

THE STATE OF TEXAS
THE COUNTY OF LUBBOCK

The Board of Directors of the Lubbock county Water Control and Improvement District No. 1 convened in a **CALLED** meeting in the Board Room of the administration building at the entrance to Buffalo Springs Lake in Lubbock County, Texas on **Tuesday, March 21, 2017** with the following persons present:

BOARD MEMBERS: Bill Moore, President
Casey Hildebrandt, Vice-President
Sandra Lewis, Secretary – Treasurer
Tom Keisling, Director (present by teleconference)
Greg Thornton, Director

Staff Present: David Denman, General Manager
Heather Purcell, District Secretary
Sherilyn Toelle, Finance Director
Stewart Naron, Chief of Police

Guests Present: Greg Lewis, Resident
John Forburger, Resident
Wendell Bostwick, Resident

1. Call Meeting to Order and Invocation

President Bill Moore called the meeting to order at 9:00 am with four members present in board room and one member present by teleconference. Director Moore gave an invocation.

2. Public Comment

Greg Lewis commented glass bottles and ask whether residents were allowed to carry glass bottles on the lake. Chief Naron stated that residents should not carry glass bottles while on the lake. Chief Naron stated that residents are not excluded from the “no glass bottles rule.”

3. Approve Minutes of March 9, 2017

Director Hildebrandt made a motion to approve the minutes of March 9, 2017, as written. Director Lewis seconded the motion. Director Moore, Director Hildebrandt, Director Lewis, and Director Thornton voted aye. The motion passed.

REPORTS

Stewart Naron discussed the noise complaints in the campgrounds and asked it be a personal level. Chief Naron said there is a noise ordinance in effect and can give citations for this; however the citation will have to go to the Village of Buffalo Springs. Director Thornton stated that the chief has the authority to escort people off of the lake. Chief Naron stated he passes out educational material with English on one side and Spanish on the other. Director Lewis asked what the chief would do if there was real problem and there are only two lake police officers. Chief Naron stated he would call the Sheriff Department for back-up if it is an officer safety issue. President Moore state he would like to get the two documents to the board members that address noise and some other issues; one from the village and one from the water district. Give all the board members a chance to read the

ordinance, think about it, and get it on the agenda and address it formally, whether it is additional signage or whatever. Chief Naron stated the last thing he wants to do is start walking everyone off the lake. Director Thornton said if you go to the movie theater you are given one warning and then you are done.

4. Promotions Director Report

A. Fish tagging feasibility

Penny Jones reported on the sponsorship opportunities for fish tagging and suggestions/tips from researching how to tag fish properly. No Action taken.

5. Managers Report

A. ADA Contingency add-ons

The water district had to add some ADA ramps to the two new gate buildings, due to Chad Price's and the State Inspector. These have already been added. Mr. Denman gave the board the printout which shows the ADA ramps.

B. Update on lot lease improvements letters to residents

Concerning the update on the properties; handout shows properties that have not complied or progress of residents getting the property in proper condition.

Lot 80:

The board asked Mr. Denman about Lot 80. Director Hildebrandt stated he is concerned with the building construction process and thought the quality of workmanship is not up to par. Director Hildebrandt thought it would be worth a visit from the ARC. Director Moore asked the ARC to visit with the lot lease holder at lot 80 before there is a giant problem. Director Hildebrandt wanted to know if the final grade is done on the front retaining wall or is just for stability.

Lot 565:

Two letters sent to paint house, certified letter sent to paint house since first letter had no response. Director Thornton would like photo documentation of each house on the list.

Lot 573

President Moore stated the house is a mess and would like to request that the lot lease holder come to the next board meeting before the property becomes the property of the water district.

Lot 614

President Moore stated that the retaining wall is not going to work for an engineer, as well as both sides of the driveway. Greg Lewis, ARC member spoke with the lot lease holder he told him the retaining wall would be done in terracing. Mr. Lewis looked at the property and it is a safety hazard. President Moore requested the lot lease holder receive notifications he needs to attend the next board meeting.

