



RCH Water Supply Corporation

www.rchwater.com

NOTICE OF REGULAR MEETING OF BOARD OF DIRECTORS

Notice is hereby given that the RCH Water Supply Corporation will meet on November 7, 2023, at 4:00 PM at Chisholm Baptist Church, 1388 S State Hwy 205, Rockwall, TX 75032

- I. Call to Order
- II. Presentation of Previous Meeting's Minutes
- III. Approval of New Board Members
- IV. Board Member Comments
- V. Open Forum for Member Comments

There will be a two-minute time limit/member. Each member must complete sign-in sheet in advance of meeting (sheet will be posted at meeting).

- VI. Discussion and Potential Action
 - A. Operations Report
 - B. Authorization to pursue legal action against H2O Services and Robin Baley
 - C. Authorization for negotiations for the acquisition of rights-of-way (including, if necessary, the use of eminent domain) for the following projects:
 1. Highway 205 Relocation
 2. NTMWD take point and associated interconnection facilities.
 - D. Establishment of Employee Benefits
 - E. President's Comments

- VII. Executive Session

The Board may recess into closed/executive session pursuant to Texas Government Code 551.071, 551.074, and 551.129 to discuss personnel matters and any of the above items with legal counsel.

VIII. Take any Action as a Result of Executive Session

IX. Adjourn

Agenda posted this 3rd day of November 2023

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS

§
§
§

COUNTY OF ROCKWALL

I, the undersigned Officer of the Board of Directors of RCH Water Supply Corporation, hereby certify as follows:

1. The Board of Directors of RCH Water Supply Corporation (“RCH”) convened in a regular meeting at the meeting place inside the boundaries of RCH, and the roll was called of the duly constituted officers and members of the Board.

Whereupon, among other business, the following was transacted at the meeting: a written

RESOLUTION EXPRESSING INTENT TO ACQUIRE CERTAIN EASEMENTS AND REAL PROPERTY INTERESTS NECESSARY AS A RESULT OF TXDOT’S SH 205 EXPANSION PROJECT BY NEGOTIATION OR THROUGH THE EXERCISE OF THE RIGHT OF CONDEMNATION PURSUANT TO CHAPTER 21 OF THE TEXAS PROPERTY CODE

was introduced for the consideration of the Board of Directors. It was then duly moved and seconded that the Resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the Resolution, prevailed and carried unanimously.

2. A true, full and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; the Resolution has been duly recorded in the Board’s minutes of the meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, and notice was posted and given more than 72 hours in advance, of the time, place and purpose of the aforesaid meeting in accordance with applicable law, including Chapter 551, Texas Government Code, as amended, and that the Resolution would be introduced and considered for adoption at the meeting; and each of the officers and members consented, in advance, to the holding of the meeting for such purpose.

SIGNED this ____ day of _____, 2023.

President, Board of Directors

RESOLUTION – SH 205 LINE RELOCATION PROJECT

RESOLUTION EXPRESSING INTENT TO ACQUIRE CERTAIN EASEMENTS AND REAL PROPERTY INTERESTS NECESSARY AS A RESULT OF TXDOT’S SH 205 EXPANSION PROJECT BY NEGOTIATION OR THROUGH THE EXERCISE OF THE RIGHT OF CONDEMNATION PURSUANT TO CHAPTER 21 OF THE TEXAS PROPERTY CODE

WHEREAS, RCH Water Supply Corporation (“RCH”) is a Texas nonprofit water supply corporation created and operating pursuant to Chapter 67 of the Texas Water Code and Chapter 22 of the Texas Business Organizations Code; and

WHEREAS, RCH, as a part of its obligations, must provide for expanded service to reach new and anticipated customers in the future;

WHEREAS, RCH, must plan for and establish new infrastructure to meet these future customer supply needs;

WHEREAS, RCH, as a part of its infrastructure planning must acquire certain easements and real property interests by negotiation or through the exercise of the right of condemnation pursuant to Chapter 21 of the Texas Property Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF RCH, THAT:

SECTION 1. The facts and recitations in the preamble of this Resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

SECTION 2. The Board was advised that TxDOT has proposed the SH 205 Expansion Project, which will require RCH to relocate certain water lines infrastructure in Rockwall County, Texas. (Proposed Site Plan Attached hereto as **Exhibit A**)

SECTION 3. In order to accomplish the project, easements and other property rights will be required from landowners located along the project location.

