

WALSH RANCH MUNICIPAL UTILITY DISTRICT

PUBLIC NOTICE OF REGULAR MEETING

TAKE NOTICE THAT A REGULAR MEETING OF THE
Board of Directors of
WALSH RANCH MUNICIPAL UTILITY DISTRICT
will be held at 4201 West Parmer Lane, Suite B-200
Austin, Texas 78727

in Travis County, Texas, commencing at 11:30 a.m. on January 25, 2012, said meeting being open to the public, for the Board of Directors to consider and act upon any lawful subject which may come before it, including among others, the following:

AGENDA:

1. Call to order.
2. Roll call of Directors.
3. Read, correct and consider approval of the Minutes from the November 3, 2011 Board of Directors' meeting.
4. Citizen comments. [This is an opportunity for citizens to address the Board of Directors concerning an issue of community interest that is not on the agenda. Comments on the agenda items must be made when the agenda item comes before the Board. The President may place a time limit on all comments. The response of the Board to any comment under this heading is limited to making a statement of specific factual information in response to the inquiry, or, reciting existing policy in response to the inquiry. Any deliberation of the issues is limited to a proposal to place it on the agenda for a later meeting.]
5. Discussion and possible action concerning the District's annual audit prepared by McCall Gibson Swedlund Barfoot PLLC.
6. Manager's summary of operations. Review and consider approval of November, December, and _____ Manager's Reports.
7. Bookkeeper's summary of finances. Review and consider approval of Bookkeeper's Report dated December 7, December 30, and _____ including approval of fund transfers and director and vendor payments.
8. Committee Reports – Finance, Landscape, Pond Maintenance, Legal Matters and Manager Operations.
9. Discuss the resignation of Chad Stonecipher from his position as Director of the District and his office as Assistant Secretary for the District, effective January ____, 2012 and the

need to appoint a new Director to replace Director Stonecipher within 60 days of his resignation.

10. Consider appointment of Yvonne Trask to the Board of Directors to fill the unexpired term of Chad Stonecipher. If appointed, obtain her sworn statement, followed by her oath of office in accordance with Article XVI § 1 of the Texas Constitution, and Section 49.055 of the Texas Water Code.
11. Review and consider proposed Order Calling a Directors Election for Walsh Ranch Municipal Utility District.
12. Consideration of whether to revise the District's 2012 budget to reflect changes that will occur as a result of wastewater volume being calculated with the winter averaging method.
13. General counsel's update on status of potential lease with the Walsh Ranch Owner's Association, Inc. for amenity and entry feature lots.
14. Review and consider approval of Resolution Requesting Approval of Expenditure of Surplus Bond Funds in connection with the Edwards Aquifer Sewer Line Testing.
15. Discuss that date of the next meeting, and items that need to be on the agenda for the next regular meeting.

Adjourn.

The Board may go into closed session at any time when permitted by Chapter 551, Government Code. Before going into closed session a quorum of the Board must be assembled in the meeting room, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551, Government code, authorizing the closed session.

(SEAL)

Attorney for the District

The District is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call Patrick Hudson, McLean & Howard, L.L.P., at (512) 328-2008, for information.

WALSH RANCH MUNICIPAL UTILITY DISTRICT

MINUTES OF REGULAR MEETING OF BOARD OF DIRECTORS

November 3, 2011

A meeting of the Board of Directors of Walsh Ranch Municipal Utility District was held at 4201 West Parmer Lane, Suite B-200, Austin, Texas 78727, commencing at 11:30 a.m. on November 3, 2011, pursuant to notice duly given in accordance with the Open Meetings Act. An Affidavit of Filing and Posting Notice is attached hereto as **Exhibit A**.

1. **Call to Order.** At approximately 11:30 a.m. on November 3, 2011, Director Rashid D. Shamsie, Jr., called the meeting to order.

2. **Quorum of Directors.** Present at the meeting and constituting a quorum of the full Board of Directors were the following persons:

Christopher Hatch
Laurie Mahnke
Rashid D. Shamsie, Jr.
Brian White

Also present and attending all or part of the meeting were the following persons:

Mary Bott, Bott & Douthitt, PLLC
Patrick Hudson, McLean & Howard, L.L.P.
Andrew Hunt, Crossroads Utility Services, LLC
Jim Michaud, resident of Walsh Ranch subdivision
Kirk Rogers, resident of Walsh Ranch subdivision
Allan and Yvonne Trask, residents of Walsh Ranch subdivision
Jessica Winters, McLean & Howard, L.L.P.

3. **Approval of Meeting Minutes from September 14, 2011 Meeting.** After reviewing the minutes from the prior meeting, on motion made, seconded and unanimously carried, the following resolution was adopted:

RESOLVED that the minutes of the meeting of September 14, 2011 have been reviewed by the Directors and are hereby approved as presented, without modification, and adopted as the minutes of such meeting.