Director Thornton asked that any on-going lot lease conditions stay on the list until the lot has complied with the proper requirements.

C. General Information

The Marina received hail damage on the roof last year and it was never claimed. It was noticed and filed a claim. TML sent a check for \$19,024.65. Three contractors have been

contacted to give bids on the marina roof and that is pending as to whom the manager will choose. The roof is not warranted for hail damage.

The Marina concrete pathway and wall:

Three bids were received and took the best one. Sidewalk forms will be made and then will be wrapped around to where the wooden docks start. He will start today and then the wooden docks and steps the maintenance department will fix.

The amphitheater drainage:

The slab collects water due to the low elevation. A ditch was created to drain the water on the West end and pipe will be installed to help the water flow out.

Painting around the lake:

The railing and bullet posts have all been painted silver. The metal fence at the office has been painted. The next project will be to repaint all the fire hydrants.

Director Thornton stated he had a problem with the bollards in front of the amphitheater. The steel concrete filled pipe is one foot from the road and painted those blue. He is worried someone will hit those with a motorcycle or a car and someone could get hurt. The bollards are just protecting a water pipe. Mr. Thornton recommended moving them and putting concrete around the box and cut those off.

TCEQ McMillan Dam

TCEQ is concerned about the vegetation growing on it, which will be addressed. The dam is currently hydraulically inadequate according to TCEQ. The water district is waiting on a letter from TXDOT said they are working on getting that done and projected August as the date the grant would be available. Mr. Denman wrote a letter to the State Representative Charles Perry asking if that could be moved up and have not heard back. Director Hildebrandt would like to know what hydraulically inadequate means. Mr. Denman said is all he knows is the pictures show some concrete gussets underneath the bridge where the concrete is crumbling and breaking up. Director Hildebrandt would like to know what the definition of that is and is TCEQ just giving us CYA statement or are they saying we require action of some kind. Director Lewis stated it needs to be addressed. Mr. Denman said the action is we are waiting on the engineers to meet their schedule and get it taken care of. Director Hildebrandt said he wanted to go back to the same thing; if we are working on the bridge that is one thing and is different from the dam. The bridge is to go over the dam. The dam is what is holding the water. Director Thornton stated that TCEQ had at one time told him not to cut the trees and only clear the brush. If you kill the tree than you have a big root, if it is over four to five inches do not cut it. President Moore stated it could create a leak if you kill the trees. Director Lewis stated that an answer has to be provided to the letter before June and these people say that we can question them, so why don't we. Why don't we find out exactly what that means? The board asked Mr. Denman to find the answers to the big problems and report back to the board.

Gate Attendant complaints

There have been several complaints about the gate and how the attendants handle things. Mr. Denman addressed Paula Stone and gave suggestions on training employees on good customer service relations. Director Thornton said that it has been done wrong for eighteen years and respects what the manager is trying to do but, with the new gates there will be a change. If you are at a job as an employee you should never have a conflict with a customer. If someone pulls up and is sour the employee should ask them to pull over while a

