

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 **Thursday, September 14, 2017** with the following persons present:

Board Members Present: Bill Moore, President
 Casey Hildebrand, Vice President
 Sandra Lewis, Secretary/ Treasurer - Absent
 Greg Thornton, Director
 Tom Keisling, Director

Staff Present: Warren Johnson, General Manager
 Heather Purcell, District Secretary
 Sherilyn Toelle, Finance Director
 Stewart Naron, Police Chief
 Roberta Bean, Promotions Director

Guests Present Johnny Stone, Resident
 John Forburger, Resident
 Michael Brooks
 Joe Narvais, Resident
 Neil Adams
 Gary Satterwhite, Resident
 Wendell Bostwick, Resident
 Mona Kile, Resident

1. Call meeting to order and Invocation
President Moore called the meeting to order and 9:00 am with four members present and Director Hildebrandt gave an invocation.
2. Public Comment
John Keys, Sr. from the Buffalo Springs Lake Volunteer Fire Department thanked the Buffalo staff and community for their support during an emergency situation that happened earlier in the week.
3. Approve minutes of August 3, 2017
Director Hildebrandt made a motion to approve the minutes of August 3, 2017, as written. Director Keisling seconded the motion. The motion passed.
4. Air B and B
General Manager Warren Johnson (WJ): "I visited with Jody about the air b and b stuff. Tom had asked if we could just do it or just approve it with a motion. Jody

advised against that simply because it can open up a can of worms as far as people wanting to operate businesses out of the homes and they could open up any kind of business. If we are going to do it he recommended writing an amendment to their lease, of course the lease holder would pay for the amendment and it would be on a case by case basis. Those were his thoughts and feelings on it. We don't have to do it for every lease. Just the people who are interested in doing it." Director Thornton: "So if someone asks we can just amend their lease to say we have authorized it?" WJ: "A standard amendment that the leaseholder will pay to have all the paperwork and everything done. There will be a fee associated with that. Jody also said that the board could not limit it to only air b and b. The board would have to open it to other things." Director Thornton: "But still on a case by case basis?" WJ: "Still on a case by case basis, Yes." President Bill Moore: "Well is there any conflict in that with the situation we think we have got at the bottom of Cowboy Lane?" WJ: "Yes, well.." Director Thornton: "That is not really a residence that is something that should not be there anyway and now they are trying to rent it out. It is not a house." President Moore: "Well all I am asking is that we table this decision until we cover that farther down in the agenda." Director Keisling: "That does not have anything to do with this air b and b." Director Hildebrandt: "They would only be renting. If they do the paperwork Jody would have to say it is for your house." President Moore: "My only concern is if we decide to do that we can still deal with the second issue independently of that." Director Thornton: "Yea because they are all case by case." President Moore: "Yea because they are all case by case." President Moore: "Ok then that is fine." Director Keisling: "If we are going to do an amendment to the lease we need to put in some wording that we can void that at any time in case something gets out of whack. Then we have the right to cancel the agreement." Director Hildebrandt: "Would that be required that we use our attorney to write that up?" WJ: "Yes. I think we need Jody to write it up. We will get a simple format that they can follow and we can just plug in the names and the lot numbers and things like that, but residents need to pay a fee for that." Director Keisling: "Just as long as we can cancel the agreement if something gets sideways on that deal." President Moore: "What safe guards do we have to ensure us that if they make a deal with air b and b they do come to us to get the lease modified. We get stuff done that does not follow procedure and I am trying to avoid another one." WJ: "I think that is something that we need to coordinate with air b and b." Director Hildebrandt: "Then it would be a violation of the existing lease and then they run the risk." Director Thornton: "And they are not going to be able to get people to their air b and b without going through the gate." Director Keisling: "Just like everything else; do it and ask forgiveness later." Director Thornton: "There is no forgiveness to ask for." President Moore: "Ok." WJ: "I will have Jody draw up an amendment."

5. New Vehicle purchase for the general manager
Discussed in agenda item number seventeen.
6. Gary Satterwhite request for additional parking / lease land at Lot 160

Gary Satterwhite (GS): "I wanted to talk to you guys about taking in ten foot of lake property next to my house. Actually, it is directly North of my house. The pavement that was put through there is no and I like it and all that. I understand about the easement, egress, ingress, and all that, but it is right up next to my house. I knew that when I bought it and that was not a problem, but it does kind of make it hard to park. What I want to do is the bottom, not the cliff part. The ten feet on the bottom. I was going to landscape it and clean the weeds. I don't want to change the native landscape. I also understand about the retaining wall only being four feet high, without getting an engineering stamp. I don't want to get into all that. I live at Lot 160 Pony Express Trail. I have talked to the neighbors; Greg and Sandra, Carol Anderson, and it does not apply to Tom Delavan. They are ok with that." President Moore: "Do you intend to put some asphalt or concrete down?" GS: "I may eventually. I have some gravel that I purchased from the lake here. I am going to try that first because it is cheaper and see how that works. It seems to pack in pretty good. You know when it rains it is a mud hole there. There is not much unless you do something with it like I want too there is not much use for it. Are there any other questions?" Director Keisling: "Is that back up in there going to require a retaining wall?" Warren Johnson: "No more then what he is going to do I don't think so." GS: "There is one bush that is pretty large and I want to keep that. The retaining wall would be less than four feet high." Director Keisling: "It really does not back up in there where the hill is going to be coming down." GS: "It is, but last year about this time the water district came in and cut it out so the cliff is just a sheer cliff and all the rain we have had this year it really has not caved in or fell off a whole lot. Greg and I try to keep it cleaned out as much as we can." Director Thornton: "So are you just asking permission?" GS: "I would really like to take it in on my lease. If I am going to spend the money and the time and the work involved." Director Thornton: "Does your property point passed out and the road is just an easement?" GS: "Yes. Actually I have got a survey and there is a little bit that is. The road actually took up a lot of the area North of my house. There is a foot that is not paved that is part of my survey." President Moore: "So you want to get a survey done and change the documentation in your lease." GS: "We don't have to do that. Whatever you all want. I am just saying if I am going to do the work and spend the money I would like for it to be a part of my stuff." Warren Johnson: "In order to do that we need to have it replotted to the lease so it can be a part of the lease documents." Director Thornton: "If we are going to get it replotted it needs to be very clear. We have that situation in two or three other places that it is a common easement." GS: "That is what I mean." Greg Thornton: "Really specify the width of the easement." GS: "Like I say, Carol and I have shared that and it is not a problem and long as her, and I, and Greg are all fine. I am not trying to take anybody's parking or anything like that. I want to work on it and spend the money and the time. I would like for it to be a part of my lease." Director Thornton: "I think the only reason to really replot it is, not because of you and the neighbors now ever have a problem, it is because of something that could happen if a property were to transfer." GS: "This way if it is part of mine I am good with it." Director Thornton: "I think as long as you specify the easement and make it very clear about the easement on the replot." Director Keisling: "You saying not

really part of the lease but put it as an easement.” Director Thornton: “Specify the easement because the property now will go across the road and extend four feet passed.” GS: “Ten foot past the road.” Director Thornton: “So the entirety of the road in the easement will be on Mr. Satterwhite’s property.” GS: “Which the road is now anyway.” Director Thornton: “There is the surface access. Those just have to be really clear.” Director Keisling: “I don’t see any problem with letting him do that. I am just kind of start giving away and people start coming along and saying I want this.” Director Hildebrandt: “The good deal on this is.” GS: “I understand that but this is kind of a unique deal. If you have been up there and looked at it then you would know.” Director Keisling: “It is narrow up there.” Director Thornton: “It is not like you are asking for ten feet of water front.” GS: “Right and I don’t want fifty feet, just ten feet.” Director Thornton: “I think what he is asking for would make everyone’s situation up there easier.” GS: “It would and it would look nicer. It would be an asset for the lake.” Director Thornton: “And you are going to be taking care of it and we are not going to be taking care of it.” GS: “Right, except the cliff. I don’t want the cliff.” Director Hildebrandt: “You don’t have any intentions of digging anymore.” GS: “No. It is a sheer cliff. I am going to landscape the angled area and dig it out. There is not much erosion there, but I think I can help that with some landscape and rocks and stuff.” Director Hildebrandt: “So would the process be that he gets a survey done at his expense and then bring it to us for approval?” Director Thornton: “Yes. The survey will be at least five hundred dollars.” GS: “I will get with Warren and we will get it surveyed.”