4. **Citizen Comments.** The Board of Directors provided an opportunity for citizens to address the Board of Directors concerning issues of community interest. Residents of the subdivision asked questions about next year's election of directors for the District, and Patrick Hudson provided an overview of the application process and election timeline. No other citizen comments were received.

5. **Manager's Report.** The Board reviewed the September and October 2011 Manager's Reports, copies of which had been circulated prior to the meeting. Andrew Hunt discussed the results of wastewater line testing and reported that there was one sagging line that will need repair. Mr. Hunt will be coordinating the repair on behalf of the District. Mr. Hunt also discussed water reduction measures related to the District's Stage 2 watering restrictions, and reported that the Walsh Ranch residents are generally in compliance with those restrictions. On motion made, seconded, and unanimously carried, the following resolution was adopted:

RESOLVED that the September and October 2011 Manager's Reports, true and correct copies of which are attached hereto as **Exhibit B**, are hereby approved and adopted by the Board.

6. **Approval of Bookkeeper's Report.** Mary Bott presented two Bookkeeper's Reports, dated September 23, 2011 and October 28, 2011, showing fund transfers and vendor payments, along with a supplemental Cash/Investment Activity Report. Ms. Bott answered the Board's questions about the reports, copies of which had been circulated to the Board prior to the meeting. On motion made, seconded, and unanimously carried, the following resolution was adopted:

RESOLVED that the September 23 and October 28, 2011 Bookkeeper's Reports, fund transfers, bond and vendor payments, along with the supplemental Cash/Investment Activity Report, true and correct copies of which are attached hereto as **Exhibit C**, are hereby approved and adopted by the Board.

7. **Committee Reports.** The Board provided an opportunity for the following 5 committees to make reports on notable developments: Finance, Landscape, Pond Maintenance, Legal Matters, and Manager Operations.

Director Shamsie discussed whether to revise the District's budget to reflect changes that will occur as a result of wastewater volume being calculated with the winter averaging method. Members of the Board wanted this item added to the agenda for the next regular Board meeting.

Director Shamsie discussed a dead or dying tree near the subdivision entry feature, and discussed consulting with an arborist on whether the tree can be saved.

Director Shamsie reported that the pond inspector is inspecting the ponds on a regular basis, and submitting regular inspection logs and reports. The Board discussed forwarding the inspection logs and reports to the District's Manager, Andrew Hunt, for maintenance.

8. Review and Discussion of fully-executed Second Amendment to Water and Wastewater Agreement. The Board reviewed the fully-executed Second Amendment to Water and Wastewater Agreement with the City of Round Rock. Patrick Hudson explained that the Second Amendment is complete and in effect. On motion made, seconded, and unanimously carried, the following resolution was adopted:

RESOLVED that the fully-executed Second Amendment to Water and Wastewater Agreement, the original of which is attached hereto as **Exhibit D**, is hereby approved and adopted by the Board.

9. Review and Discussion of proposed Second Amendment to Amended and Restated Rules Governing Water and Wastewater Service. The Board took no action on this item.

10. Review and Approval of Expanded Stage II Watering Restrictions. Patrick Hudson notified the Board that the City of Round Rock is in the process of amending its Drought Management Plan. The proposed amendment (passed by the City on first reading, but not effective until a required second reading on November 10) would expand the City's Stage II watering restrictions to include mandatory once-a-week watering. Mr. Hudson notified the Board that the District is required to comply with the City's Drought Management Plan, and would be required to comply with the proposed amendment if it passes. The Board reviewed and discussed a summary of the amendment, a true and correct copy of which is attached hereto as **Exhibit E**, and discussed implementation with Andrew Hunt. On motion made, seconded, and unanimously carried, the following resolution was adopted:

RESOLVED that if the City of Round Rock amends its Drought Management Plan to expand the City's Stage II watering restrictions to include mandatory once-a-week watering, then (a) the District will promptly comply with such amendment, and (b) Andrew Hunt shall implement the amendment and notify District residents of the expanded restrictions.

11. Discussion of the Walsh Ranch Subdivision Amenity Center and Alternatives for Ownership and Management of Amenity Center. The Board discussed various options for ownership and management of the amenity center, brainstorming ideas that would allow the Walsh Ranch Homeowner's Association to run the daily operations for the pool, amenity center, and subdivision entry feature. Patrick Hudson advised the Board that transferring fee title ownership of the amenity center might violate the District's existing Developer Reimbursement

Agreement with Merion 100, Ltd., and recommended that the District not transfer fee ownership. The Board discussed alternatives for creating a long-term lease of the facilities to the Homeowner's Association, and directed Mr. Hudson to prepare a draft lease, on the following general terms, for the Board's consideration:

- a. Ninety-nine year lease of the entry feature lot and amenity lot;
- b. Lease would commence in January of 2012;
- c. The Association would pay no rent, as it would be maintaining the facilities and relieving the District of maintenance obligations;
- d. The District may make a maintenance payment to the Association to assist with maintaining the facilities;
- e. District has consent rights for major facility modifications; and
- f. Lease would not be assignable.

