

Benbrook Water Authority
1121 Mercedes Street
Benbrook, TX 76126
September 1, 2020
3:00 p.m.

The Board of Directors for the Benbrook Water Authority met in a regular meeting on September 1, 2020 with the following Directors present:

President David W. Hafer
Vice President Nick Dons
Secretary Karen Henderson
Director Rick Whitehurst
Director David Clark

Also Present:

David Smith, General Manager
Sheila Rushing, Recording Secretary
Crystal Ramsey, Director of Administration

Others Present:

Adam LanCarte, Vice President Hilltop Securities Inc.
Brian Sledge, Attorney
Tim Chovanec, Attorney
Megan Lewis, Gus Bates
Mr. Charles S. Gaither, Citizen

President Hafer called the meeting to order at 3:02 p.m. and gave the invocation.

Citizen Comments on any Agenda Item

There were no Citizen Comments.

Consent Agenda

1. Minutes of the Regular Meeting August 4, 2020
2. July 2020 Financial Report

Director Clark stated there was a typo in the August 4th minutes. The start time of the August 4, 2020 meeting should say 3:01 p.m. and the minutes reflect a start time of 4:01 p.m.

After a brief discussion, motion was made by Director Clark, second by Vice-President Dons to approve the August 4, 2020 minutes as corrected.

Vote on motion.

Ayes: Director Whitehurst, Vice-President Dons, President Hafer, Secretary Henderson and Director Clark.

Noes: None.

Motion carries.

Motion was made by Director Whitehurst, second by Vice-President Dons to approve the entire Consent Agenda as corrected.

Vote on motion.

Ayes: Vice-President Dons, President Hafer, Secretary Henderson, Director Clark and Director Whitehurst.

Noes: None.

Motion carries.

Citizen Presentation

1. Charles S. Gaither

Mr. Gaither addressed the Board with concerns over the current BWA Leak Adjustment Policy. He stated the way it reads now limits adjustments to only those that have access to computer and internet services and can sign up for the portal service. He stated it is his belief that this policy is not fair to a certain number of customers that are unable meet these requirements. He stated he believes BWA could adjust the policy so that all Citizens could benefit from the policy.

There was much discussion with regards to the current policy and President Hafer thanked Mr. Gaither for bringing his concerns to the Board. He stated the Board would be discussing the policy in detail under Reports of Manager. He encouraged Mr. Gaither to stay for the remainder of the meeting.

Reports of Manager

Mr. Smith gave a brief report on the following:

1. 2011 Bond Refunding Opportunity
2. BWA Office Hours
3. Basin 1 Sanitary Sewer Renewals (Mont Del)
4. Leak Adjustment Policy Review
5. BWA Logo

Mr. Smith stated the current Leak Adjustment Policy reads as follows:

Per the current policy, to be eligible for a leak adjustment, a customer must be registered with the WaterSmart portal and signed up for leak alerts. This requirement, which was

recommended by Staff and is encouraged within the water industry as remote leak

detection and on line customer portals have become more common, was approved by the Board to encourage all BWA customers to take advantage of the tools the Authority provides so that they may more responsibly manage their water use. Currently, approximately 20 percent of our customers have signed up for the online portal.

Mr. Smith stated that waiving a policy or granting a variance to an individual customer regarding the current leak adjustment policy may tend to encourage other customers to request exceptions more regularly to policies which would require deliberation by the Board. If the Board is inclined to consider a variance in the case of a customer without access to (or otherwise uncomfortable with) a computer, or for similar considerations, Staff recommends modifying the policy in a manner that can be consistently applied at the Staff level rather than approving the variance. Possible actions of the Board regarding this matter may include:

- a) Take no action. By taking this approach, the Board would affirm the clarity of the policy and the desire of the Board to encourage all customers to register with the online portal and sign up for leak alerts. For those choosing not to take advantage of the online tools made available (whatever the reason), the eligibility for a leak adjustment would remain no different than that which existed prior to adoption of the 2019 policy.
- b) Modify the policy to eliminate the requirement for portal registration. This approach would simplify Customer Service's response to requests for leak adjustments and accommodate those individuals without the capability to manage their accounts online. This would result in a policy that is consistent with several other area utilities' leak adjustment policies, while reducing the incentive somewhat for others to register with the online portal.