Director Thornton made a motion to allow Mr. Satterwhite to replat Lot 160 with the board looking and authorizing the replat. Director Hildebrandt seconded the motion. The motion passed unanimously.

7. Michael Brooks request for land lease for gym

Michael Brooks request: “Detail: I would like to inquire about the details of possibly leasing a small portion of property, under the purview of this board, immediately to the South of Ransom Road and would use the depth of the property between Ransom Road and High Meadow Road. The building will be 60 feet long and 50 feet deep. Purpose: I would like to have a new construction steel building built on that site to house a fitness center. This would replace my current facility, 3523 Fitness, located in the Ransom Canyon Center. The center has been in operation for about 13 years and I have owned this business for almost 3 years. I am exploring options to expand the size and list of services from what I currently am able to provide at the present location. The building will be all new materials with Ash Gray walls with Slate gutters and downspouts. The front door would face Ransom Road and I would have one standard size garage door that would face the church.

Benefits: My current furniture and fixtures are valued at about \$23,000.00. I am not sure what Lubbock CAD will value the building at buy the estimates are based on comparable structures would be around \$50,000.00 - \$60,000.00. This would increase tax collections for your community. In addition, I believe that it will provide another amenity that is easily accessible for the residents of Buffalo Springs.

Depending on your ordinances and wishes, I feel it would be easy to allow space for Buffalo residents to park off of High Meadow and walk to the front door of the building, instead of exiting Buffalo Springs Lake and driving around to the Ransom Canyon front entrance. Michael Brooks.”

Director Hildebrandt concern: the lease holder risk and a future board member dislike and/or cancel lease.

The Board of Directors asked Mr. Brooks to gather more information and give a presentation at the next board meeting.

8. POS update, resident guest passes blue coupons to codes

WJ: “Point of sale update: There were technicians out last Wednesday and Thursday and he went through all of the pedestals and replaced the d-tech outlet, checked the wiring on everything, made sure everything was working. It was all working when he left. He got all two of the RIFD readers, got them tuned in, got them dialed in. They were working really well when he left. Within about twenty-four hours we started having problems with everything again. Stewart, Robbie, and I ran Stewarts truck and my truck through the RIFD readers, when we could get them to go through and read. Perfectly with two cars going through without any issues it took us thirty seconds to get them through. It took us four or five tries to get it where it would work perfectly every time. We can get them through a man gate about six seconds faster. At this point we are not sure what to do with the RIFD readers. We don’t know if it is a programing issue that is causing it or if they are not reading the tags. He had them pretty well dialed in that first day, where we could all pull right up as long as we were not going to fast. I went through one of them pretty fast in my truck just to see how fast you could go and it read it, but the problem is the distance between the reader and the gate; is someone goes through and there is someone behind them and they don’t get that read they cannot back up and rescan in order for the gate to open up. If the person behind them scan the gate will go up and the first person will go through and the gate goes down then that person is stuck there. They either have to wait for someone to open the gate or they have to wait so it is problematic at best.” Director Keisling: “When you said we finally got it to work correctly what did you do, back up or move your reader?” WJ: “Well it is different things. Sometimes you just back straight up and it will read it.” Director Thornton: “How much do we owe these people?” WJ: “Sometimes you have to back up and scoot over and get a little closer.” President Moore: “We owe them about twenty-eight thousand bucks.” Director Thornton: “You know I think they sent us a bunch of shelf stuff that was first gen and if you go through the car washes in town their readers, their cards, everything looks different. What we got was a bunch of antiquated junk.” Director Keisling: “Well this company has been kicked out of several car washes and there is a reason. Maybe that is the reason. When we first started this, I told everyone this.” Director Thornton: “Tom has talked to some people.” Director Keisling: “I talked to them before we ever hired them and the board members did not seem to care, but they had been kicked out of several car washes. I could not find out why but now I kind of see why. The

stuff does not work.” President Moore: “But too my question there has to be someone out there that is good enough to get this stuff to work that we can get them in here and have them evaluate it and tell us what is wrong with it.” Director Thornton: “Andrew Zamora can get this re-tooled for us with good equipment and make it work, I believe.” Director Hildebrandt: “There are other people that do this stuff.” Director Thornton: “There are other people that do this stuff. This is not going to work.” President Moore: “I agree. We have been through it two or three times and it works one day and does not work the next day. We scratch our heads and now we need a different path.” Director Thornton: “It was supposed to be a turn key deal. Their end of this was supposed to be turn key and I understand we have: one hundred-eighty working man hours in this. Something that was supposed to be turn key.” WJ: “More than that.” Director Thornton: “Which is probably bad on our part. We should have re-tooled right then.” Director Hildebrandt: “And to get a little clarification on it Warren, I know you have mentioned several times on Facebook; you came in after the fact and you did. We had already bought the system and you mentioned that it was designed for car washes and you are correct in that. However, we sat in these meetings with the sales man on conference call, we have the recording of that. He assured us that they had done access control like this before and that this was not going to be a problem to do what we wanted it to do here. I don’t want to pin it off on well these guys have never done this before. Maybe that is true, but we were not told that.” Director Thornton: Yes, they told us that is where they got their start.” Director Hildebrandt: “And we had a personal reference that Greg and I both know very well that we believed him and I don’t think he had reason to lead us wrong. Obviously, it isn’t working. We are four or five months into this deal and it is time to do something. They are either going to fix it or they are not. We have got to get someone else in here that can.” WJ: “The conversations that I have had with Miguel, who is the CEO and owner, he was more than willing to make whatever happen need to happen. That is why they sent the guy down for the third or fourth time to work on the system. They just cannot seem to pull it off. Everything that we are hearing from them is; this system is (maybe they have a system and they just did not sale us that system) not designed for this. This is supposed to be creating order.” Director Hildebrandt: “We had a salesman that did his job very well. He laid it on pretty thick that this would be no problem to handle what we needed. We described to him the crowds, the lines that we had, we got to get people through quickly and efficiently. We have it on the recording where he said we can do that, we go that, we can handle that.” Director Thornton: “We got sold some junk that does not work. That is the end of that story, now we need to find someone that can produce. I think the guys at racer or the guys that used own racer have that connection.” WJ: “Are they the ones that use this Micrologics or do they use someone else?” Director Thornton: “No. They are using someone else.” Director Hildebrandt: “There are other car washes in town.” Director Thornton: “It is a simple as looking at the equipment. If you go to racer car wash their RIFD reader is larger than ours and they sent us some old box. The tags we have are small square one ship tags that are old technology. My truck it did not read. I had to take it off and hold it.” WJ: “If you go inside and look at the screen

though, some of the times when we go through there it reads it because it pops up your number on the screen and shows the tags that have gone through. It is not operating. That is the whole problem with this. I don't necessarily think that this system cannot work, it is just not set up to work that way. So, the problem we are having is every time we call them and tell them the issues we are having with the communication between the pedestal and the point of sale is too slow and can you speed that up. Micrologics says yes, it is a programming issue and just has to be reprogrammed. Why does that take two weeks?" Director Hildebrandt: "It doesn't." President Moore: "It should not even take a trip out here." WJ: "No it should not. They should be able to log in, look at, find it in the codes. If they know their code as well as they should they should be able to go and look there is a setting right here we need to tweak." Director Hildebrandt: "These questions were asked in the meeting. We have him on recording saying our support is this and ninety-nine percent of your problems will run in the computer and fix." Director Thornton: "Well what is their attitude? Are they asking to get paid or do they realize this is not working for us? WJ: "When Dario left on Thursday he put a piece of paper in front of me saying that we are pleased and everything works properly and he wanted me to sign off on it. I told him no." Director Keisling: "These arms, can we send them back? Obviously, that is not going to work. We have had three or four wrecks already." President Moore: "Did we get the arms from them?" Director Thornton: "We did not do anything wrong. We just need to start over. We were just sold something that did not work." Director Keisling: "I had two people tell us when we started this deal is that they did not want to deal with us. There were two companies and they did not want to deal with Buffalo. I hope we can find somebody." Director Thornton: "I think the company we should go with his who Racer Car Wash uses, but throwing up our hands at this point is not the answer. You cannot just go get an old register at Sam's. No, we are not doing that." President Moore: "I agree." Director Keisling: "Like I said it is a bad deal and we need to work our way out of it." Director Thornton: "Well throwing up our hands is not working our way out of it. I want to go to a different company and get something that works." Director Keisling: "No we have too much invested, but how much are we going to put in this deal." Director Thornton: "We are going to do whatever it takes to make it right." Director Hildebrandt: "We need to get somebody out here that is familiar with these systems that can be an unbiased third party." President Moore: "Let's find somebody that can either fix this stuff or send back what we cannot use and is not working and get it done right, or we are going to be sitting here next march wondering what to do." Director Keisling: "I am just hoping we can find somebody. If I was a company I would not want to get involved with us. Every time we are doing something we are suing them. We have a deal with our contractor. Do we need to let Warren talk to Micrologics and say what it is going to take?" President Moore: "I think we need to talk to Jody." Director Thornton: "Why don't we send all of Micrologics stuff back and sue them and recover as much as we can." President Moore: "I think that is what we need to do." Director Thornton: "I think we need to get a system that works and get it put in place and ask for our money back with restocking fees." WJ: "I think ultimately we have go to find, I would like to talk to Micrologics and see if they have another gate arm."

