

HAYS COUNTY DEVELOPMENT DISTRICT NO. 1

Minutes of Meeting Thursday, June 8, 2023

The Board of Directors (the "Board") of Hays County Development District No. 1 (the "District") met in regular session, open to the public, at 8:30 a.m. on Thursday, June 8, 2023, at the office of Carlson, Brigance & Doering, Inc., 5701 West William Cannon, Austin, Texas 78749, whereupon the roll was called of the members of the Board to-wit:

Billy Foulds	President
Trey Novosad	Vice President
George Baker	Secretary
Kasey Studdard	Assistant Secretary
John Bolt Harris	Assistant Secretary

All members of the Board were present in person, with the exception of Directors Harris and Novosad, thus constituting a quorum. Also in attendance in person were: Justin Taack of Bott & Douthitt, PLLC ("Bookkeeper"); Ronnie Moore, P.E. of Carlson, Brigance & Doering, Inc. ("CBD" and/or "Engineers"); Zach Petrov of Johnson Petrov LLP ("Attorney" or "JP"); Terry Howe of Siepiela Interests, Inc. ("Developer"); William Abshire and Cody Abshire of Capital Area Utility Management, LLC; and Andrew N. Barrett of Barrett & Associates, PLLC ("Special Counsel").

The meeting was called to order at 8:30 a.m., and in accordance with the notice posted pursuant to law, the following business was transacted:

I. Public Comment.

There was no members of the public present.

II. Approve regular meeting minutes of the May 11, 2023.

The Board reviewed the minutes of the regular meeting held on May 11, 2023, a copy of which was previously distributed to the Board.

Upon motion by Director Studdard, seconded by Director Baker, after full discussion and with all Directors present voting aye, the Board approved the regular meeting minutes of the May 11, 2023, as presented.

Director Novosad entered the meeting at this time.

III. Insurance Proposal.

Mr. Petrov reviewed the insurance renewal proposal from McDonald & Wessendorff, noting an increase of \$ 499.00. A copy is attached hereto as Exhibit "A".

Upon motion by Director Foulds, seconded by Director Baker, after full discussion and with all Directors present voting aye, the Board approved the insurance renewal proposal from McDonald & Wessendorff.

IV. **Contract with Capital Area Utility Management LLC**. Mr. William Abshire presented and reviewed a Professional Services Agreement for District Facility Operations with the Board, a copy of which is attached hereto as Exhibit "B".

Upon motion by Director Baker, seconded by Director Foulds, after full discussion and with all Directors present voting aye, the Board accepted the Professional Services Agreement for District Facility Operations.

V. **Amended Engagement Letter – Barrett & Associates, PLLC**. Mr. Barrett presented and reviewed with the Board an amended Engagement letter, a copy of which is attached hereto as Exhibit "C".

Upon motion by Director Baker, seconded by Director Studdard, after full discussion and with all Directors present voting aye, the Board approved the amended Engagement Letter.

VI. **Bookkeeper's Report**.

a. Mr. Taack of Bott & Douthitt, PLLC presented and reviewed the Bookkeeper's Report, a copy of which is attached hereto as Exhibit "D".

b. Mr. Taack presented director and vendor payments and one (1) transfer for the Board's approval.

Mr. Taack then reviewed the April 30, 2023 Financial Statements of the District.

Upon motion by Director Foulds, seconded by Director Baker, after full discussion and with all Directors present voting aye, the Board: 1) authorized payment of all invoices; 2) approved one (1) transfer; and 3) approved the Bookkeeper's Report.

VII. **Developer's Report**.

Mr. Howe reported that he met with the builders and he estimated 4 closings this month. Additionally he anticipates four (4) sales closing next month. He updated the Board on mid-century builder, which has temporarily stopped building activities.

VIII. **Engineer's Report**.

Mr. Moore of Carlson, Brigance & Doering, Inc. presented and reviewed the Engineer's Report, a copy of which is attached hereto as Exhibit "E." Mr. Moore updated the Board on the current Engineering activities within the District.

Mr. Moore presented and reviewed Payment Application No. 7 to DNT Construction, LLC in the amount of \$196,366.39, Payment Application No. 8 to DNT Construction, LLC in the amount of \$200,786.83, and Change Order No. 3 to DNT Construction, LLC in the amount of \$4,500.00 for Caliterra Phase 5 Section 14, copies of which are attached to the Engineer's Report. Mr. Moore recommended the Board approve Payment Application Nos. 7 and 8 and Change Order No. 3.

Upon motion by Director Foulds, seconded by Director Baker, after full discussion and with all Directors present voting aye, the Board approved the Engineer's Report, including approval of Payment Application No. 7 to DNT Construction, LLC in the amount of \$196,366.39, Payment Application No. 8 to DNT Construction, LLC in the amount of \$200,786.83, and Change Order No. 3 to DNT Construction, LLC in the amount of \$4,500.00 for Caliterra Phase 5 Section 14.

IX. Operator's Report.

There was no report presented at this time.

X. Attorney's Report.

a. Mr. Petrov reviewed a solar aeration system quote from Aquatic Features, Inc. in the amount of \$15,868.00. Discussion ensued.

Upon motion by Director Studdard, seconded by Director Baker, after full discussion and with all Directors present voting aye, the Board authorized Capital Area to work with the Developer and District Engineer on the purchase and installation of a solar aeration system in the effluent pond in an amount not to exceed \$20,000.

b. Conveyance of Property to the District or Convey property to HOA.

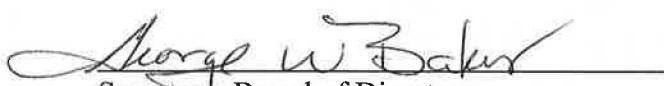
Mr. Petrov reported that the District Engineer is working with its surveying team to obtain property descriptions of irrigation areas, which should be complete by the July Board Meeting.

c. Correspondence from Residents.

Mr. Petrov presented to the Board a letter the District received from an attorney representing residents of Phase 2, Section 7 subdivision. Discussion ensued. The Board directed Mr. Petrov to respond as appropriate.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

PASSED and APPROVED this 13th day of July, 2023.



Secretary, Board of Directors

EXHIBITS:

- A - Insurance Proposal
- B - Capital Area Utility Management, LLC – Professional Services Agreement
- C - Barrett & Associates, Inc. – Amended Engagement Letter
- D - Bookkeepers Report
- E - Engineer's Report

