

# **WINDERMERE OAKS WATER SUPPLY CORPORATION**

Minutes of Open Meeting held September 12 2009 9:00 AM. **Action items are marked in yellow.** President Spradley called the Board Meeting to order at 9:11AM at the WOWSC Offices. Board members present were President Kerry Spradley, Directors Ewell Jackson and Doug Strain, and Secretary/Treasurer Pat Mulligan, which constituted a quorum to conduct company business. Manager Burris was also in attendance with Mike Madden, Ed Parsons, Marvin Lewis and Bill Doffing as members at large. Bill Earnest was absent until 9:26AM.

The minutes of the previous open meeting of July 18th 2009 were presented to the board. Director Strain moved to accept the minutes and was seconded by Director Jackson. The minutes were approved by a vote of 4- 0.

Agenda items 3 and 4 concerning real estate issues were tabled for a future meeting.

President Spradley advised the board that he had requested a proclamation from the Burnet County Judge to declare a State of Disaster regarding the drought. This was filed on September 8<sup>th</sup>, 2009 for a period of seven days. A corresponding order by the Commissioners Court extended the declaration until it is repealed. This will be forwarded to the governor for his signature and then onto Washington. Our intention is to apply for financial relief for the cost of shipping water into Windermere Oaks in the event that we have to shut down the plant due to the drought. **Action item: President Spradley to apply to extend the declaration beyond the initial seven days.**

President Spradley also confirmed that the WOWSC has issued a variance to the WOPOA by email to allow them to continue to use the community swimming pools during the Stage IV drought conditions.

Manager Burris made his report and added that they have installed a hydrant at the effluent outfall enabling any members of the community to get irrigation water. He has also made tentative arrangements with LCRA to ship water into the community should we go to Stage V drought conditions. He has purchased some ductile iron fittings that will enable the barge pumps to work horizontally and extract water at a lower level than earlier thought. The Lake level was 630.46 as of this morning and very close to our suggested guidelines for declaring Stage V drought conditions but he suggested that with the new fittings he had some leeway regarding when to declare that were not based on lake levels. He also further stated that the nationwide guidelines for measuring water consumption in water plants was in units of 1,000 gallons and we further

discussed that it would be better to set the maximum water usage to 3,000 gallons per month when we start shipping in water during Stage V conditions.

Director Strain made the following motion: To affirm that Manager Burris has the authority to call the Stage V declaration when he believes that it is necessary according to his own assessment of the conditions on the lake. Also that when we start shipping water into the community under the Stage V conditions, that we adjust the maximum level to 3,000 gallons per month. Secretary/Treasurer Mulligan seconded the motion and it was passed by the board with a vote of 5-0. **Action item: Manager Burris to send a note with the next billing to this effect and President Spradley to send an email saying the same thing.**

Director Strain made another motion: After the next review of the water usage for the community, following our declaration of Stage IV conditions limiting usage to 7,000 gallons per month, a list of exceptional usage by those members using greater than 20,000 gallons per month shall be reviewed by the board members and will be followed up by a phone call from a Board member, reminding each of the exceptional users that we do not currently have the capacity at the plant to supply these high volumes of water and that continued usage at this rate could result in termination of service. This was seconded by Director Earnest and passed by the board with a vote of 5:0.

The re-engineering at Center Cove III is almost complete and we are almost ready to decommission the lower lift station prior to demolition. We discussed the letter our attorney Mark Zeppa wrote to Ken Wynne (Bob Wynne's attorney) and it appears from the subsequent reply that he may not understand our letter or the fact that the existing lift station cannot be repaired and we are trying to give him a fully operating grinder pump and tank and upgrade his electrical system, so that he can be connected to our existing force main sewer system. We have had the lot lines for the Wynne property surveyed to locate the proposed outfall from his house and confirm we could install the grinder pump and tank within the boundaries of his property. Directors Earnest and Strain also confirmed that the WOPOA does not have jurisdiction over Center Cove III and any changes to the common areas must be approved by a 2/3rds vote of the owners in the Cove. Secretary/Treasurer Mulligan volunteered to prepare a letter to Dr. Robert Wynne and his attorney, outlining our current position. **Action item: Secretary Mulligan to prepare a letter and forward it to President Spradley who will mail it to the Wynnes.**

There being no further questions from the floor and no further business to conduct, President Spradley made a motion to adjourn the meeting at 11:32AM and Director Jackson seconded the motion. The vote was 5-0 to adjourn.

Secretary/Treasurer - Patrick J Mulligan.