corporation dated the 24<sup>th</sup> of May, 2013.
  - Dean Carrell states that since none of the board members had any recollection of said documents that the meeting can precede and action will be taken to resolve the situation.
  - Jimmy Brown called for the second speaker who was Chris Brewster; his concern was with his billing. He stated that every month there is a late fee on their account and he did not understand why.
  - Jimmy wanted an explanation; he looked at their audit history and said there will be an investigation on their account.

5. Election Results

- a) Election auditor provides the presiding director with a written report of the election results for director positions, amendments to Bylaws; and any other proposition voted on by the members.
  - Susan Clark provided Jimmy Brown with the report of the election results.
- b) Presiding director announces election results.
  - Jimmy Brown announced that there were 33 membership ballots received. Denice Wimbish received 32 votes; Manuel Rodriguez received 30 votes which gave a total of 62 votes.
- c) Presiding director introduces newly elected directors and if no objections, declares them as board members to assume the position of directors immediately.
  - Jimmy Brown introduces Denice Wimbish and Manuel Rodriguez and the newly elected directors.
- d) Discuss and take action on appointment of new secretary/ treasurer.
  - There was no action taken.
- e) Comments from the newly elected directors.
  - There were no comments from either of the board directors.
  - Motion was made by Manuel Rodriguez, Denice Wimbish Seconded. Motion passed unanimously.

6. Visitor's concerns and comments.
  - Candice Brewster wanted to know why they received one page of the Avalon service contract when they thought that the service was through Hilco.
  - Denice Wimbish stated that the service contract was sent to every water member, that it was simply to make sure the office had the correct information of every water member and that the service has always been with Avalon that Hilco just handled the business affairs.
7. Review and approval of regular meeting minutes May 9, 2013.
  - Motion was made to approve the regular meeting minutes for May 9, 2013 with no changes by Denice Wimbish, seconded by Rickey Johnston. Motion passed unanimously.
8. Review and approval of financial report for payment of current expenses.
  - Motion was made to approve the financial report by Denice Wimbish, seconded by Manuel Rodriguez. Motion passed unanimously.
9. Discuss and take action on changes base rate change.
  - Dean Carrell states that the rate has not changed, and that the office does not have the authority to change the rate if a situation occurs and a board member is unable to be reached.
  - Jimmy Brown states that if it is in writing in the Tariff then that is what you go by.
10. President's Report.
  - President David Waishes was not present.
11. Sewer and Water update.
  - Dean Carrell states that there is still a 5% loss of water on the directors report that cannot be accounted for.
12. Executive Session (if required)
  - The board went into executive session at 7:54 p.m. for the purpose of consideration of hiring another employee, returned from executive session at 8:11 p.m. Jimmy Brown stated that there was no action taken on hiring another employee. Also was said that there will be a called meeting Monday June 17, 2013 to discuss further action on hiring another employee. Motion made by Manuel Rodriguez, seconded by Rickey Johnston. Motion passed unanimously.

13. Open Forum

- Dean Carrell states the transition from Hilco to the Avalon office process is still ongoing that there is a lot of information needing to be sifted through and there will be mistakes made and there is being action taken to get resolved.
- Rickey Johnston states at the beginning of the transition from Hilco at times it was hectic, yet the Board and staff are trying their best to pull together and make it right.
- Candice Brewster states that there should be someone in the office longer than 8:00 a.m.- 12:00 p.m. because people cannot take off work.
- Jimmy Brown states Avalon cannot afford an 8:00- 5:00 office hour employee. He also stated the office needs to change the voicemail to reflect the correct office hours and call out phone.
- Karen Mathiowetz states she would like a press packet assigned to her so she could follow along during the meeting while taking notes for the newspaper.

14. Adjourn

- Motion was made to adjourn at 8:14 p.m. by Rickey Johnston, Seconded by Manuel Rodriguez. Motion passed unanimously.

*David Carrell*

*Ricky Johnston*

# AVALON WATER AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Waishes, President  
Jimmy Brown, Vice-President  
Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish  
Manuel Rodriguez  
Jeremy Langley  
Rickey Johnston

### Notice of Monthly Meeting for July 11, 2013

To All Members:

The regular meeting of Avalon Water and Sewer Service Corporation for July, 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday July 11, 2013 at 7:00 p.m. The governing body of Avalon Water and Sewer Service Corporation reserves the right to adjourn into closed/executive session at any time during the course of this meeting to discuss any of the matters listed in this agenda, in the order deemed appropriate, and authorized by Texas Government Code 551, or to seek the advice of an attorney on any matter in which the duty of the attorney to Avalon Water and Sewer Service Corporation board under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 or as otherwise may be permitted under 551