There was much discussion and motion was made by Secretary Henderson, second by Vice-President Dons to modify the Leak Adjustment Policy to eliminate the requirement for portal registration.

Vote on motion.

Ayes: President Hafer, Secretary Henderson, and Vice-President Dons.

Noes: Director Clark and Director Whitehurst.

Reports of Sledge Law Group PLLC

1. Receive advice from Legal Counsel regarding Bylaws of the Board of Directors.

Mr. Sledge stated this item would be discussed in Executive Session.

New Business

1. Consider, Discuss and Possibly Approve Employee Group Medical Insurance Renewal

BWA advertised for proposals on July 17, July 23, and July 30. Proposals were received from UHC, Aetna, Blue Cross Blue Shield (BCBS), CIGNA, and TML Health.

The plans from Aetna and TML Health have higher out-of-pocket costs for employees. The Aetna plan premiums do not include the PPACA fees so BWA would have to pay those directly. Also, BWA would have to find a third-party administrator to manage the Flexible Spending Account and COBRA coverage, which would be an additional cost. The BCBS and CIGNA plans offer no significant savings over the UHC renewal.

UHC's renewal for our current Copay plan reflects a 0.2% decrease in premiums (\$1,015 annually) with no change in benefits. The renewal for our current HSA plan reflects an increase of 1.8% (\$1,790 annually) with no change in benefits. The overall premium cost increase to BWA for both plans is approximately \$775 annually.

After a brief discussion, motion was made by Director Whitehurst, second by Director Clark to accept the renewal proposal from UHC for the 2020-2021 plan year, with the Copay plan (AVXE) and the HSA plan (AE05), and maintain HSA contribution rates of \$1,200 annually for Employee Only coverage, \$2,400 for Employee & Spouse/Employee & Children coverage, and \$3,600 for Employee & Family coverage.

Vote on motion.

Ayes: Secretary Henderson, Director Clark, Director Whitehurst, Vice-President Dons, and President Hafer.

Noes: None.

Motion carries.

2. Consider, Discuss and Possibly Approve BWA Group Dental, Vision, Short Term Disability and Long Term Disability Renewal

BWA currently offers dental, vision, short-term disability (STD) and long-term disability (LTD) insurance plans through Guardian. Traditionally, these 4 lines of coverage have all been placed with the same carrier for ease of administration. Additionally, having both products with the same carrier makes the transition of a claim from STD to LTD much smoother.

The renewal proposal rates from Guardian stayed the same; therefore, there would be no financial impact to BWA.

After a brief discussion, motion was made Director Whitehurst, second by Vice-President Dons to accept the renewal proposal from Guardian for dental, vision, short-term disability and long-term disability insurance.

Vote on motion.

Ayes: Director Clark, Director Whitehurst, Vice-President Dons, President Hafer, and Secretary Henderson.

Noes: None.

Motion carries.

Public Comment

Mr. Gaither stated he wanted to compliment the Board on the approval of the changes to the Leak Adjustment Policy.

Director / Staff Comment

There were no Director / Staff Comments

President Hafer closed the Open Meeting at 3:50 p.m.

Executive Session (3:51 p.m.)

1. Conduct Closed Executive Session Pursuant to Government Code Section 551.071, to Consult with the BWA Attorney Regarding Pending or Contemplated Litigation, Settlement Offers, or on Matters in Which the Duty of the Attorney to the BWA under the Texas Disciplinary Rules of Professional Conduct Clearly Conflicts with Chapter 551, Government Code.
 - Any other item set forth in any section of this notice/agenda

Re-Convene Executive Session (5:04 p.m.)

1. Take Any Action Necessary from Executive Session

Motion was made by Director Clark, second by Director Whitehurst to approve Resolution 2020-03 adopting the Bylaws of BWA Board of Directors.

Vote on motion.

Ayes: Director Whitehurst, Vice-President Dons, President Hafer, Secretary Henderson, and Director Clark.

Noes: None.

Motion carries.

There being no further business, the meeting adjourned at 5:07 p.m.

Board President

Date

Recording Secretary