Maybe they just did not do, or give us the right one. If there is nothing else beyond that we can do, then I think we need to move on. Casey said you have recording on what they sold us. I think we get that to Jody and let him start. We have documentation. I could put our old point of sales system back in place until we can get somebody out here that can put in something that works. We talked to Lucas Thompson and he looked at some other systems around town and nobody locally that he found has the ability to work with the gate. I think all we need to do is find somebody.” Director Hildebrandt: “They have a very comprehensive kiosk at the Mister Carwash on 82nd street. Maybe you can talk to whoever they use.” Director Keisling: “You will just need to research it and see what we can do.” President Moore: “Assuming the RIFD does not work, is there any thought or any need to go back to blue coupons? What we originally put in place to replace the blue tickets are not working. Let’s think about that too.” WJ: “We are going to have to do something.”

9. Property Conditions

Trailer at the bottom of Cowboy Lane - Lot 156

WJ: “There is a trailer at the bottom of Cowboy Lane that you brought up earlier and that needs to go apparently at some point there was a for rent sign put up in front of it and know it looks like there is somebody there.” Director Hildebrandt: “There was a for lease sign there. The reason I remember this is very distinctly is my ten-year-old asked me what is for lease mean. I assumed it was for the house and I said well that means the gentleman that lives there probably is moving and wants to lease the house out so somebody will pay him rent. He was like oh ok. I did not know he was for leasing his camper.” Director Keisling: “It has been sitting there for a year.” Director Hildebrandt: “It has been sitting their Tom since the Spring, but there it is just in the last month or two there is somebody living there and he is just a regular working dude. He gets dropped off. There is a black dodge pickup I have seen drop him off frequently. He does not have wheels, I don’t think. They drop him off and he has his safety green workers vest on and stuff. He is probably a nice guy but it is not supposed to be happening. I guess he is running a water hose up the hill and maybe his sewer clean-out is at the bottom, I don’t know.” Director Keisling: “All that stuff happened over a period of time.” Director Hildebrandt: “The camper was there and he put the boards around it and David got after him. He painted the boards to match the camper where it at least it looked ok. But there is nobody living in it at that time until the last month to two months somebody is living in it. He has his Tikki torches out there for mosquitos. It is pretty obvious.” President Moore: “The manager and I have drove by once but have you tried to communicate with him yet?” WJ: “Not yet. We have had more pressing issues this week.” President Moore: “I understand. Ok.”

Lot 549

WJ: “Letters are going out to Lot 549, I think I showed y’all pictures of that Lot or maybe not. We have had some security issues that the police have been called out on several times on that with people getting into that home. It is not safe.”

Director Thornton: "Who is the lease holder?" WJ: "David Laros is the lease holder. The place looks like it has been ransacked. There are holes in the roof and subfloor that is rotted out. It is a real hazard. There is stuff in the outbuildings also." Director Hildebrandt: "Didn't we talk about this one last meeting?" WJ: "Yes. We have not sent it yet. The letter will be different and Jody will have to be involved because it is a little different situation. It is not a fix up the yard and make it look pretty kind of deal. It is an unsafe kind of deal. He and I have talked about that and some options on what we need to do there. Ultimately, Jody will work up the letter and he is on vacation right now. It will not be the standard letter that we send out for maintaining the property in the condition it is in."

Lot 35

WJ: "Lot 35 needs to be cleaned up. We have been getting complaints on it. There is a trailer there that has trash and debris on it, a couple of vehicles, and trash in the yard. It needs to be addressed and someone lives there."

Lot 156

Lot 156 is where the trailer is and we have already talked about that.

Lot 181-C

WJ: "We got a couple of complaints on the fence right on the road, but it is not a major issue." Director Hildebrandt: "I will give you an update on 181. Tree branches fell onto the fence. He worked on it and he has plans to rebuild. His tree guy has been a little slow getting out there to take care of his tree. That tree has lost three large limbs in the past two years. He has started working on the fence." WJ: "I would not have said anything but we got a couple of complaints on that."

10. Lot 177 tree removal

WJ: "That is at the end of turn around road and is a little bit of a mess. I make a lap around the lake at least once a day to check on things and see what things are going to look like. Went down there one day and there is a large tree being taken down by a contractor. Pretty sure he is not a tree guy. He was just someone who was hired to come out and do it." Director Hildebrandt: "That is apparent by the pruning job adjacent to the one that was removed." WJ: "I talked to Mona about it and there is something wrong with it and she had it sent off to a lab and would get the results when she got them. She said it effected some of her other plants also. It was on their property. I know from conversations I have had with them that they are planning to put a carport there. Then I get a call from Officer Claunch that he has pictures of this tree dyeing at a rapid rate after somebody sprayed something on the tree. He said that the resident did not." President Moore: Let me tell you; I had a conversation with Susie. She told me that twice they have had to repour the foundation where that gazebo is because of the roots on where that tree. I believe it was an elm tree." Director Hildebrandt: "It was a Siberian Elm Tree." President Moore: "She said the number one reason they took it down was because it was in poor health and cracking the foundation. I told her that was no reason to not go

through the proper channels to get that dealt with. But, that was their reason for getting that done.” Director Hildebrandt: “So, the tree was not in poor health prior to the rapid decline. I can tell you with certainty there are not many diseases, bugs, or issues that will cause an Elm Tree to rapidly decline like that. Those are the facts of the matter. Something caused the tree to decline rapidly and it was not a leaf fungus. If it is a leaf fungus it is seasonal. It will be here this year and may not be here next year, like Elm Beetles. Something external happened to the tree, not a living factor. What it is, I don’t know the answer to that and it got cut down without permission.” WJ: “It was a large tree over four-inch diameter.” Director Thornton: “Would they be willing to plant a couple of trees. They keep their property as good as anybody out here.” President Moore: “I don’t know. She is not here because she works. I think one of the comments made by our deputy, I don’t know if you can co-aberrate that or not. It does not matter. The issue is; we did not follow procedure even though there were valid reasons it was done. I think you need to have a conversation with them and come to some resolution with this. It needs to deal with the carport they want to put up and just deal with them.” President Hildebrandt: “Just for reference in the future as the tree hugger of the group. My beef with things, and not just with this, it happens in more than one situation and has happened before two or three of us were on the board. When we allow building to be built on top of existing tree root systems then the tree pays the price for us invading its space. The tree has been there forty or fifty years and know the tree is the problem, instead of us. A raised deck in this situation out of composite lumber or some other lumber would have just as nice and would not have had any problems with root systems busting it up. So, those are just considerations to be made.” President Moore: “If someone comes out and wants to build a house and there is a big elm tree five or six-feet from where the slab is going to be, we won’t let them take it down.” Director Thornton: “That is not true.” Director Hildebrandt: “If you approve a set of blue prints and there is a slab in the middle of that slab that tree is obviously not going to be there.” President Moore: “I am talking about a root that will get big enough in the future to cause some damage.” Director Hildebrandt: “I would encourage you if you want to see an example of this. They extended a garage to a large Elm Tree. We removed one root from that Elm Tree and that was in 1991. There are no significant cracks in that foundation at all. It can be done if it is done right on the front end. That tree is right up against the slab and I am not exaggerating. There are ways to make things work without condemning the tree because we want to mess around. Just FYI I put a call into my cousin who is on the Forestry Board in the City of Grand Junction and they have got a pretty good set of guidelines and rules that they use for those kind of things, that are already in place. Eventually, I will bring them and let you review them and there might be something there we want to adopt as far as a tree ordinance that might be useful for clarity on these situations. Right now our tree ordinance is pretty slim; don’t cut anything down over four-inches in diameter. There is not a lot of clarity there and that might help in the future.” WJ: “Just for clarification Officer Claunch did not take those pictures. They were given to him by a neighbor. Part of the problem here is we have these ordinances, but there are no teeth behind them. Now that somebody has taken down a tree, what