The agenda for the meeting is as follows:

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act
2. Visitor's concerns and comments
3. Review and approval of regular meeting minutes June 13 , 2013
4. Review and approval of financial report for payment of current expenses
5. Discuss and Act on Texas Rural Water Audit and any Recommendation
6. findings from Refugio Rodriguez.
7. Discuss and Act on Possible Capital Projects and Funding Sources
8. Discuss and Act on Avalon Water and Sewer Corporation Hiring a full time employee and the hourly amount of pay.
9. Presidents Report
10. Sewer and Water update
11. Executive Session -Personnel Matters
12. Open Forum
13. Adjourn

AVALON001283

# **AVALON WATER AND SEWER SERVICE CORPORATION**

## **BOARD OF DIRECTORS MEETING**

**July 11, 2013**

### **MINUTES**

1. Call meeting to order, determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
  - The Board of Directors of Avalon Water and Sewer Service Corporation met for their regularly scheduled meeting at the First Baptist Church, Avalon, Tx at 7:00 p.m. on Thursday, July 11, 2013.
  - President David Waishes called the meeting to order at 7:00 p.m. Vice-President Jimmy Brown confirmed the presence of a quorum.
  - Directors present were David Waishes, Jimmy Brown, Robin Donaldson, Denice Wimbish, Manuel Rodriguez, Rickey Johnston and Jeremy Langley.
  - Visitors present were Carol Gillespie, Marcia Gillespie, Candice Brewster, Chris Brewster, Karen Mathiowetz, Robert Morgan, Dean Carrell, Sandra Carrell, Clint Mccasland, Gregg Rodriguez, Ed Hettinger, Jan Hettinger and Refugio Rodriguez, Jr. FMT Specialist with Texas Rural Water Association.
2. Visitor's concerns and comments:
  - Miss Gillespie requested a copy of minutes and agenda for the meeting.
  - Ed Hettinger announced Gregg Rodriguez citizenship. David Waishes offered congratulations.
  - Robert Morgan had some questions about his water bill . He had pictures of a meter and asked how it is read. Dean was called up to explain how the figures on the meter are interpreted. David Waishes stated that they would check into the issue for Mr. Morgan and get back to him.
  - Candace Brewster requested history of her account. She continues to receive late fees each month. She had paid with cash several months back and stated she did not receive credit for the full amount. David asked if she had received a receipt for the payment. Candace said no. David stated that he would do research, speak with Gregg and get back with her on July 12<sup>th</sup> to discuss the issue. He also stated that the water company is not supposed to accept payments in cash, since we have no safe or means of security for cash payments. Robert Morgan stated he had a similar problem with a cash payment not being fully credited to his account, but it had since been resolved. David again stressed that cash payments are not to be taken.

AVALON001284

- Chris Brewster asked if the water quality report should have been mailed out to customers. Dean stated that under a certain number of connections you are only required to post the report in a public place, such as the post office where ours was posted.
  - David stated that he and Dean had a phone conversation around the July 1<sup>st</sup> and that Dean had stated he was terminating his contract with Avalon WSC. David accepted this resignation, effective immediately 7:26 p.m. David did not want <sup>Dean</sup>David, Sandra, and Clint Mccasland to have to sit through the meeting for no reason. Karen Mathiowetz reporter for the Neotribune stated she would be glad to share her notes of the meeting with Robin Donaldson and help with future agendas if the board so desired.
3. Review and approval of regular meeting minutes, June 13, 2013
    - Motion to approve the regular meeting minutes for June 13, 2013, with no changes by Jimmy Brown, seconded by Manuel Rodriguez. Motion passed unanimously.
  4. Review and approval of financial report for payment of current expenses
    - Motion was made approve the financial report and pay current bills by Rickey Johnston, seconded by Jeremy Langley. Motion passed unanimously.
  5. Discuss and Act on Texas Rural Water Audit and Recommendation findings from Refugio Rodriguez
    - Mr. Rodriguez introduced himself and passed out a report based on the data he had been given by Dean Carrell to determine our needs of the Avalon WSC. There were several areas where Refugio felt the numbers were inaccurate. He advised that the board schedule a workshop to help formulate a better management plan. This workshop will be conducted after a thorough review of our accounting system is completed. The review will provide more accurate data for Refugio to evaluate our system. He stated that rates can be increased over a period of time and won't be such a shock to members and that our tariff can be amended as well. He reminded the board that water and waste water must be separate. Combination of the two in the accounting respect does not render accurate numbers.
    - Motion to review and compile more accurate financials to submit to Refugio by Rickey Johnston, seconded by Manuel Rodriguez. Motion passed unanimously.
  6. Discuss and Act on Possible Capital Projects and Funding Sources
    - Motion to table #6 by Jimmy Brown, second by Denise Wimbish. Motion passed unanimously.
  7. Discuss and act on Avalon WSC hiring a full time employee and the hourly amount to pay

