

MINUTES of the MLNDA Board Meeting February 8, 2021 via ZOOM @ 6:30

Attendees: J Robbins, R Henricksen, J Hudson, R Raetsch, B Hammond, A Taylor, M Meskill, S Burton, S Fitzgerald, T Bays, M Earl, P Bluntzer, C Sellers, E Thedford, G Love

J Robbins expressed a desire to focus this meeting entirely on updating the Board regarding steps taken to engage GBRA in an agreement per our discussions during the two December 2020 Board Meetings.

- BEFORE engaging FNI in planning and executing an engineering study, we must have an MOU (Memorandum of Understanding) with GBRA
- During January there have been several communications between City Manager Steve Parker and GBRA. He reported that GBRA is waiting to get feedback from their attorneys.
- Parker reported that GBRA is still open to our two most critical concerns: (a) access to Nolte Dam for the comprehensive engineering study and (b) relinquishing ownership of the dam.
- Parker reported he had talked with an engineer from FNI (Freese & Nichols), he was told that GBRA had given the "OK" for the study, however when he spoke with GBRA's Mr. Stinson he was told that permission had not yet been given.

The Board reviewed the original MOU that was originally sent to GBRA in August, 2020 and agreed to substantially edit that document to focus on our main goals

- COMPREHENSIVE STUDY
- OWNERSHIP
- MAINTAIN CURRENT WATER LEVEL UNTIL AGREEMENT IS IN PLACE (EXCEPT IN AN EMERGENCY)

The following items will be OMITTED from the new MOU:

- We will NOT request GBRA's assistance in obtaining a low, or zero, interest loan at this time. The question was: "if GBRA doesn't own the dam, like it will with the other dams, would they be willing to sponsor?" We can re-visit this issue in the future.
- The Board decided to NOT ask GBRA for money to engage FNI for the study.
- We will NOT include language referencing Hydro-Sales. We would directly negotiate with GVEC.

A Taylor will be the "LEAD" Director in all things regarding the MOU, including editing the document and communications with S Parker and GBRA.

J Hudson asked for Directors' thoughts on getting a preliminary 'reading' from MLNDA membership regarding the formation of a WCID. Her concern was "what if" we go through with plans to spend money on the study when members might not support the plan due to financial burdens. J Robbins said that the Board would definitely reach out to members for their support of the plan prior to spending any major funds for the study. Directors agreed with this approach.

There was discussion concerning who is eligible to vote on the formation of a WCID. Hudson, Burton, & Hammond reported it would be "registered voters residing in Guadalupe County". Other Directors questioned whether this was the case & will look into this situation.

A Taylor will edit the original MOU to reflect the direction of the Board, will send it to the GBRA committee, and will then send it to the rest of the Board and S Parker. Parker will continue to facilitate negotiations with GBRA, however our goal is to enter into DIRECT communication with them.