do you do?" Director Thornton: "No. The teeth are huge and they are sharp. You lose your lot lease if you jack around and don't want to play by the rules. It is in the lease. It says; you keep the property orderly, clean, and quiet. If you read the lease it expands on that and goes on about the rules and the ordinances. We try not to go there. It is better to work with people." Director Hildebrandt: "In my world, in the tree world in these situations where I have to do these before; the governing authority will get a tree appraisal done to put a valuation on that tree. There are ways to do that. A Siberian Elm Tree is not going to have high valuation, but there is going to be value to it. You take into account; location, species, age, all those different things. There are formulas for certain tree species, because a Siberian Elm does not have the life span." President Moore: "Let's do this. Talk them and try to come to some kind of equitable settlement by both parties and if that cannot be done then we will bring it back to the board and we will make the decision. Is that Ok?" WJ: "Yes."

11. Lot 77 request for variance by the builder

Director Thornton: "I will take my board member hat off and go to the builder hat. We submitted a set of plans originally that showed the house actually on the line. We re-drew it and re-positioned the house and got it within the boundaries. There is a six-foot set back here. The house now is going to be three feet from the property lines on the East and West. The homeowners want a carport if they have to they are willing to sacrifice a carport and that will easily bring the house within six feet setbacks. That is the question: can we build using three-foot setbacks as opposed to six feet. If we cannot and the board is not amiable to that we can take the carport off of the house and still build a house. I showed Warren another tree deal. There are three sets of trees that are going. It is a small lot. It is the lot the lake sold the Howells." President Moore: "Let me interject some other facts into this too. When we publicized the leasing of that lot, the plat that was on the piece of paper is bigger than what the plat really is. Not that they looked at the plat and said yea our house will fit on that we want it. That is not the issue. There is a more pertinent issue about the offset that the current drawings are showing requesting three feet and they called me and said hey how come this house that just got built farther East has a zero offset. There was no discussion about that. The situation is that they are having a lot of difficulty and Greg will say getting what they want on that lot and trying to maintain some consistency in our regulations even though we messed up and let a house be built with no offset. Presently, Greg and an architect are still working trying to get this thing to fit. I don't think it is necessarily fair to them that they have to give up a carport that they would like to have. If we can fix it so they can have it so no decision needs to be made today. I think we need to give Greg one more chance to make a pass at this and make it all work." Director Hildebrandt: "Are there neighbors that are involved?" Director Thornton: "Shelby Stephens on one side and then the people from Plainview that own the little green trailer at the bottom of the hill on the other side. No one has contacted them about any of this." Director Keisling: "This sounds like a variance. We have to send letters out to the neighbors and see if you have any push back. Pretty easy." President Moore: "Well let's do that to the two neighbors." Director Keisling:

“Well it has to be within so far. Three neighbors on each side.” President Moore: “Lets wait till we find out if we can make adjustments and fit what they want on there and then and then based on the offset that will dictate, send out the letter for that offset.” Director Keisling: “Can you make it work according to the rules or not?” Director Thornton: “I need a three-foot variance on each side of the house and I have already re-drawn it. I don’t think we are in a mad rush. It always takes longer to get it laid down then it does to build it.” President Moore: “You can give them a carport with a variance?” Director Thornton: “Yes.” President Moore: “Ok. Let’s send that letter out.” WJ: “Ok.” Director Keisling: “We cannot make decision until we get all the facts.”

12. Susie McCalib to discuss the Marina boat ramp safety concerns; non-lighted, no striping, etc.

Mona Kile: “Trying to get our boat in or out of the water there is going to be an accident because people pull up to load or unload and they pull up and park and you cannot get around there. There are no parking lines or signs to say to get your boat out of the way of the ramp after loading or unloading and get it out of the way. There is no striping or no one knows what to do.” President Moore: “Are you asking us to organize the Marina parking lot?” Marina Kile: “No. I asked you to put stripes there where people would know and it would be nice to have one little sign somewhere, we have them for everything else, to put something about moving your boat. Wait until you crash your boat Bill.” President Moore: “We are planning in the late fall or winter to re-pave that place and mark it up properly.” Mona Kile: “I think we should be able to tell them that.”

13. Sherilyn Toelle, Finance Director

Sherilyn Toelle: “This report shows the actuals for October 2016 going through August 2017. The revenues on top. We brought in \$189,698.00 and then you will see the expenses under that for August of \$169,000.00.” Director Thornton: “We brought in \$189,000.00 and spent \$169,000.00? Wow.” Sherilyn Toelle: “I am using September 2016 to project 2017.” President Moore: “How can our expenses vacillate so much from August to September from \$170,000.00 to \$106,000.00? August total expenses was \$169,822.00 and the projection for the next month is \$106,318.00.” Sherilyn Toelle: “That was using last years. That was already on the spreadsheet President Moore gave me. That is last years September 2016 numbers.” President Moore: “Ok. Is that the same numbers that you are using in your budget?” Sherilyn Toelle: “Yes.” President Moore: “For whatever reason, because there is no month on here except two: December and February, that are that low. Potentially, we could be understanding this year’s expenses compared to what we are budgeting for next year by whatever September really comes in. Right?” Sherilyn Toelle: “Yes. Then we have the cash balance for August is \$1,058,982.00 and if we keep on this path by next September if we don’t spend on capital projects it would be 1.5 million based on the budget. I am just projecting if we have another year with \$452,0000.00 taking out the depreciation expense.” President Moore: “That is outstanding.” Sherilyn Toelle: “Did any of you bring your budget marked up with anything you want to talk about? I have made a few

changes off of my projections for utilities: water, sewer, and garbage. The final number at the back for revenue over expenses \$156,169.00 is what I am requesting for the budget. I don't know how y'all want to do this but on the revenue what we have requested for the budget; we have been very conservative. We went up 11% on the gate revenue from 2014/2015 to 2015/2016." Director Thornton: "How did y'all come to that?" Sherilyn Toelle: "I am just trying to be conservative, but we are not anticipating a gate increase." WJ: "We are anticipating more events and better turn-out on some of our events. So, more people." Director Hildebrandt: "So, I ask Sherilyn about this and the numbers I had come up with and they had gone up since you and I talked, somewhere." Sherilyn Toelle: "Well because I had to change my projected year end because we had such a great weekend that some of my numbers were too low. I went ahead and raised them for next year." Director Hildebrandt: "It was about a six percent increase." Sherilyn Toelle: "We are at five percent right now." Director Thornton: "What was our increase this year?" Sherilyn Toelle: "The increase this year was nine percent." Director Thornton: "So we are actually dropping our increase to six percent." Director Hildebrandt: "But we raised the gate fees, which may or may not happen." Director Keisling: "I think we are overestimating our revenue a little. It is not that big of deal, but we had a gate increase last year and we I don't think we are going to get there." Director Hildebrandt: "So, here is another concern that I have: we are on revenue side, we are bringing up our revenues a lot in the promotions department because they have sucked so far." Director Thornton: "Promotions has always been a vacuum cleaner. It has always been a loss." Director Hildebrandt: "But they are tracking and Sherilyn has data now with the new point of sale, about \$19,000.00 worth of revenue from the balloon fest, which is nice to be able to track that now. The catch is once we take that nineteen that of our general revenue and allocate it towards promotions, is our general revenue still going to increase that six or nine percent. Whatever it is, if now we are pulling that special events stuff out of there. I am concerned that we are estimating our general revenues high if we are going to start tracking our promotions." Director Keisling: "I agree with you Casey. I would rather see lower the revenue and maybe over the expenses." Sherilyn: "If you go with trend here we estimated very conservatively. We went up eleven percent between fourteen/fifteen to fifteen/sixteen, we went up nine percent this year with the gate increase. We were afraid that people would not come and we still went up nine percent. All we are estimating for next year is five percent increase." Director Thornton: "This budget is great and everything and if we do everything great we have 1.5 million dollars in the bank next year. Well, right there is a problem to me, because I don't want to have 1.5 million dollars in the bank. Somewhere in this budget there needs to be some stuff that is going to vacuum this down." WJ: "That is not what this is about." Director Thornton: "I know. This is a map of how we are going to operate. I get that." WJ: "We will address that 1.5 million in capital improvements at a later date. That is where that will go." President Moore: "Keep in mind that this year's revenues on this report, \$297,000.00 includes \$110,000.00 in Lot Sales that you really should take out of that number." Sherilyn Toelle: "In overall revenue we are projecting to be down one percent. In the past we have gone up nine percent,

