

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

JANUARY 29, 2019

The Board of Directors (the "Board" or "Directors") of Harris County Water Control and Improvement District No. 99 (the "District") met in special session, at 3:00 p.m., at 19423 Lockridge Drive, Spring, Texas 77373, on Tuesday, January 29, 2019, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code; whereupon the roll was called of the members of the Board, to-wit:

Monte Lee Cooper	President
Billy Ray Fritsche	Vice President
Tim Evans	Assistant Secretary
Ed Jensen	Secretary/Treasurer/Investment Officer
Charles Leroy Richardson	Director/Operations Maintenance Officer

All members of the Board were present, thus constituting a quorum. Also attending all or portions of the meeting were: Sergio Van Dusen and Catlin Bobb EIT of Vogt Engineering, L.P., engineer for the District ("Engineer"); Mike Plunkett of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Marisa Roberts, Legal Assistant and Zachary A. Petrov, Attorney of Johnson Petrov LLP, attorney for the District ("Attorney"); and several residents of the District and members of the public (see Sign-In Sheet).

The President, after finding that notice of the meeting was posted as required by law and determining that a quorum of the Board was present, called the meeting to order and declared it open for such business as may regularly come before it.

1. Resolution Adopting Policy Regarding Adding Agenda Items. The President asked the Board for a motion to reconsider discussion regarding a request for proposed wastewater treatment at 708 E. Cypresswood Drive (serving Tracts 1H & 3D Abstract 519 W LEMM).

Upon motion by Director Fritsche, seconded by Director Richardson, after full discussion and with Directors present voting aye, the Board approved reconsideration of the request for proposed wastewater treatment at 708 E. Cypresswood Drive (serving Tracts 1H & 3D Abstract 519 W LEMM).

Director Fritsche stated that he and Director Jensen met and put together a chart, which he reviewed and discussed with the Board. A copy of which is attached hereto as Exhibit "A." Director Fritsche reviewed the average daily flows from 2017 and 2018 and explained the TCEQ's 75-90 rule as well as the TCEQ requirements should the average daily flows exceed the 75-90 rule. Specifically, he explained, in the event 75% capacity is reached for a period of three (3) consecutive months, the TCEQ requires that an engineering and financial plan be prepared. In the event 80% capacity is reached for a period of three (3) consecutive months, the TCEQ requires that the financial plan be implemented; and in the event 90% capacity is reached for a period of three (3) consecutive months, TCEQ requires the construction process (for expansion) be initiated. He also discussed other factors that would increase the average daily flows, such as rain water and/or rising levels at Cypress Creek.

The Board asked appropriate questions, to which both the Developer(s) and their Engineer, Nathan Adams, responded.

The President then called to Order an Executive Session, pursuant to Section 551.071 of the Texas Government Code concerning Consultation with Attorney at 4:47 p.m. Everyone departed the meeting with the exception of the Board, Sergio Van Dusen, Catlin Bobb, Mike Plunkett, Marisa Roberts and Zachary Petrov. As of 5:17 p.m., the President declared the Executive Session was ended and the public session resumed.


Residents and members of the public re-entered.

The President asked if the Board was in favor of a feasibility study to determine available capacity and asked for a motion.

Upon motion by Director Fritsche, seconded by Director Jensen, after full discussion and with all Directors present voting aye, the Board approved a feasibility study to determine available capacity with a deposit of \$8,000.00 for Johnson Petrov to prepare an Out-of-District Agreement; and for Eagle Water Management and Vogt Engineering to work with Jones & Carter on said feasibility study.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
the meeting was adjourned.

PASSED AND APPROVED on the 19th day of February, 2019.


Asst. Secretary
Board of Directors

EXHIBITS:
No Exhibits

**Minutes recorded by Marisa L. Roberts
Johnson Petrov LLP
Special Session January 29, 2019**