supervisor comes to speak with the customer. The employee should never have a conflict with a customer and should never say it just costs more and that is the way it is. Director Thornton said the water district is making a cultural change and the answer when dealing with the public is not “cant, no, wont.” The manager needs to be on site Thursday, Friday, Saturday, Sunday, or some form of manager; whether it is Stewart or the general manager. There should be chain of command. Director Thornton said the problem is how we conduct ourselves is the problem here. It has been wrong as long as I can remember. President Moore said in order to pull that off we should have specific assignments for responsible people on the weekends, whether it is President Moore, Director Thornton, or any of the board members to deal with those kinds of issues. In that gate, the customer is always right until the customer is wrong and then you make a phone call. Director Thornton said if the manager was not on the lake then it was the Chief of Police. The customers are the people that live out here and the people that are paying to come out here. They have to be taken care of. They are not here for us, we are here for them. We work for them. You teach that lesson, you instill it, and then you look away and that lesson goes away. That has to be constantly got to be reinforced with the employees and staff our here. Director Lewis asked if the gate keepers could have some customer service training. Director Thornton said yes. If the manager does not get that then it does not transfer to the other employees. Director Hildebrandt said there are two real simple rules; (1) treat people like you want to be treated (2) the customer is not always right, but the customer is always a customer. President Moore said the people at the gate should not have to have an argument with the customers, but they should always have some backup at the lake to call and the water district needs to put that into place to support them. Director Thornton stated that the manager has to be good enough to deal with it. The water district is selling some sunshine and some toilet paper. That is what we are selling and a good place to get away from the reality of life. That is all we have got. If we have to give somebody something it makes people happy. Let’s build goodwill. Director Lewis said we finally got rid of the no refund sign in the window, so we are going one step in the right direction.

6. Finance Report: Report of February financial performance by Sherilyn Toelle

Sherilyn Toelle gave the board a hand out comparing Fridays through Sunday spring breaks from the previous 2015, 2016 and 2017. The gate fees doubled. Annual passes have gone up six and half times. Mrs. Toelle also stated the gate increase for 2017 was due to the weather being warm. President Moore said he did not think the gate increase was much more than about ten k of that increase. Director Hildebrandt said that would be about twenty five percent since it was raised two dollars from eight. President Moore thinks the annual passes are an excellent number to look at as far as incremental people that really want to spend a lot of time at the lake. Director Hildebrandt asked Mrs. Toelle about the comparison on the deposit reports from about three weeks. He asked if the lake had been down every week up to spring break compared to last year. President Moore said the cash in the bank is one hundred thousand dollars or better by month compared to one year ago. Mrs. Toelle said she will bring those to the next meeting.

No Action taken.

7. Annual audit review by Randall Terry

Randall Terry reviewed the annual financial report for Lubbock County WCID No. 1 fiscal year 2016.

8. Consider approving the annual audit

President Moore suggested each board member to look over the audit and get any changes that should be made be given to him before the next board meeting and Randall and I will go through it. Randall Terry stated it is pretty simple this year; the water district made \$200,000.00 basically that accounted for \$400,000.00 in cash, two hundred plus two hundred in depreciation. The water district spent over \$300,000.00 in buying new assets and added some to the bank. There is one note, if we are not talking about the county; caterpillar lease and it was paid off. All that is owed now is to the county for \$17,000.00. Greg Thornton: "Does anyone know how much that original note for the caterpillar tractor was? My question is: It is illegal for us to borrow money, we cannot borrow money, and we can't borrow money to buy vehicles?" President Moore: "There is a difference between borrowing money from banks and financing capital expenditures." Greg Thornton: "When we talked about vehicles in the past, we cannot borrow money and buy vehicles. That is what I was told." President Moore: "No". Greg Thornton: We have done it, but we come to a board meeting saying we can't do it, but we did do it." President Moore: "There is a difference between financing and purchasing an asset or borrowing money from a bank. I think that is the difference." Greg Thornton: "When we were talking about vehicles everyone said we cannot do that." President Moore: "We are asking the wrong people." Greg Thornton: "It is the same people that did that, saying we cannot do that. I knew that was not right when they said that in an open meeting." Bill Moore: "Here again this board was talking about borrowing money from a bank." Greg Thornton: "I was talking about borrowing money for vehicles and I know full good and well it is legal. They would not have a municipal lease if municipalities could not borrow money for vehicles. I wanted to clarify that, while we were talking about paying off a backhoe that was north of fifty grand."

President Moore said the auditor could add some things that make clarity in the segregation and utilities. He will have to make one corrections to the liability for the election fund and can approve it pending change or the board can table it until the next meeting. Director Lewis stated she had a problem with getting handed the financial report at the meeting. It has been talked about and should be given to each board member before the board meetings. Director Lewis said her problem is getting something at the board meeting and approving it before it has been looked at by the board members.