gone up ten percent, and now we are projecting down one percent.” President Moore: “But that is with the one hundred ten thousand dollars in this year.” Sherilyn Toelle: “That is what I am requesting for next year. Yes.” President Moore: “So operating revenue is really up seventy or eighty k, something like that, if you take out the \$110,000.00.” Director Keisling: “Our customer counts are down. We know that, since the gate increase.” Director Thornton: “That is exactly where we wanted to be. That is what we were looking for.” Director Keisling: “Where are teetering on slope there.” Sherilyn Toelle: “We are going to be about the same as we were last year. Last year we had \$774,000.00 in adult admission, this year we have few people but close to the same dollar.” Director Thornton: “That is exactly what we were going for. This year it is going to be about \$770,000.00 in adult admission, I predict.” Director Hildebrandt: “So you are saying if we take out.” Director Thornton: “So we can do the math on that, so we had four hundred less people this year. That is not enough.” Director Keisling: “You still have to operate.” Director Thornton: “\$10 per adult and we had the same money and fewer people. Actually, we made more money with fewer people.” Director Keisling: “This budget is close. We can nitpick it and discuss it. It is a budget. It is not set in stone.” President Moore: “It is light years ahead where we were this last cycle after the first meeting.” Director Keisling: “Everything was screwy.” Director Thornton: “Can I make a motion to adopt this?”

Director Keisling: “I make a motion to adopt this budget.” President Moore: “No. Let me make one comment: The operating expenses in this budget are up \$186,000.00 and \$136,000.00 is in people cost, salaries. I want to see more information as to what is making up this \$136,000.00.” Director Thornton: “We are not approving anyone’s raises at this time. We are just allocating at this time.” Director Keisling: “We are going to do that in executive session. I am right on the same page as you.” President Moore: “There is not enough money in this budget for maintenance. We have a lot of things that need to be done.” Director Keisling: “That comes out of that million.” Director Thornton: “It has actually come down.” President Moore: “The use of cash does not necessarily have anything to do with the expenses that you are going to budget. I have talked to Warren about this. He knows the bathrooms need doing and other stuff. I would rather have money in the maintenance budget to cover that stuff.” Director Keisling: “That is not maintenance. That is capital improvements.” President Moore: “Putting doors on stalls is not capital improvements.” Director Hildebrandt: “We have fifty thousand dollars approved in our budget for repairs and maintenance in the parks department. We spent twenty-four.” Director Thornton: “We should have spent sixty-five.” Director Hildebrandt: “We should have spent a lot more.” Director Keisling: “We need to do some capital improvements with infrastructure.” Director Hildebrandt: “We are looking at thirty-five for this year. We are still cutting it. It is more that we actually spent. I think there is some room to grow there.” President Moore: “Let’s do this then, let me make this suggestion: lets table the approval of that until the next meeting when we can see when this \$136,000.00 is and in the same meeting start looking at capital expenditures.” Director Keisling: “That does not have anything to do with the budget. You have expenses and revenues.

Capital Improvements are a whole different ball game.” President Moore: “How are you going to know what your cash is?” Director Keisling: “Our cash is more than it was last year, not much but \$136,000.00.” Director Hildebrandt: “I agree that there is some massaging that needs to be done here, but we have a responsibility to get a budget approved in September, so could we approve this budget and maybe have it on next months meeting to talk about some amendments.” President Moore: “I don’t think we need to wait until next month. It is supposed to be in place by the end of September. If it takes until October I am fine with that.” Director Thornton: “If we adopt it and we can still amend it at any point. Let’s do that. We can adopt it and amend it. That way we have taken care of our responsibilities.” President Moore: “Ok. I will ask for a motion to adopt this operating budget as presented.”

Director Keisling made a motion to adopt the budget as presented. Director Thornton seconded the motion. All four board members voted aye. The motion passed.

Director Hildebrandt: “I want to make one comment in regards to the budget that is bothering me a little bit. Some of this involves people who are not here any longer, just so everyone is on the same page. We approved a budget on March 9th of this year. We were late in getting that done. In the promotions department, we budgeted \$39,000.00 in advertising expenses and we spent almost \$45,000.00. We budgeted \$29,000.00 in general special events and we spent \$42,000.00. We budget \$2500.00 in promotional items and we spent almost \$10,000.00. Those numbers might be slightly adjusted because Sherilyn had to move some stuff around. The point is I am a little frustrated that nobody is watching the budget. I know budgets are going to change and they are just boundary markers. They are not hard-set rules, but I think as a board; at each meeting, we have we should get what we approved and where we are at report. This piece of paper here does not have to have all the projections and stuff.” Director Thornton: “When Birdie is planning an event should have a number and once you book this if it costs X that should be something Sherilyn can help with.” Director Hildebrandt: “It is about accountability and transparency. In the school board world, we get a list of every transaction that is spent every month. Kind of the way we look at it as school board members is hey if we are operating within our budget we already approved those expenses we don’t need to spend a whole lot of time going through every single little check. When we start getting outside of our budget we have to start talking. We also get a status report that tells us percent expended compared to last year at that time. That is helpful to know that too. It was free for all here in the promotions department.” Director Keisling: “We had no one watching it.” Director Thornton: “Everyone has their own budget for each department.” Director Hildebrandt: “Most of the expenses were spent after May and there were people in place it is just that nobody is watching it.” Director Thornton: “Going over budget on something is not the end of the world as long as it is talked about and we anticipate it.” Director Hildebrandt: “It is about accountability and transparency.” WJ: “Let me just tell you, you are exactly right. Let me tell you what we are putting

in place to address this issue. In the past nobody has, the department heads have not been given the responsibility to maintain their own budget. They don't know it. They don't see the numbers and nobody cares. Part of our meeting; we have a meeting every Tuesday morning, is going to be to sit down and go over those things so we can track that and see where we are at and plan accordingly. Sherilyn and I talked about it yesterday. None of our department head have had any idea about any of this stuff to date. That is going to change and they need to learn it. It is not about them just going out in the field and function and getting their job done. They have to learn how to operate as a business, so far no one has put that responsibility on them. We are going to start working on that." President Moore: "You cannot do what Casey is suggesting and you cannot do what you want to do until we ultimately take this and at least break it down by quarter or by month." Director Hildebrandt: "I agree with, but at least you can have some accountability on things if we are looking every meeting." Director Keisling: "This is a bench mark." Director Hildebrandt: "This surprised me. We spent \$6400.00 in bands at the Marina this year. I did not know we were paying for bands." Director Thornton: "Tom Woods donated some money." Director Hildebrandt: "No that is after his donation. Cisco donated \$5,000.00 and we invoiced Steve \$1300.00 and we covered \$6400.00 in bands." Director Thornton: "See, that was not supposed to be happening." Director Hildebrandt: "That is what I am talking about. There is no accountability and no transparency. That needs to stop now. We need detailed information." Director Keisling: "Let's just get it every month like Casey said and we can look at it." Director Hildebrandt: "Those people are not here anymore, but the flip side of it is no one is keeping tabs on it." President Moore: "All I am asking is who brought the invoice and how would you know they were valid to pay." Sherilyn Toelle: "I just assumed it was a board decision." Director Thornton: "I asked Penny and she said Tom Woods was paying for all the bands. We talked about in open session that we were not going to pay for the entertainment at that Marina. It is not our stick. That is not what we do here." President Moore: "Having a monthly budget should help define it." Director Keisling: "She did not know that and you did not know that, but they know that now." WJ: "I was told that we agreed to pay \$5,000.00 worth of fees and then it was supposed to go to Steve. That was part of the deal that was arranged between us and Tom." Director Thornton: "In the future if somebody going to give \$5,000.00 for the Marina for bands I guess he wanted to do it with us to make sure it happened and we got bands down there and it was used appropriately. It just needs to be watched a lot closer. I know at least two board members were told no." Director Hildebrandt: "I was told we had \$5,000.00 worth of sponsors and that covered the bands." Director Hildebrandt: "Those were the kind of things that bothered me. We also discussed in multiple meetings having a ranger on the water every weekend and we budgeted a substantial amount to have a ranger on that water. We were way under budget on what we spent on law enforcement. I am not saying it would have made a difference this week, but what if. It is the what if's. This is not being watched and it bothers me." Director Keisling: "Could some of the other bands have come from the other stage?" Sherilyn Toelle: "No." Director Thornton: "If someone in this office will email us and say there is a need and we cannot wait until the next board