- Motion to delay discussion until after the executive session by Jeremy Langley, seconded by Jimmy Brown. Motion passed unanimously.
8. President's Report
- No report at this time.
9. Sewer & Water Update
- Gregg commented on purchase of lift station due to dry weather conditions.
10. Executive Session – Personnel Matters
- 8:37 p.m. the board went into executive session
  - 8:49 p.m. executive session ended David Waishes stated that Ed and Jan Hettinger have volunteered to man the Avalon WSC office. They have extensive accounting experience. Ed has served on the board in years past. He and Jan ran the office prior to Hilco management. They will require no salary and will work as long as required to get the business in order and train a new office employee.
  - Motion to accept Ed and Jan Hettinger's offer by Jimmy Brown, seconded by Rickey Johnston. Motion passed unanimously.

Back to #7 on agenda , Discuss and Avalon WSC hiring a full time employee and the hourly amount to pay.

- Motion made to seek expressions of interest for a co-worker for Gregg, made by Jimmy Brown, seconded by Rickey Johnston. Motion passed unanimously.
11. Open Forum
- Discussion regarding different payment methods for water bills. Ed will explore several avenues and report back to the board.
  - Discussion on office hours
12. Adjourn
- Motion made to adjourn at 9:10 p.m. by Robin Donaldson, seconded by Jimmy Brown. Motion passed unanimously.

David C Waishes  
8/8/2013

Robin Donaldson  
8/8/2013

AVALON001286



# AVALON WATER SUPPLY AND SEWER SERVICE CORP

213 FM 55  
PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0004

## AGENDA

### Officers

David Waishes, President  
Jimmy Brown, Vice-President  
Robin Donaldson, Secretary/Treasurer

### Directors

Denice Wimbish  
Manuel Rodriguez  
Jeremy Langley  
Ricky Johnston

### Notice of Monthly Meeting for August 8, 2013

To All Members:

The regular meeting of Avalon Water Supply and Service Corporation for August 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday August 8, 2013 at 7:00 p.m.

The agenda for the meeting is as follows:

1. Call meeting to order and determine presence of a quorum, and declare notices legally posted pursuant to Open Meetings Act.
2. Visitor's concerns and comments
3. Review and approval of minutes of previous meeting of July 11, 2013.
4. Review and approval of minutes of financial report.
5. President's report.
6. Operation Manager's report.
7. General Manager's report.
8. Executive Session if required.
9. Open Forum
10. Adjourn



Robin Donaldson  
Secretary/Treasurer

Posted in P.O. @ 10:00 AM 8/5/13

AVALON001287

# AVALON WATER SUPPLY AND SEWER SERVICE CORP

PO Box 70

Avalon, Texas 76623  
Phone: 972-627-0044

## AGENDA

### Officers

David Waishes, President  
Jimmy Brown, Vice-President  
Robin Donaldson, Secretary/Treasurer

### Directors

Denise Wimble  
Manuel Rodriguez  
Jeremy Langley  
Rickey Johnston

FILED FOR RECORD  
CINDY POLLEY  
CLERK  
ELLIS COUNTY CLERK

2013 OCT -3 AM 11:45

### Notice of Monthly Meeting for October 2013

To All Members:

The regular meeting of Avalon Water Supply and Sewer Service Corporation for October 2013 will be held at the First Baptist Church, 206 Giles St., Avalon, Texas, on Thursday October 10, 2013 at 7:00 p.m.

The agenda for the meeting is as follows:

1. Presiding director calls the meeting to order at 7:00 p.m., and requests verification of quorum being present.
2. Visitors comments and concerns.
3. Review and approve regular meeting minutes for September 12, 2013, and Special Meeting held on September 16, 2013.
4. Secretary/Treasurer's report.
5. Review and approve financial report.
6. Discussion of TCEQ's letter advising of a investigation of whether or not we are operating as a non-profit WSC organized under Texas Water Code, Chapter 67.
7. Operations manager's report.
8. General manager's report.
9. Formally close Eminent Domain for property surrounding the wastewater plant.
10. Presidents report.
11. Open Forum
12. Adjourn.

  
Robin Donaldson, Secretary/Treasurer

e-39  
minutes for this  
meeting will  
be approved at  
AVALON001288