SECTION 4. Management of RCH will engage in discussions and negotiations with the landowners located along the route to secure the necessary property rights to facilitate the project.

SECTION 5. In the event that negotiations with one or more landowners are unsuccessful or become futile following an offer of compensation, Management of the RCH shall be authorized to exercise all statutory rights of eminent domain, including the rights conferred by Chapter 21 of the Texas Property Code to acquire the real property interests.

SECTION 6. The completion of the project, including the installation of the water line and the acquisition of the property is necessary for a public purpose, that being the carrying out of RCH’s statutory and other legal obligations to its customers.

SECTION 7. The Management of the RCH is authorized to engage appraisers, surveyors, attorneys and engineers as necessary to accomplish the project and all prior acts of RCH in support of this project are hereby ratified.

SECTION 8. This Resolution shall be effective immediately upon adoption.

SECTION 9. A copy of this Resolution shall be filed in RCH's office and shall be continuously available for public inspection during normal business hours at the administrative offices of RCH beginning no later than ten (10) days from the date hereof.

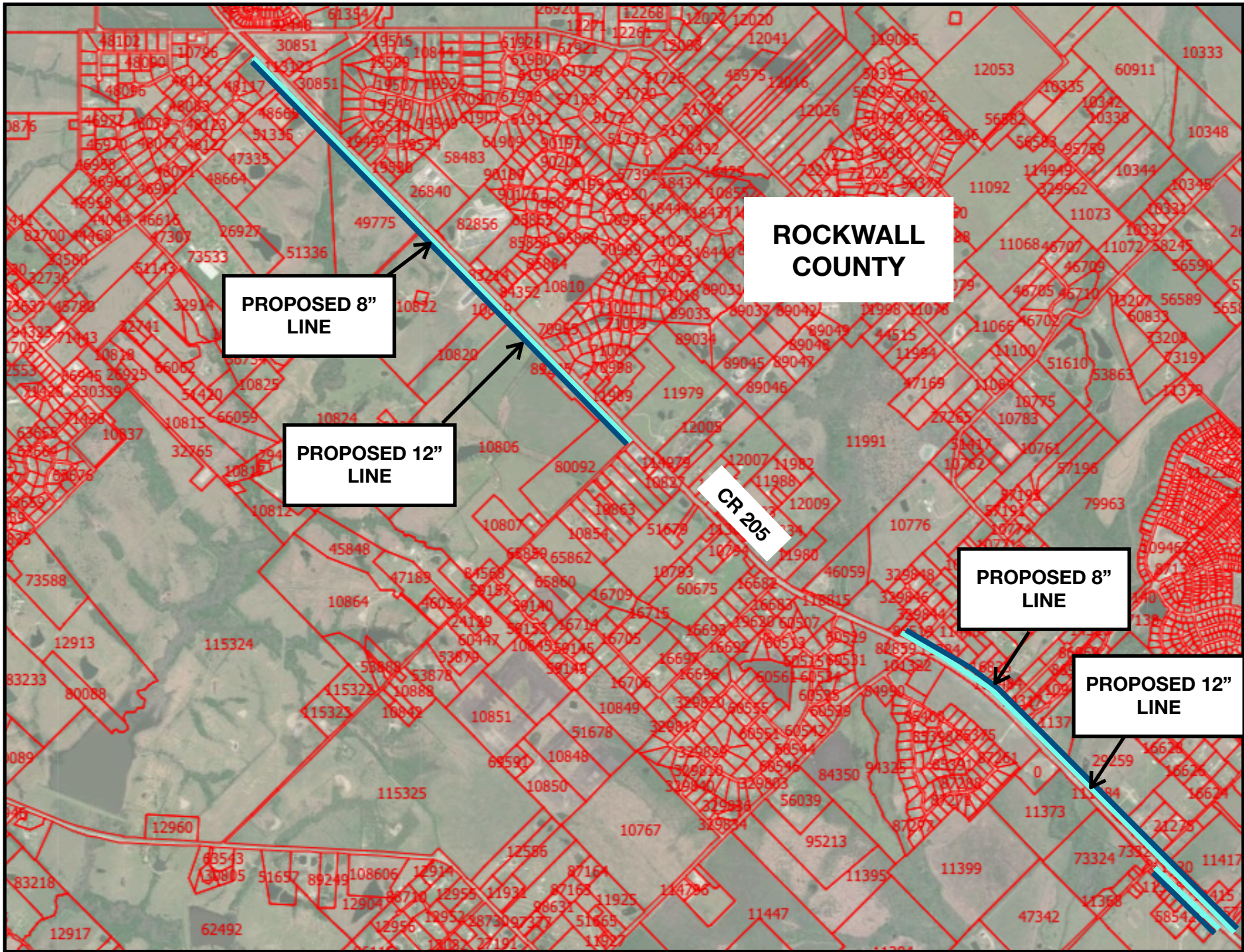
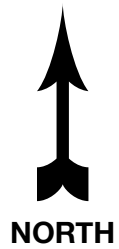
Be it Resolved, this ___ day of November, 2023 by the RCH Water Supply Corporation Board of Directors, that RCH is authorized to complete the infrastructure project along the Proposed Route, that such Project is necessary for a public purpose and that the District may exercise the right to condemn any necessary property interests.