meeting and it is not something we talked about. Communication no matter what you are doing is key to keeping everyone fluid and moving forward. There is always something we did not think about or have not talked about in here.” Director Hildebrandt: “That budget is just boundary markers but the board needs to know if we are playing outside of bounds.” Director Keisling: “Simple. Let’s look at it every month.” President Moore: “Having a monthly budget is an evolutionary process that takes a long time for department heads that finally have some input into their budget and monitor what they are spending. It is the whole premises to having a budget. I think as we go along and do that every month but we will see leap frogs of improvement and tracking our expenses.”

Capital Projects

President Moore: “When can you have all the data together as far as capital projects?” WJ: “So far the only thing brought to me has been you and Tom. If y’all have any capital projects?” Director Hildebrandt: “Our bathrooms. I was in the Marina bathrooms and there is deep dirt on the baseboards and stuff smeared all over the doors and walls and everything else. I know they are getting a general cleaning but they are not getting clean like I would like to see facilities cleaned. My mom and my wife will not use the Marina restrooms, period. They will not go in our bathrooms. We are not up to par. Our vision from day one with this board has been safe, clean, and fun. Unfortunately, this week we have not done a good job on some of that.” Director Thornton: “Let’s talk about the bathrooms at the Marina among other things: it is never going to work. If we have to go through another season to figure that out. It is like a restaurant out subbing their cleaning out to a cleaning company. It is not possible. It will not work. I know there is some ADA? Things we have to do. Really in the real world if you rent a restaurant and it needs the ADA upgrade, guess who does that? You do that on the front end. I understand the lease says we will take care of these bathrooms. We need to get away from that. We need to change the lease. We need to do something because it is going to hurt Steve’s business.” Director Hildebrandt: “I agree with you. The problem is from what I understand is that the sewer system won’t support us putting it in. We have to have public bathrooms down there to serve the boat ramp people.” Director Keisling: “We can still have public bathrooms and let Steve maintain them.” Director Thornton: “Here is the deal. The volume and the frequency with those things that are used. In a restaurant, you check it every fifteen or twenty minutes and the employees have to go to the bathroom and it falls on their shoulders. There is no way. It will never work unless we hire someone to stay down there and that is not economically feasible.” WJ: “We had a female and a male down there during the busy times. It is impossible to do a thorough cleaning at those times because we have problems all the time and people say we are going to go clean it. If we send a man into the women’s restroom they kick them out. They cannot stay in there while they are using the restroom. We have handles some of the vandalism that has been going on down there by just having people host it.” Director Thornton: “It is Steve’s building. Steve needs to be doing that. We need to get out from under that.” Director Keisling: “I think you need to discuss with Steve about that.” Director Thornton: “Steve told me, he called me, if those

were my bathrooms they would be a Taj Maj hall. They would be the best bathrooms in the world. I said those need to be your bathrooms.” Director Hildebrandt: “It is our building. We need to make them up to par and then he can maintain them.” WJ: “At a previous meeting Steve came before the board and proposed that idea, and it was shot down.” Director Thornton: “The month before you got here we spent twenty thousand dollars and we still have women’s restrooms without doors. The switched them for some reason and no one has the ability to switch them back so the girls can have doors.” WJ: “We have a plan that has been drawn up by an architect that shows what we need to do in order to make those restrooms nice.” Director Hildebrandt: “We said go on that.” WJ: “I talked with the architect yesterday and we are getting the plumbing, mechanical, and electrical stuff engineered right now. We are not changing the amount of square feet we are changing the layout. It will require some plumbing.” Director Thornton: “I am feeling another \$40,000.00.” WJ: “Probably.” Director Thornton: “\$60,000.00 in two years for two bathrooms. Do y’all really want to do that?” WJ: “We don’t have a choice.” Director Keisling: “We don’t have a choice. We better watch our infrastructure: our roads, our bathrooms, our facilities. We are thinking about other things and we have infrastructure issue, we have sewer issues going to Ransom Canyon now. We have lots of expense.” Director Thornton: “While you are talking about that, are we going to pave any roads?” Director Keisling: “Yes. We are.” WJ: “That is a capital improvement.” Director Thornton: “When is it going to happen? We are at the end of summer.” President Moore: “We will have money in that fund by the end of this year, in December.” WJ: “It will have to be this fall.” Director Keisling: “You have got the plan. We need to get that bid out pretty quick.” Director Thornton: “I have not seen an outline and I don’t know when it is going to happen. Nobody has communicated with me.” President Moore: “That is all part of the next meeting.” Director Keisling: “I talked to Warren about it. About the bathrooms and we need a complete redo across the lake and my question to you is the new ones; do they seem to have less vandalisms and less problems? If you get a nicer looking facility will people stop abusing them so much?” WJ: “We get the same stuff across the board.” Director Keisling: “That is just part of it. We have to take care of what we got guys. We have just ignored it and think of all these grand projects we want to do.” Director Hildebrandt: “We budget \$50,000.00 and we spent \$23,000.00.” Director Keisling: “That is a capital improvement.” Director Hildebrandt: “No. That is repair and maintenance.” Director Thornton: “Here is the deal. If it costs us fifty dollars more per bathroom to clean them every week, get the cobwebs off the roof, get the smears off the walls, rather than shoot bleach and wipe the pots down and shoot the floors off and then go to the next one. Whatever it takes. At some point, I would like somebody of the opposite sex to go man the bathrooms and make them look great. I know that is a challenge, but it has got to happen. There is nothing wrong with having two people and that is all they do, but somebody needs to go with them and show them clean to a whole new level.” WJ: “We started writing up a policy and procedure for actually cleaning the restrooms. We are working on that.” Director Thornton: “Someone needs to go show them physically how to clean the bathrooms.” WJ: “There is a checklist

that has to be followed and people will have to sign off on it.” Director Keisling: “Enough of that. We have a problem fix it.” WJ: “Ok.”