Director Hildebrandt made a motion to accept the Annual Financial Report for Lubbock County WCID No. 1 by the independent auditors, Terry and King for the fiscal year ending September 30, 2016. Director Thornton seconded the motion.

Director Lewis made a motion to table the annual financial report until a future meeting. Director Moore seconded the motion. Director Lewis and Director Moore voted aye. Director Thornton and Director Hildebrandt voted nay. The motion did not pass.

President Moore stated that since the motion ended in a tie the board needed to go back to the origin motion, since the motion to table the annual financial report failed.

Director Hildebrandt made a motion to accept the Annual Financial Report for Lubbock County WCID No. 1 by the independent auditors, Terry and King for the fiscal year ending September 30, 2016. Director Thornton seconded the motion. Director Moore, Director Hildebrandt, Director Lewis, and Director Thornton voted aye. The motion passed.

9. Consider Bailey Boiler Works request to replat Lot 532 to move the East boundary toward the public use area

Brent Bailey came before the board with a current survey of Lot 532 and a Google image, which shows the house on the lot. Mr. Bailey presented pictures of the trash in and around the public use on the east side next to his house. Mr. Bailey would like to take over thirty-five feet of the public use area and have his lot re-platted. He said they would install a retaining wall. Director Hildebrandt said the trash will still be there even if the board approved the replat. Mr. Bailey stated it collects in the corner and cleans the public use area to keep the trash out of the area. President Moore asked if he wanted to move his fence in essence to the shortest point between the water and the road and build another fence and put a retaining wall in. Mr. Bailey said yes he would put in a retaining wall and keep that area clean. The other reason for the request is the area is short only forty one feet around the water and would like more land. Resident Greg Lewis stated that there is an ordinance on the books that says it is against the rules to sale public access property. Director Hildebrandt stated that in the Texas Senate Bill it is pretty clear that the lake has a right to replat any lot and can change an ordinance, but cannot change the Senate Bill. The senate bill says we can replat it. What Greg is saying the board passed an ordinance? Director Lewis stated she does not want to sell public use area, but does understand moving the grill and would like to see the area cleaned up. She said the trash is getting caught into where the retaining wall has kind of let go. Mr. Bailey stated that the trash gets behind the telephone pole retaining wall that is there now. The dock looks at that area and does not think they will be taking up fishing area, because nobody fishes in that little bitty corner right there. President Moore asked Mr. Bailey to give him a chance to talk to the water district attorney to see what the options are and let's met again in two weeks and see what we can do. Director Lewis said maybe in the mean time the maintenance department can get that public use area cleaned up. Director Hildebrandt asked Mr. Bailey to bring a drawing of where he wants the fence and draw it.

No action taken.

10. Consider bringing the boat races to Buffalo Springs Lake as a 2018 event

President Moore put this item on the agenda to bring to the forefront and make public that the water district is going to begin investigating bring the boat races back in the spring 2018. It will take a lot of work and the first thing that President Moore will attempt to do; resurrect the historical financial impact of those races the last couple of times. That will be significant criteria to proceed. Until the board can substantiate to some degree of accuracy that it was worthwhile in the past, there will be no further as far as help or research. Director Hildebrandt wanted to know how much time could be spent by the staff.

11. Consider purchasing and installing a floating water park at Buffalo Springs Lake

President Moore stumbled across the floating water parks and did a great deal of research on three different outfits in China that build these. These water parks are compartmental; you buy the different pieces depending on what you want the water park to do. You connect the parts with carabineers and eyelets in a PVC tarp. You can buy these from seventy five feet on each side up to one hundred and fifty feet on each side. They range in price to fifteen thousand bucks for the whole thing up to fifty thousand dollars. President Moore said his thought is that the water district has in the last three months on this board talked about