RCH WATER SUPPLY CORPORATION

By: _____
David Naylor, President

Exhibit “A”

Description of Project



CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS

§

COUNTY OF ROCKWALL

§

§

I, the undersigned Officer of the Board of Directors of RCH Water Supply Corporation, hereby certify as follows:

1. The Board of Directors of RCH Water Supply Corporation (“RCH”) convened in a regular meeting at the meeting place inside the boundaries of RCH, and the roll was called of the duly constituted officers and members of the Board.

Whereupon, among other business, the following was transacted at the meeting: a written

RESOLUTION EXPRESSING INTENT TO ACQUIRE CERTAIN EASEMENTS AND REAL PROPERTY INTERESTS NECESSARY TO ALLOW FOR THE NTMWD INTERCONNECT PROJECT BY NEGOTIATION OR THROUGH THE EXERCISE OF THE RIGHT OF CONDEMNATION PURSUANT TO CHAPTER 21 OF THE TEXAS PROPERTY CODE

was introduced for the consideration of the Board of Directors. It was then duly moved and seconded that the Resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the Resolution, prevailed and carried unanimously.

2. A true, full and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; the Resolution has been duly recorded in the Board’s minutes of the meeting; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, and notice was posted and given more than 72 hours in advance, of the time, place and purpose of the aforesaid meeting in accordance with applicable law, including Chapter 551, Texas Government Code, as amended, and that the Resolution would be introduced and considered for adoption at the meeting; and each of the officers and members consented, in advance, to the holding of the meeting for such purpose.

SIGNED this ____ day of _____, 2023.

President, Board of Directors

RESOLUTION – NTMWD INTERCONNECT PROJECT

RESOLUTION EXPRESSING INTENT TO ACQUIRE CERTAIN EASEMENTS AND REAL PROPERTY INTERESTS NECESSARY TO ALLOW FOR THE NTMWD INTERCONNECT PROJECT BY NEGOTIATION OR THROUGH THE EXERCISE OF THE RIGHT OF CONDEMNATION PURSUANT TO CHAPTER 21 OF THE TEXAS PROPERTY CODE

WHEREAS, RCH Water Supply Corporation (“RCH”) is a Texas nonprofit water supply corporation created and operating pursuant to Chapter 67 of the Texas Water Code and Chapter 22 of the Texas Business Organizations Code; and

WHEREAS, RCH, as a part of its obligations, must provide for expanded service to reach new and anticipated customers in the future;

WHEREAS, RCH, must plan for and establish new infrastructure to meet these future customer supply needs;

WHEREAS, RCH, as a part of its infrastructure planning must acquire certain easements and real property interests by negotiation or through the exercise of the right of condemnation pursuant to Chapter 21 of the Texas Property Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF RCH, THAT:

SECTION 1. The facts and recitations in the preamble of this Resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

SECTION 2. The Board was advised that in order to increase its water supply, it requires an additional interconnect with North Texas Municipal Water District’s waterline, which requires the construction of additional water facilities and water line infrastructure in Rockwall County, Texas. (Proposed Site Plan Attached hereto as **Exhibit A**)

SECTION 3. In order to accomplish the project, easements and other property rights will be required from landowners located along the project location.

SECTION 4. Management of RCH will engage in discussions and negotiations with the landowners located along the route to secure the necessary property rights to facilitate the project.

SECTION 5. In the event that negotiations with one or more landowners are unsuccessful or become futile following an offer of compensation, Management of the RCH shall be authorized to exercise all statutory rights of eminent domain, including the rights conferred by Chapter 21 of the Texas Property Code to acquire the real property interests.