14. Police Department Report by Stewart Naron

Chief Naron: “Everyone is perfectly aware of what took place this last weekend. We are still dealing with it. I am not doing the investigation, Texas Parks and Wildlife is. I still have a hand in it though because of where it took place and the actions that were taken before, during, and after. I do have set -up counselors for everyone that were involved and tomorrow I will be speaking with a counselor because I am still dealing with it. This was an extremely tragic situation, there is no other way to explain it. I have been beating myself up wondering how could it have been prevented. Parks and Wildlife said it during the briefing; education. People have to be prepared. You need to look forward. You have to be prepared for what might or might not happen. Then again you turn around and wonder how that roll over on the loop two days ago been prevented. You have to go look at the driver. How could it have been prevented. Was it a maintenance problem on the vehicle or driver error. You can only do so much for so long. You are not going to stop all of that. I would like to say yes, but we have checked boats and checked jet skis. We have done safety checks, we have stopped them on the ramp. You might check out but how do we prevent this on the water. My phone has been blowing up since day one. Thanks to everyone for the concerns and wishes for the families, first responders, and everyone else that came out here. The residents on this lake that have contacted us; what can I do, how can I do this. We had three sonars on the water working from day one. Well correction, the second morning we had three. The first night we only had two. Yet we went over the same area and same spot multiple times. You can only do so much with those. That will show anomalies on the bottom of the lake. There was one I know that was dived on and it was rocks. I want to give the biggest kudos to Mr. Kimmel, because he flew his helicopter. Rosie was up on the cliff line above the party house and I was coming down the hill behind her and she stopped me and said I see something in the water. Of course, that morning they are still trying to put vessels in the water. Mr. Kimmell flew over that area on the dock that I was standing on. I was looking through binoculars trying to see what she might have seen. He landed that helicopter behind me in the parking lot, I ran up to him and he said we see him. He took off and I ran on the boat with TX Parks and Wildlife. We got out there and made the recovery. I wish there was a perfect way to do this but there is not. Everything that we did was all that we could do. We actually had people walking shorelines, digging under docks, going through the reeds. I had spoken that morning before the recovery with Warren and advised him if nothing else I would be on the shallows that day, because I could not stand in that parking any longer. I was going to see if I could see anything that way, because there was an accident years ago where a man was injured and lost his leg during a boat race. It surfaced by the Fowlers. Trying to figure out the currents in this water and determine where you need to be and how you need to be there. It is real difficult to do. We were trying to draw on anything we could think of. I want to thank y’all for the support during that time. The family had asked that we not reveal the child’s name or age during this and when

we did the reports with the news media. The child was sent to the EM's office and I went up there yesterday and retrieved some evidence from them. I had to look at those stinkin photos. It is rough on everybody. Yes, we are having to deal with it, but we have to deal with because that is what we do. Now the family is dealing with it in a larger fashion, other than that they know where the baby is now. Thank God. My officers were still out taking calls. I had calls from multiple jurisdictions saying if you need extra officers call us and let us know. We will send them to you no charge. I had three officers show up from Brownfield on Tuesday and they just wanted to help. Thank God, we were able to make that recovery when we did. If we had not made it that day we were going to lose Lubbock Fire Department. The Chief said three days was all he could do. We still have other cases that we are still working on, such as the Scott's. We did get an indictment twenty minutes after presenting the case. He was held pending trial and know has a lawyer. We are waiting to see what that is going to do. We have another case, burglary of a habitation, which we caught the guy red handed. We are still waiting to see what is going to happen with that. None of this is going to move at a Rabbits pace. It is hurry up and wait situation. Sometime today Parks and Wildlife will be getting with me and I will be exchanging that chain of custody for that evidence to them. What happened is we received a call at 6:44 pm. We went to get on our vessel and it was dead and we could not get it started and the other vessel is in the shop. Randall and Jeannette Greenfield were on their boat and we jumped on that boat and once we got onto the fast side of the lake we saw multiple subjects in the water. We saw injured people on both vessel." Director Thornton: "Do we know if they were going the right direction?" Chief Naron: "The best of my understanding to date; the grey boat that the child was on going East bound. The vessel that collided with them had been West bound and turned to cross the lake. As they turned to cross the lake both vessels were in a Collison pattern (so to speak), but yet at the time that vessel turned they had plenty of time to make corrections. The red and white one was West bound and turned to cross the lake to the South side. This vessel was Eastbound on the water. Everyone was going the right direction, but the red boat turned to cross the lake." Director Hildebrandt: "That red boat, I did not see the crash, but I walked out onto my deck before anyone was there and it looked like they were pretty close to the middle of the lake." Chief Naron: "They were." Director Hildebrandt: "Which means they were not really following." Director Thornton: "See the people I talked to said they were having boat trouble and were stopped and changing boats out and the red and white boat came and hit them." Chief Naron: "I only saw those two boats. I really don't know. At the time, my only concern was getting the injured to the shoreline. The people in the water were in the water looking for the child. To my understanding, whenever he turned and they were going this way both boats turned to the right to avoid a collision, but they did it way to late and the red boat made the impact. There is a lot going on with this investigation that I cannot talk about because it is an ongoing investigation and I don't want to put anything out there that could alter that in any way. Once we got out there, we started putting victims on the shoreline, because we did have two ambulances standing by. There was a Sherriff deputy on the shoreline in the parking lot. We transferred those folks and went back and got the

rest and transferred them. Got everyone out of the water on the vessels. Vessels were in route to bring them in and of course the mother did not want to leave the vessel she had been on with the child. So, she stayed on board and she had very serious injuries. She was hospitalized in ICU and I do not have an update on her. No charges have been filed. Once that was done the recovery started. I am going to do whatever it takes to find that child or prove that he is not in the water. We spent multiple hours out there. It was too dark the first night after 10:30 pm. To do anything from the water. Everyone met back the next morning at 7 am, but I stayed out walking the shoreline until 3:00 am. I got back out at 5:00 am and started walking the shoreline again until everyone arrived including Lubbock Fire, our Fire Department, and the Police Department. There was so much going on, but it was a controlled chaos. Everyone did a fantastic job on what they had to do when they got there. No one was standing around wondering what to do next. It was just get it and that is what we did.” President Moore: “Stewart if you or any of your officers need time off to deal with this with counselors or anyone else you take it.” Chief Naron: “I have got everybody what they say they needed. We had a great debriefing up at Sandy Point in the Pavilion. One of the Lubbock Fire Department fireman is trained in that very thing and people were able to get what they needed. The resources were put out for them to pursue. After we get this settled to the extent that we can get it settled I am taking some time off. I have six and a half weeks built up and I have not taken any time off in four years. We have a department to run and a lake to take care of and that is my biggest priority. My guys did a great job.” President Moore: “I would like to some input from you in the future as to what other things we might have been able to do to be prepared to avoid these situations.” Chief Naron: “I can beat this dog from now on but we have to be able to stay on the water. We have to have something that is going to work. We cannot be on the water 24/7. I cannot rely or nor will I rely on Texas Parks and Wildlife to say this is your job and you need to be out here doing that. I cannot do that because: (1) we had sixty game wardens in Florida from the State of Texas. The majority of them are also in Houston. After this was over here, this week, I got a text message from one of the game wardens that was in Florida because she got this information and said she would be back in Lubbock in two days if there is anything I can do at all. Since they control everyone in the water in the state, as soon as we knew we had that problem we called them. Game Warden had already been out fifteen hours and had just pulled up in his driveway and here he come.” Director Thornton: “Man Stewart I think, I just want to tell you from everything I saw; I have been out here my whole life in some capacity. Everything I saw from the incident forward I got no problems. Everyone did what people do. They pulled together. What is next weekend going to look like out here. I am not into body recovery. That is something that happens after the issue. What I am concerned about is.” Chief Naron: “That is what I am working on right now; where to go and what to do next.” Director Thornton: “I think the best way to serve this family and the public from this point forward is to do what we can. When I grew up here from ten years old until five years ago, Friday, Saturday, Sunday, there was the lake patrol. He was either pulling somebody in, sitting in the middle of the lake, making a lap, clearing the lake, opening the lake up, or just doing something. The boat

