

## **HAYS COUNTY DEVELOPMENT DISTRICT NO. 1**

### **Minutes of Meeting Thursday, September 14, 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, September 14, 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 Director Novosad, thus constituting a quorum. Also in attendance in person or by phone 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; ("Operator"); Andrew N. Barrett of Barrett & Associates, PLLC ("Special Counsel"), and Steve Ginsburg, a resident of the District.

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.**

Mr. Ginsburg requested a website for ease of public information. He also requested an update on the streetlights.

**II. Approve regular meeting minutes of the August 10, 2023.**

The Board reviewed the minutes of the regular meeting held on August 10, 2023, a copy of which was previously distributed to the Board.

Upon motion by Director Baker, seconded by Director Foulds, after full discussion and with all Directors present voting aye, the Board approved the regular meeting minutes of the August 10, 2023, as presented.

**III. 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 "A."

b. Mr. Taack presented director and vendor payments and four (4) transfers for the Board's approval. Mr. Taack also report the District is 99.78% tax collected.

Mr. Taack then reviewed the July 31, 2023 Financial Statements of the District.

Upon motion by Director Foulds, seconded by Director Harris, after full discussion and with all Directors present voting aye, the Board: 1) authorized payment of all invoices; 2) approved four (4) transfers; and 3) approved the Bookkeeper's Report.

**IV. Developer's Report.**

Mr. Howe stated he anticipates six (6) closings this month and six (6) closings are expected for next month. He reported 440 homes on the ground and 47 are under construction. He also discussed the grave site located within the District, including incorporating the maintenance of the gravesite. No action was taken at this time.

Upon motion by Director Harris, seconded by Director Baker, after full discussion and with all Directors present voting aye, the Board approved the Developer's Report.

**V. 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 "B." Mr. Moore stated that there were no engineering related items to bring before the Board.

Mr. Moore reported that the requests for bids have been submitted on the Traffic Signal at Caliterra Parkway & RR12. Mr. Moore also noted that he may need to postpone in order to obtain adequate bids.

Upon motion by Director Foulds, seconded by Director Harris, after full discussion and with all Directors present voting aye, the Board approved the Engineer's Report.

**VI. Operations Report.** Mr. C. Abshire of Capital Area Utility Management, LLC presented and reviewed the Operation's Report, a copy of which is attached hereto as Exhibit "C."

Mr. C. Abshire reported that he had a conference call with the HOA regarding altering the landscape maintenance agreement and updated the Board on street lighting. Discussion ensued regarding each entity's responsibility and conveyance of property.

Mr. C. Abshire also notified Pulte regarding the resident complaints regarding nails puncturing resident tires.

Next, Mr. C. Abshire presented an Amended and Restated Operations Agreement, a copy of which is attached hereto as Exhibit "C-1." Discussion ensued.

Upon motion by Director Foulds, seconded by Director Harris, after full discussion and with all Directors present voting aye, the Board approved the Operations Report, including the Amendment to the Operator's Contract.

**VII. New Business.**

The public hearing on the proposed tax rate, and setting the rate and levying a tax was postponed until Wednesday, September 27, 2023 at 8:30 a.m.

**VIII. Financial Advisor's Report.**

No report at this time.

**IX. Attorney's Report.**

- a. Receive update from Legal Counsel concerning District operations, agreements and finances and take any action as necessary.

Mr. Barrett discussed the amended contract with Dripping Springs Water Supply Corporation ("DSWSC") FOR 500 additional LUE to serve the Carter Ranch tract and the remainder of the Caliterra subdivision.

Upon motion by Director Foulds, seconded by Director Harris, after full discussion and with all Directors present voting aye, the Board approved the amended contract with DSWSC.

- b. Policy Allowing Temporary Encroachment on District Property for Residents (the "Policy"), a copy of which is attached hereto as Exhibit "D".

Mr. Petrov presented and reviewed a Policy which would allow access to District property in order to complete construction projects. He also presented and reviewed a Temporary License to Access Property, a copy of which is attached hereto as Exhibit "D-1".

Upon motion by Director Baker, seconded by Director Foulds, after full discussion and with all Directors present voting aye, the Board approved the Resolution adopting the Policy and the Temporary License to Access Property.

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

**PASSED and APPROVED** this 12th day of October, 2023.

  
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Secretary, Board of Directors

**EXHIBITS:**

- A - Bookkeepers Report
- B - Engineer's Report
- C - Operations Report
- C-1 - Amended Operations Contract
- D - Policy Allowing Temporary Encroachment on District Property for Residents
- D-1 - Temporary License to Access Property

