

Emerald Bay Municipal Utility District
Minutes of Special Meeting
June 22, 2016

The Board of Directors of the Emerald Bay Municipal Utility District met in special session on Wednesday, June 22, 2016 at 5:00PM at the Emerald Bay Club Conference Room, 208 South Bay Drive, Bullard, TX 75757. Present were Directors Barry Botti, Dwight Cole, Inge Grant, Bill Harris, and Lynne Stein. Also present were Glen Patrick, legal counsel for the District and Compliance Officer, Lori Wiginton.

Board President Bill Harris called the meeting to order at 5:27PM and adjourned to executive (closed) session at 5:28PM to discuss legal matters involving the contract between AAA Sanitation and Emerald Bay Municipal Utility District along with a matter involving the Emerald Bay Club.

Director Harris reconvened back to open special session at 6:41PM at the District Office, 155 LaSalle Rd, Bullard, TX 75757. Present were Directors Barry Botti, Dwight Cole, Inge Grant, Bill Harris, and Lynne Stein. Melissa Estridge with Mallard's Cove Subdivision and Compliance Officer, Lori Wiginton, were also in attendance. Grady Rowland, owner of Mallard's Cove was not in attendance due to being out of town.

Director Harris discussed with the Board a proposal to supply Mallard's Cove Subdivision with water and wastewater through the District's water and wastewater system. Director Harris went through the packet presented to the Board which included a letter to Mallard's Cove, a letter from Kirk Bynum with Brannon Corporation recommending that the District accept the work that was done installing water and sewer lines in Mallard's Cove meeting specs required by the District, a quote from DFS for the cost of adding lift station #4 to the SCADA system, a summary of fees for \$13,419.30 to be paid by Mallard's Cove, Amended Utility Agreement, Transfer and Maintenance Agreement of Water Distribution and Wastewater Collection, Maintenance Bond for two years at half the value of the cost of construction, and the HOA paperwork from Mallard's Cove. Melissa Estridge, representing Mallard's Cove, advised the Board that the plumber who did the work at Mallard's Cove was Bannister Plumbing and the work was warrantied for two years as well. Barry Botti requested that Melissa provide the District with the financial records for all costs involved in installing water and sewer system. Upon review of the packet, it was noticed that item #2 of the letter which requires Mallard's Cove to provide the District with a letter on their letterhead stating that construction is complete, all engineering specs have been met and all bills have been paid with no liens against the water or wastewater system at Mallard's Cove, had not been received by the District. Melissa advised she would get the requested letter to the District along with the financial records requested. Director Harris explained to the Board that attorney for the District, Glen Patrick, had modified the Utility Agreement since the bond should not be only in the name of Landmark Homes, but also needed to be in the name of Grady Rowland as the developer. Mr. Harris advised that once Grady signed the amended agreement, he would take it back to the

County Clerk's Office for re-filing. The Utility Agreement also had a date discrepancy showing June 22, 2017, which will be corrected as June 22, 2016.

Bill Harris made a motion to accept the Amended Utility Agreement for Mallard's Cove and transfer main ownership of the water and wastewater system from Mallard's Cove to MUD contingent on receiving the letter from item #2 and the requested financial records, changing the date on Utility Agreement, and obtaining Grady Rowland's signature on all documents. Inge Grant seconded and the motion was carried unanimously.

Melissa Estridge presented the District a check for the \$13,419.30 at the meeting for the fees required by the District.

There being no further business, Director Harris adjourned the special meeting at 7:08PM.

Respectfully Submitted,

William F Harris
President

Lynne Stein
Secretary

Attachments:
Mallard's Cove Packet