was never sitting dead in the water on Friday, Saturday, or Sunday.” Director Hildebrandt: “On you guys, what jurisdiction and what can and can’t you do on the water?” Chief Naron: “We have the same jurisdiction, except for one of my officers, all the rest of us has the same jurisdiction as Parks and Wildlife does. We are certified Marine Safety Enforcement. We have all been through it with Parks and Wildlife. We have all got the certification, except for one of my officers.” Director Thornton: “Even above that we can have a lake employee with no certification, no badge, no nothing, driving around going hey you know this is the way this lake runs, with the traffic.” Chief Naron: “Instead of having that non-certified person on the water, I would rather have that non-certified person standing at the boat ramp. I can teach them what to do on a safety check. Let’s do the safety checks. If you see a small child on that boat and they don’t have the proper vest for that small child, they are not going to put that boat in the water. I am not going to let them.” Director Thornton: “If somebody is standing at the ramp saying if you don’t have the right size life jacket the game warden is going to write you a \$370.00 ticket per life jacket. They will go get a life jacket.” Chief Naron: “I have tried that a few times. Most of the time that works and then you get those people out there that just say not a problem. I am not going to say names but I have had a couple of people that live on this lake and their response to me was go ahead and write that ticket I don’t care.” Director Thornton: “There is a level of personal responsibility. The police cannot keep someone from coming on incoming traffic and taking you out, or flipping their car.” Chief Naron: “But there has to be prevention in there. I get so much all the time via email, text message, or whatever it might be. All of these people that are robbing or burglarizing the small businesses here on 84 or in Lubbock, Idalou, etc. Now we have all this information that has been disseminated for us so we know what we are looking for. We are on the lookout for a gang member right now that murdered a guy in Lubbock. We are looking at everyone that comes on this lake, but in the same respect I keep moving back to what we can take care of out here. If we find this guy great. I cannot dwell on him from now on. I am more worried about what is going on here right now. I need a boat.” Director Thornton: “You know what else you need? You need a four-wheeler to patrol the trails. We have a lake. It is not anyone else’s lake. It is ours.” Chief Naron: “You know, we go back to that.” Director Thornton: “I am going to tell you something. You have a budget and Warren said he would make department heads aware of the budget. I want you to stand on this table and yell as loud as it takes.” President Moore: “Tell us what you need and we will get it.” Chief Naron: “Right now I need a boat. I need a boat that I can outfit with a proper emergency equipment so if we have a problem we can take care of it. Ninety-percent of our problems are on the water. So, right now I need a boat that they know it is a police vessel on the water and put a stop to as much of this as I can. I can keep people on the water all the time. The other boat is at the shop.” Director Keisling: “Get with Warren and get the situation handled.” Chief Naron: “Once I find out what the conclusion is going to be from Texas Parks and Wildlife on this investigation, then I will share everything with you.” WJ: “We can give him all the equipment we want but do we have the personnel to put on that equipment?” Chief Naron: “I will need another full-time officer.” Director Hildebrandt: “We had it in the budget for that

specific reason.” Chief Naron: “I have him already. He is one of my part-timers.” WJ: “My concern is, even with moving on part-time to a full-time, even with that do we have enough people that we can man a boat? Because we will need two on a boat minimum. Do we have enough to have lake patrol still and someone up on the trails?” Chief Naron: “No. With that I have three people that are doing their personal history statements right now. Once I get those I can review them. They will have to be trained like anyone else would. If I bring them on, hopefully at least two part-time officers and the rest I would like to bring on as reserves. Then it will allow us to have enough people, guaranteed that on that Friday, Saturday, and Sunday, especially that we have people on the trails and people in the water, as well as having people on patrol. We have a total of seven officers. If you put in the officer that has been budgeted for full-time that will make four full-time officers, two reserves, and one part-time.” Director Hildebrandt: “The money was budgeted, but was not used.”

15. General Manager Report by Warren Johnson

WJ: “Last month we have had some equipment issues and we have looked into it. We have got one ATV that has gone down and we have had it evaluated and I don’t think it is worth fixing at this point. It is throwing good money after bad. We have another one that has gone down. We think we have it working and can limp it along for a little bit longer. We know we need to replace some equipment. We have a tractor out there that has not been used with very few hours. We would like to trade that in and use the money off of that. We have been given a price of \$14,000.00 for that piece of equipment. That can replace one of our UTV’s. Robbie has been working on those things and looking for an opportunity to take what we have that is not being utilized that we don’t need and look at trading it in or selling it off to replace some of the stuff that we do need. We know that we do need another UTV and we need another small mower, not the tractor-pull like the bush hogs and stuff like that. So, Robbie has been working on that. Robbie can tell you exactly what we need.” Robbie Green: “The Ranger it is beyond repair. You have to put water and oil in it every day. One of the rear bearings went out so we parked it. The Kubota UTV according to the guy at Kubota was driven with the parking brake on and burned it up. So, they have offered fifteen hundred Trade-in on it, plus putting the repair credits towards another one. When we start talking about trading in the tractor for one, a four-seater UTV is about fourteen eighty, so the tractor we would have to spend a little money towards it and that would cover the four-seater UTV. They are diesel and they are not like the Rangers. They don’t go as fast. When you got two or three or four guys you don’t want it going fast. The cost difference in doing gas over diesel I am not sure on the gas ones. Last time I checked it was not a whole lot.” Director Thornton: “For a UTV it is seven thousand versus fourteen. Are you getting four seaters?” Robbie Green: “Yes four-seater. You are probably looking at two-thousand dollars difference from diesel to gas on a Kubota UTV. \$16,000.00 for a four-seater Polaris. They are not made to work or anything else and spent lots of money in repairs. They were always in the shop having the transmission rebuilt on them. Kubota Diesel you can pull stuff with them and don’t have issues. You can pull the welder or little

trailers around.” President Moore: “How urgent is our need for one of these things. Can it wait until we present the rest of our needs for investment needs for equipment?” Robbie Green: “You have one that is completely down and one that is going down. Went it is finally done we won’t get any trade in on it.” President Moore: “Is it a piece of equipment you have to have then it sounds like you find the best buy that you can and get it. We cannot go without the equipment that we need to keep the lake up. I have seen places where we need it right now to cut grass. We went for weeks without cutting the grass on this building. You and Warren get together and find out what you need and let’s do it.” Robbie Green: “Ok.” WJ: “Does anyone have a problem with trading in the tractor we are not using for a UTV?” President Moore: “No. Do what makes sense.” Director Thornton: “What about the old Coyote Tractor?” Robbie Green: “We used it to till the beaches up.” WJ: “The gate building, everyone is aware they have sent a letter of demand for payment for the balance on it. We are still not.” President Moore: “No I did not know that.” WJ: “We talked about it and it was in the packet. That is what went to Jody.” President Moore: “You are talking about the contract? I thought you meant something else.” Director Thornton: “What was the balance on it Warren?” WJ: “The balance on it is \$38,000.00 I think. We still have issues out there that have not been addressed and we have some contractors giving us prices to get those items fixed. I will have that over to Jody probably within the next week after he returns from vacation, so he can start working on settling that. As of right now, Jody and his office are in contact with their attorney. I sent him and there is a packet with Heather that has all of the documentation including the pictures and everything. If you want to look at that it is there for you. There is a lot of this stuff we were hoping to be working on this time, but the rain from the beginning of the month has slowed down some of our extra projects. Our guys have been spending a lot of time on mowers and weed eaters. Now things are starting to slow down and dry out we will start working on some of those things. You will start seeing some progress on cleaning some things up. I started giving Robbie a pack, essentially; we drive around and take pictures of everything that needs to be addressed around the lake. I put it in a print out and give it to Robbie and he also gives it to his guys when they slow down. He hands them a sheet and says go take care of these two issues. We are chipping away at stuff that just needs attention: we have several of the old grills that have rotted away and disappeared and there are posts with jagged edges.” Director Thornton: “Right here Warren is states; remove vegetation around the Volunteer Fire Department. That has been going on for twenty years. The Fire Department won’t clean up their own building and now it is our job to clean their building. I know you are just getting it done.” WJ: “We can point fingers all we want too, but lets just take care of it.” President Moore: “I agree.” WJ: “So, especially now that things are slowing down we have time to take care of those things. We are just going to do it. Jack and his crew started on the Meadow Stage down there to dress it up. We purchased some steel to put a skirt around that stage to make it look nicer. They are going to do the same thing with the awning so that thing is not such an eye sore sitting out there. We have some ideas of what we are going to do in the amphitheater to dress it up and make it nicer and a little more user friendly for the concert goers. Obviously, the

restrooms are a big deal. We are taking with architects and task compliance officers to see exactly what it is we are going to have to do.”

16. Executive Session

The Board of Directors went into Executive Session.

17. Reopen in regular session and take action, if necessary

The Board of Directors reopened into regular session at 1:23 pm.

President Moore: “I want to recommend the next board meeting on October 3rd where we will see Capital Improvement project proposal, fine-tuned and maybe the operating budget and whatever else comes up.

Vehicle and Boat Purchase

Director Thornton made a motion to spend \$100,000.00 on two trucks and a boat. Director Hildebrandt seconded the motion. All four board members voted aye. The motion passed.

President Moore: “If you could make it all happen in September that would be great.” WJ: “I will make it happen.”

18. Public Comment

19. Adjourn: The Board of Directors adjourned at 1:28 pm.