12. Next Meeting Date and Items to be on Agenda for Next Meeting. The Board discussed the next meeting dates. The Board determined that the next regular Board meeting would be held on January 25, 2011.

13. Adjournment. There being no further business before the Board, on motion made, seconded and unanimously carried, the meeting was adjourned.

Executed to be effective on November 3, 2011.

WALSH RANCH MUNICIPAL UTILITY DISTRICT

By: _____

Name: _____

Title: _____

ATTESTATION:

By: _____ [SEAL]

NAME: _____

TITLE: _____

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334
512-463-5569 - Fax
Filing Fee: None



STATEMENT OF OFFICER

Statement

I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Position to Which Elected/Appointed: _____

City and/or County: _____

Execution

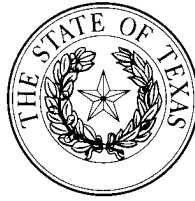
Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: _____

Signature of Officer

This space reserved for office use

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334



OATH OF OFFICE

Filing Fee: None

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Officer

.....
State of _____)
County of _____)

Sworn to and subscribed before me
this _____ day of _____, 20____.

(seal)

Signature of Notary Public or Other Officer
Administering Oath

Printed or Typed Name

This space reserved for office use

Submit to:
SECRETARY OF STATE
Government Filings Section
P O Box 12887
Austin, TX 78711-2887
512-463-6334



OATH OF OFFICE

Filing Fee: None

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,
I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Signature of Officer

.....
State of _____)
County of _____)

Sworn to and subscribed before me
this _____ day of _____, 20____.

(seal)

Signature of Notary Public or Other Officer
Administering Oath

Printed or Typed Name

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §
WALSH RANCH MUNICIPAL UTILITY DISTRICT §

We, the undersigned officers of the Board of Directors of the Walsh Ranch Municipal Utility District, (the "District") hereby certify as follows:

1. The Board of Directors of the District convened in a Regular Meeting on the January 25, 2012, at the designated meeting place (the "Meeting"), and the roll was called of the duly constituted officers and members of the Board, to wit:

Rashid Shamsie, Jr., President	Chad Stonecipher, Asst. Secretary
Brian White, Vice President	Laurie Mahnke, Asst. Secretary
Chris Hatch, Secretary	

and all of said persons were present except the following absentees: _____, thus constituting a quorum. Whereupon, amount other business, the following was transacted at the Meeting: a written

ORDER CALLING A DIRECTORS ELECTION FOR WALSH RANCH MUNICIPAL UTILITY DISTRICT OF WILLIAMSON COUNTY AND MAKING PROVISIONS FOR CONDUCTING SUCH ELECTION AND OTHER PROVISIONS INCIDENTAL AND RELATED THERETO

was duly introduced for consideration of the Board. It was then duly moved and seconded that the Order be passed; and, after due discussion, the motion, carrying with it the passage of the Order prevailed and carried by the following vote:

AYES: _____
NOES: _____

2. A true, full and correct copy of the aforesaid Order passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Order has been duly recorded in the Board's minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Board's minutes of the Meeting pertaining to the passage of the Order; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place and purpose of the aforesaid Meeting, and that the Order would be introduced and considered for passage at the Meeting, and each of the officers and members consented, in advance, to the holding of the Meeting for such

purpose; that the Meeting was open to the public and public notice of the time, place and purpose of the Meeting was given, all as required by Chapter 551,

SIGNED AND SEALED this 25 day of January, 2012.

Secretary, Board of Directors

President, Board of Directors

(SEAL)

**ORDER CALLING A DIRECTORS ELECTION FOR WALSH RANCH MUNICIPAL
UTILITY DISTRICT OF WILLIAMSON COUNTY AND MAKING PROVISIONS FOR
CONDUCTING SUCH ELECTION AND OTHER PROVISIONS INCIDENTAL AND
RELATED THERETO**

WHEREAS, Walsh Ranch Municipal Utility District of Williamson County (the “District”), was duly created by order of the Texas Commission on Environmental Quality (the “Commission”) dated March 3, 2006 as a municipal utility district under and essential to accomplish the purposes of Section 59, Article XVI of the Texas Constitution and operating pursuant to Chapters 49 and 54 of the Texas Water Code; and

WHEREAS, the terms of two of the directors of the District (Rashid Shamsie, Jr., and Richard Nelson (who resigned during his term and was replaced by Brian White) have expired; and

WHEREAS, the Board desires to call an election for the purpose of electing two at-large directors to replace the departing directors; and

WHEREAS, the Board wishes to proceed with the ordering of said elections; and

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF WALSH RANCH MUNICIPAL UTILITY DISTRICT OF WILLIAMSON COUNTY THAT:

Section 1. The matters and facts set out in the preamble of this order are hereby found and declared to be true and complete.