additional venues to draw people out here, entertainment, etc. It seems like something that the lake could easily buy, put together, and offer for a modest ticket. It will pull people to the lake. Probably have someone initially oversee the park, from a lifeguard sort of perspective. Each vendor has got different specifications. The one that was the most impressive had the thickest tarp. The tarps range from .9 millimeters to .5 millimeters. The primary reason President Moore brought this before the board is to at least the level of interest before doing more work to get more details. Director Lewis said she calculated the cost of one employee at eight dollars per hour for ten hours per day, which is five hundred and sixty per week. The least expensive one is ninety foot by ninety foot. These are modular so the size can be changed because they all link together. Director Thornton stated it would have to come out of the water in the winter and go into storage. President Moore said all of the components inflate and each one is shipped in its own protective canvas bag, so they can be taken out of the water and deflated. Lifejackets are also available for purchase. Director Hildebrandt said not to underestimate the staffing needs. Director Thornton said it is a neat concept and would like to hear all about it.

No action taken.

12. Consider approving old signage inside Buffalo Springs Lake and adding new signage and where the new signage should be installed.

Director Thornton said the water district needed to get back to branding this lake. There are six different signs, one is purple, red, white and blue sign on the side of the truck, and we have new gate. The water district needs to get a logo and go with the culture we are trying to instill out here. The lake is spending money, burning cattails, and the same conversation for the fifth year in a row. Director Thornton said while the board is having that conversation; the lake stinks, the cattails are full of trash, the dead cattails have green cattails coming up through them, the bathrooms smell like a dead body is stored in them. The bathrooms are locked up with signs on them and the either need to be fixed or bulldozed. Mr. Denman said that particular restroom was being fixed before spring break and it did not get finished, so out of order signs were put up. The next bathroom is right across the road. Director Thornton said the board and the manager need to do a hoof foot around this lake once a month and take their camera so everyone is congestive of what is happening here. The cattails are going to be a problem and the little yard signs need to go. The metal signs with metal frames that look like realtor signs. Director Thornton said he did not want any signs on this lake, but evidentially we have to have them. He would like all the signs to look the same and not have the corners curled up. First thing you do is go pick up every one of these. Start at the gate and pick up the one that says no vendors and round up every one of the yard signs on the lake. Figure out if we really need that sign and what information we are really trying to convey. The branding on the signs; the colors needs to be uniform, the signs need to look the same. The signs need to be stone frame so they will be permanent and look good. President Moore said it is becoming overly clear to him that there not enough maintenance people to do all this stuff. The water district needs to hire some people. Director Thornton said the water district needs one guy and I will know when he is the right guy because he will be in the water picking those cattails and when you see that the water district board has done something right. This is our lake and the water district is selling a stinky lake that does not look good. Director Hildebrandt stated that the park expenses are already way up over last year and we are not maintaining what we have. The answer is not to hire new people or hire more it is to hire the right guy. Director Hildebrandt said we do not have ownership being taken on. Director Hildebrandt said they

did push my street sign up halfway. It is at least halfway up. Director Thornton said the swings have been broke for awhile. President Moore asked how we fix this. Director Thornton said it you have to put someone who owns this part of the job. Mr. Denman said you hire the right guy. President Moore said their history of employment will tell you if they have ever been a manager of people, maintenance, or a facility like this. Director Hildebrandt asked if the lake was only offering minimum wage. Mr. Denman said the new maintenance start out at ten or eleven dollars per hour. President Moore said you are not going to get that guy at ten bucks an hour. You need a maintenance manager and it does not sound like they are coming to the table for ten dollars per hour. Director Thornton said if you get the right guy will not drive by a sign at the lake that is in bad shape. He will pull it out of the ground or order a new one and have it replaced. Director Hildebrandt said there are people who work here at this lake that should have recognized the overflowing trash on Sunday at Spring Break. Director Thornton said Friday, Saturday, and Sunday are the crunch time and that is when all hands should be on deck. The beaches have red clay dirt on them and not real sand and those things need to be scraped and put down real sand. The lake needs to take care of what it has; signs, sand, burned up trash cans, cattails which we have already missed the window for until next winter. The lake needs a bathroom crew, a weekend crew, a cattail crew, etc. Director Thornton said you start by hiring one person who is on fire about this and he will solve the problem for us. The Marina sign and the amphitheater sign need to be recovered.

