

**SPECIAL MEETING MINUTES
TROPHY CLUB MUNICIPAL UTILITY DISTRICT NO. 1
BOARD OF DIRECTORS
January 30, 2017 at 6:30 P.M.
100 Municipal Drive, Trophy Club, Texas 76262**

The Trophy Club Municipal Utility District No. 1 Board of Directors, of Denton and Tarrant Counties, met in Special Session on Monday, January 30, 2017 at 6:30 P.M., in the Boardroom of the Administration Building, 100 Municipal Drive, Trophy Club, Texas 76262. The meeting was held within the boundaries of the District, and was open to the public.

STATE OF TEXAS §
COUNTIES OF DENTON AND TARRANT §

BOARD MEMBERS PRESENT:

Kevin R. Carr President
Greg Wilson Vice President
Jim Hase Secretary/Treasurer
Jim Thomas Director
Bill Rose Director

STAFF PRESENT:

Laurie Slaght District Secretary
Rena Gonzalez Finance Manager
Mike McMahon Water Superintendent
Karl Schlielig Wastewater Superintendent
Steven Krolczyk HR Manager/Financial Analyst
Paul Liston Legal Counsel

GUESTS PRESENT:

Kevin Glovier, PE CP&Y
Scott Wetzel, PE CP&Y
Tatsuya Uejima Kubota
Shingo Kubo Kubota
Benny Fretwell Pepper Lawson

CALL TO ORDER AND ANNOUNCE A QUORUM

President Carr announced the date of January 30, 2017, and called the meeting to order and announced a quorum present at 6:30 p.m.

CITIZEN COMMENTS

There were no speakers

SPECIAL SESSION

1. Consider and take appropriate action regarding repair of 8" waterline located at 1 Michelle Ct.

Mike McMahon, Water Superintendent stated that the 8" waterline located at 1 Michelle Ct. is leaking and needs to be repaired. McMahon added that a brick wall was built around the subdivision with a

column positioned directly over the 8" waterline and it appears that over time the column has punctured the line. The minutes from 1994 show that the Town council and Planning and Zoning approved the development including the waterlines, sewer lines and the screening fence. Director Rose and Director Carr would like to have the waterline repaired immediately and then have a survey completed to determine who is responsible. A quote for repair was obtained for a cost of \$19,639.00 to repair the line and \$8,970.00 to repair the brick wall using the existing brick.

Motion made by Director Carr and seconded by Director Rose to repair the waterline for a cost of \$19,639.00, take the brick wall down with care and direct staff to perform a survey to determine if the wall was built within the utility easement.

Motion to Amend by Director Wilson and second by Director Rose to approve the invoice as presented including the repair of the brick wall for a not to exceed cost of \$9,000.

Amendment to the main motion:

For: Rose, Wilson, Thomas, and Hase

Oppose: Carr

Motion passed 4-1

Main motion:

For: Rose, Wilson, Thomas, and Hase

Oppose: Carr

Motion as Amended passed 4-1

2. Consider and take appropriate action regarding the wastewater treatment plant upgrade project and related items.

The Board convened into Closed Session at 6:55 p.m.

CLOSED SESSION

3. Pursuant to section 551.071, the District will consult with its attorney on a matter in which the duty of the attorney to the Governmental Body under the Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act or to seek advice of counsel on legal matters involving pending or contemplated litigation or settlement offers: Webber Cadagua
4. Pursuant to section 551.074 of the Texas Government Code regarding personnel matters, the Board of Directors may convene into Closed Session to Deliberate the Appointment and Employment of Personnel for the Position: General Manager.

The Board re-convened into Special Session at 8:25p.m.

SPECIAL SESSION

5. Consider and take appropriate action regarding Closed Session items.

Regarding Agenda item(s)

2. Consider and take appropriate action regarding the wastewater treatment plant upgrade project and related items; and 3. CLOSED SESSION: Webber Cadagua

Director Wilson stated that based on comments and concerns by staff and engineers there is consistent issue of work being done that does not meet specifications and constant and considerable pushback and cost overruns through oversight for managing a project that because things are not being done according to specifications. It is the Board's recommendation that the Project Manager be removed from this project and be replaced.

Kubota representatives Shingo Kubo and Tatsuya Uejima stated there was no damage on the exterior of the membrane which had some dust. The dust can be cleaned and that will not affect the warranty. There were some little bits of concrete pieces embedded within, they are very sharp and those are being cleaned and have come off. Director Hase would like to have Mr. Kubo with Kubota create a letter that the warranty will extend 10 years after completion of project. Mr. Kubo has only inspected one membrane, the Board is concerned and would like to have the remaining membranes inspected. Mr. Kubo stated that he would come back and check if there was a need and the plant does not need to be shut down for future inspection. Mr. Kubo agreed to come back and inspect the membranes as requested.

Bennie Fretwell, Senior Vice President with Pepper Lawson stated that Webber, LLC. purchased the Pepper Lawson organization. Mr. Fretwell added that Pepper Lawson has assumed responsibility for all of the projects in North Texas that were under the Webber or Cadagua name or both. Fretwell stated that the current project manager reports to Jack German, North Texas Area Manager. Discussion ensued. Director Wilson asked Mr. Fretwell to remove the Project Manager Ramone from the Job. Director Wilson asked if the project manager could remain involved with the project offsite and Fretwell stated that he does not recommend removing the project manager from the site as he feels we will be losing a very big asset to the project. The Board listed several reasons, issues and outcomes from the current project manager's oversight of the project that have cost the taxpayers time and money and they remind Mr. Fretwell that he has not been overseeing this very long, in fact, only since June of 2016. Director Carr stated that there have been numerous quality assurance and safety issues at the plant. Additionally there have been several problems with change orders.

Director Carr stated that this Board has hired CP&Y to engineer to oversee this project and that Mr. Fretwell needs to understand that.

Motion by Director Wilson second by Director Thomas directing Webber Cadagua to remove the Project Manager from this project.

Motion carried unanimously

No other action was taken regarding the Closed Session.

ADJOURN

Motion made by Director Rose and seconded by Director Wilson to adjourn the Special meeting at 9:02 p.m.

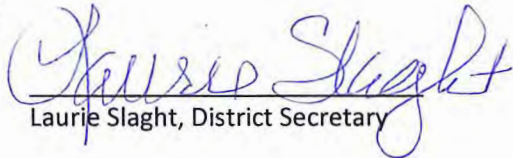
Motion carried unanimously



Kevin R. Carr President



Jim Hase, Secretary/Treasurer



Laurie Slaght, District Secretary