SECTION 6. The completion of the project, including the installation of the water line and the acquisition of the property is necessary for a public purpose, that being the carrying out of RCH’s statutory and other legal obligations to its customers.

SECTION 7. The Management of the RCH is authorized to engage appraisers, surveyors, attorneys and engineers as necessary to accomplish the project and all prior acts of RCH in support of this project are hereby ratified.

SECTION 8. This Resolution shall be effective immediately upon adoption.

SECTION 9. A copy of this Resolution shall be filed in RCH's office and shall be continuously available for public inspection during normal business hours at the administrative offices of RCH beginning no later than ten (10) days from the date hereof.

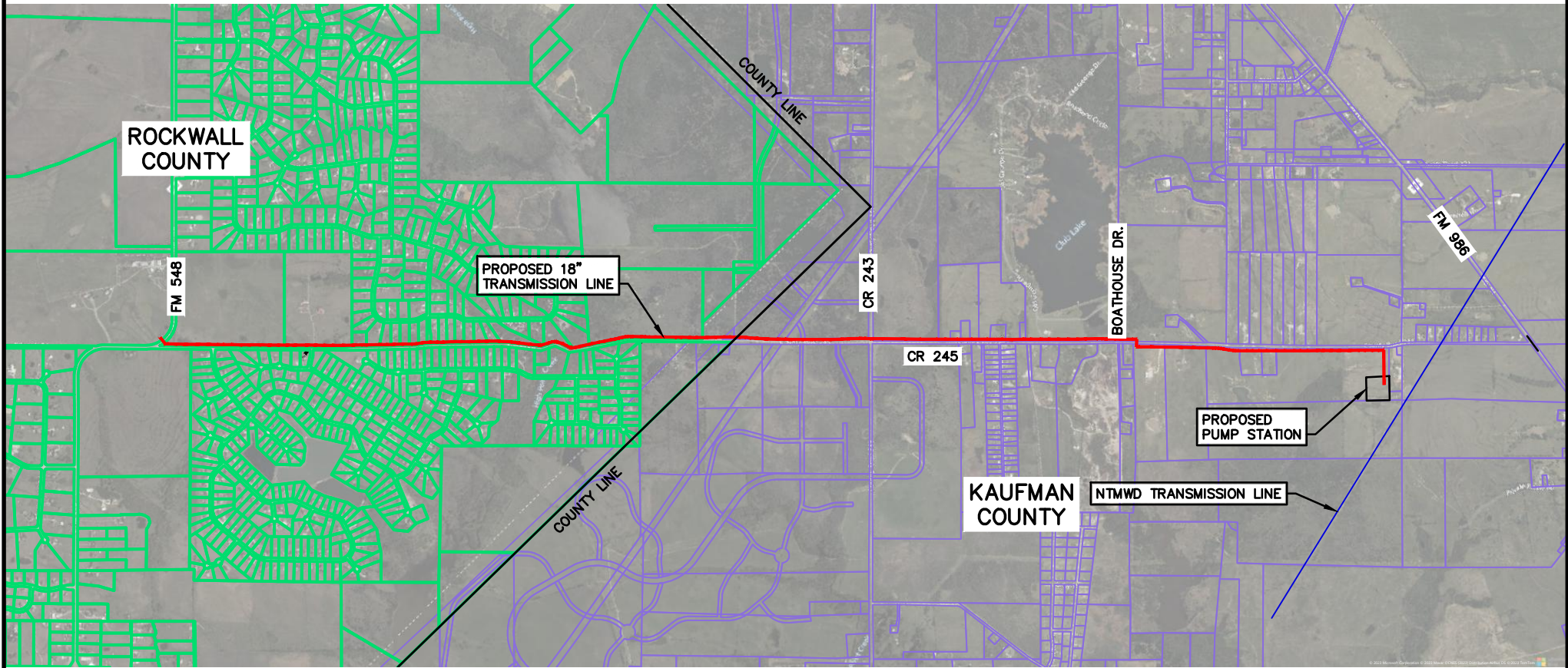
Be it Resolved, this ___ day of November, 2023 by the RCH Water Supply Corporation Board of Directors, that RCH is authorized to complete the infrastructure project along the Proposed Route, that such Project is necessary for a public purpose and that the District may exercise the right to condemn any necessary property interests.

RCH WATER SUPPLY CORPORATION

By: _____
David Naylor, President

Exhibit "A"

Description of Project



PLAN