Resident Wendell Bostwick came before the board and said he wanted to protect the public areas and complained about; campfires on the grass that is sterilizing the soil, vehicles driving on the grass, full size campers parking in public tent areas, glass bottles all over the lake, and with these issues continue to maintain this lake. The asset has to have some regulation to maintain the asset and he sees a 35 foot goose neck camper sitting by a lakeside, where normally there should only be tents. The RV's come in dries camp and takes up space and he does not think that is right. President Moore said he asked the gate and was told as long as the camp "C" fee was paid the motor homes could park wherever they want to. Director Thornton said he would like to see before the next board meeting getting our signs figured out, get a proposal out, and decide where to put the signs. There should be some signs that say "no RV camping, tent camping only," figure out what kind of posts are going to be used, and put in some signs we can be proud of. Director Thornton said the gate keeper needs to hand out signs that have the camping rules. He asked if the board was in agreement that the water district no longer wanted yard signs. President Moore said yes and then asked who is going to define what sign goes where. Director Thornton asked the board to take a lap and talk about what signs we need where. President Moore said next meeting. Director Thornton wanted to schedule a workshop. Director Lewis wanted to know how the front of the building was going to look and where the logo would go and would like to get it figured out. Director Keisling said once the buildings are firmed up can we not just get the sign people to come out, take some measurements, and give us a proposal. Director Thornton said; lanes, camping, the dos and don'ts down on the lake, David can do it. Director Thornton said no RV in the tent camping either; they have to go in the hook-up spots. If there is overflow and the RV camp spots are full then turn them away. Director Lewis said if there are no more spaces to camp, there are no more spaces to camp. Director Thornton said here is what is going to happen if we don't do anything; Fourth of July is going to get here, the bathrooms will be overflowing, the sewer systems will be overloaded, and the place is going to be trashed. It is better to just take good care of the customers you have that got here on time.

13. Consider changing Lot 1 from GT Construction to Gregory Daniel Thornton and/or Gregory Daniel Thornton doing business as GT Construction, since lot 5 is presently in the personal name of Greg Thornton, per Jody Jenkins request stating that it will need board approval

No Action Taken.

14. Consider hiring EHT to conduct a tabletop exercise of the emergency action plan for dam safety, which is required by TCEQ every five years

Mr. Denman reported that in order to comply before this coming fall with TCEQ the water district needs to let EHT conduct a tabletop exercise, which will they will have the emergency response people from the state, locals, them, and us all in one room to review the emergency action plan. Director Hildebrandt stated that it seemed very expensive at \$6500.00 for a tabletop discussion. Mr. Denman said he thought that he could contact the local reps and the state reps and have the meeting, but does not know anything about the bridge strength, etc. Director Thornton said the water district has an emergency action plan and EHT wants \$6000.00 to review it. We can put a new emergency plan together for one thousand dollars. I don't know that we really need this. Director Lewis said she would rather put that money toward fixing whatever is wrong with the dam. Director Hildebrandt said the water district would be paying for their knowledge on what revisions on what might or might not be necessary. Director Thornton said he would call TCEQ and ask how big a deal this is and here is what we have. Mr. Denman said he would do that.

15. Consider vehicle leasing program

Mr. Denman said that he is working on leasing and does not have all the quotes yet.
No Action Taken.

16. Executive Session

The Board of Director met in Executive Session as authorized under Article 6252-17, Section Paragraph (f) and (g). The Board convened into Executive Session.
(a) Personnel, Section 551.074

17. Reopen in regular session and take action if necessary

No Action.

18. Public Comment

19. Adjourn

The board of directors adjourned.