Section 2. A general election shall be held within the District on Saturday May 12, 2012, between the hours of 7:00 a.m. and 7:00 p.m. at the locations described in the Election Services Contract (described below). At the election there shall be submitted the question of election of two permanent directors.

Section 3. Voting in the election for the two permanent directors of the District shall be by a voting system that complies with all applicable laws which shall utilize English and Spanish and which shall conform to the requirements of the Texas Election Code. The ballots used in the election for the permanent directors shall have the names of all candidates and two blank spaces for write-in votes, as follows:

() _____
() _____

The voter may vote for none, one, or two persons for director by placing an “X” square beside the person’s name or by writing the name or names of a person or persons in the blank spaces provided. The two persons receiving the greatest number of votes shall be the two new directors.

Section 4. Oral assistance in Spanish shall be made available to all persons requiring such assistance. Any person requiring oral assistance in Spanish should contact the presiding judge or the early voting clerk.

Section 5. The District has entered into an election services contract with the Elections Administrator of Williamson County, Texas, pursuant to Chapter 81, Subchapter D of the Texas Election Code for the Election Administrator to provide election services to the District. The Presiding Judge for election day shall be selected by the Elections Administrator of Williamson County, Texas.

The early voting ballot board shall consist of the election officers who are eligible to serve in accordance with the Election Code.

The early voting clerk shall be selected by the Elections Administrator of Williamson County, Texas.

Early voting in the election by personal appearance shall commence on the 12th day before the election day, Monday, April 30, 2012, and continue through the fourth day preceding the election day, Tuesday, May 8, 2012 on each day for early voting which is not a Saturday, a Sunday or an official State holiday. The early voting clerk shall keep the voting place open as required by applicable law. The place at which early voting by personal appearance shall be conducted shall be selected by the Elections Administrator of Williamson County, Texas. The early voting clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is Early Voting Clerk, PO Box 209, Georgetown, TX 78627-0209.

Section 6. The rate of pay for judges and clerks of the election shall be determined by the Elections Administrator of Williamson County, Texas, in compliance with the Texas Election Code.

Section 7. The election shall be held and conducted and returns shall be made to the Board in accordance with state and federal law including the Help America Vote Act and the Election Code as modified by Chapters 49 and 54, Texas Water Code.

Section 8. All qualified resident electors of the District shall be entitled to vote in the elections.

Section 9. In accordance with Section 4.003(a)(1) of the Texas Election Code, a substantial copy of this Order, appearing in English and Spanish, shall serve as proper notice of said election, and the President of the Board or other representatives of the District shall cause the notice to be published one time, not earlier than the 30th day or later than the 10th day prior to the date set for the election, in a newspaper published in the District or, if none is published in the District, in a newspaper of general circulation in the District. In addition, in accordance with Section 4.003(a)(2) of the Texas Election Code, a substantial copy of this Order, appearing in English and Spanish, shall be posted in accordance with the Election Code not later than the 21st day before the election.

Section 10. The President and Secretary are authorized and directed to take any action necessary to carry out the provisions of this Order.

**2012 WALSH RANCH DIRECTOR ELECTION
CRITICAL DATES**

- January 25 WRMUD to order election
- January 26 Applications accepted for place on ballot
- February 13 Williamson County Election Administrator to provide election information to WRMUD (3 weeks before last day to order election)
- March 2 WRMUD to pay \$1,340 to Williamson County Election Administrator for holding election (remaining fee, approximately \$660, due after the election).
- March 5 Last day to file for a place on the ballot; Last day to order election**
- March 10 Deadline for declaration of write in candidacy
- March 11 WRMUD may cancel election if candidates are unopposed** (notice of any meeting discussing elections must be posted in both English and Spanish)
- March 13 Deadline to notify County Clerk and Election Registrar of election (60 days prior to election)
- April 21 Williamson County Election Administrator to provide election information to WRMUD (3 weeks before election)
- April 23 Deadline to post notice of election and make record of posting under Election Code 4.003 and 4.005 (21 days prior to election)
- April 27 Deadline to provide notice to Election Judge (15 days prior to election)
- May 12 Election Day**
- May 15-23 WRMUD Board to meet to canvass election (3-11 days after election)

