

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

OCTOBER 17, 2017

The Board of Directors (the "Board" or "Directors") of Harris County Water Control and Improvement District No. 99 (the "District") met in regular session, at 6:30 p.m., at 19423 Lockridge Drive, Spring, Texas 77373, on Tuesday, October 17, 2017, 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:

Thomas Eisterhold	President
Monte Lee Cooper	Vice President
Tim Evans	Assistant Secretary
Ed Jensen	Secretary/Treasurer/Investment Officer
Annette Bethany	Director/Records Management Officer

All members of the Board were present, thus constituting a quorum. Also attending all or portions of the meeting were: Chris Oliver of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Tina Buchanan of Equi-Tax, Inc., tax assessor-collector and bookkeeper for the District ("Equi-Tax"); Sergio Van Dusen of Vogt Engineering, L.P., engineer for the District ("Engineer"); Damien Johnson, website designer for the District; and Marisa L. Roberts, Legal Assistant of Johnson Petrov LLP, attorney for the District ("Attorney"); Terri Ferguson, Marsha Evans; Chris Paddock; and Thomas "TJ" LaFosse; residents of the District.

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. Minutes. The Board reviewed the minutes of the regular meeting held on September 19, 2017 and the special meeting minutes of October 10, 2017, copies of which were previously distributed to the Board. Upon motion by Director Cooper, seconded by Director Evans, after full discussion and with all Directors present voting aye, the Board approved the regular meeting held on September 19, 2017 and the special meeting minutes of October 10, 2017, as corrected.

2. Bookkeeper's Report/Investment Report/Tax Assessor-Collector's Report/Energy Usage Report. Ms. Buchanan presented to and reviewed with the Board, the Bookkeeper's Report, Investment Report, Tax Assessor-Collector's Report, and Energy Usage Report for the previous month, copies of which are attached hereto collectively as Exhibit "A."

a. Ms. Buchanan next reported that TexPool is paying 1.0151% interest and the net asset value is 1.00003. The Investment Officer signed the Investment Report. Ms. Buchanan stated that two (2) Board Members would be attending the AWBD Fall Seminar.

b. The Annual Review of Investment Policy was tabled until the November Board of Director's meeting.

Upon motion by Director Jensen seconded by Director Evans after full discussion and the question being put to the Board, all members of the Board present voted to 1) approve the Bookkeeper's Report, Investment Report, Tax Assessor-Collector's Report, and Energy Usage Report, as presented, 2) authorize the payment of checks numbered 11388 through 11422 from the Operating Account, and 3) authorize the payment of one (1) check numbered 2370 from the Tax Account.

3. Operator's Report. Mr. Oliver presented the Operations Report, a copy of which is attached hereto as Exhibit "B," and responded to questions from the Board.

a. Mr. Oliver reported the average daily flow at the sewer plant during the previous month was 80,000 G.P.D. and the pumped to billed ratio was 93.85% at the water plant.

Mr. Oliver next presented the Monthly Light Fixture Review, a copy of which is attached to the Operator's Report. He also presented twenty-three (23) termination notices for nonpayment.

b. Next, Mr. Oliver presented a letter received from William Thames (602 Turley) requesting an adjustment to their September 27, 2017 water bill (Account #99015800). A copy of the letter is attached as Exhibit "C". Mr. Thames explained that a leak occurred due to a broken underground water pipe caused by an uprooted tree, which was directly related to Hurricane Harvey. The leak had gone undetected due to the continued rain over several days. Once the leak was discovered, Mr. Thames made the necessary repairs. Discussion ensued. Director Bethany then made a motion to adjust the September 27, 2017 water bill to reflect 6,000 gallons including the Regional Water Authority (the "Authority") fee for 6,000 gallons usage. Director Bethany further noted that this was an Act of God and was not due to any willful neglect on the part of the homeowner. The Motion was seconded by Director Cooper after full discussion and the question being put to the Board, all members of the Board present voted to adjust the September 27, 2017 water bill to reflect 6,000 gallons including the Authority fee for 6,000 gallons usage.

Discussion also ensued regarding requesting a refund from the Authority for the pumpage fee charged for 70,000 gallons of water that resulted from the leak at 602 Turley, since this was an Act of God. Director Jensen requested that the District's Operator write a note and include with the payment a request for a refund of the 70,000 gallon pumpage fee that was lost due to the leak at 602 Turley, since it was an Act of God. Director Bethany then made a motion to request a refund of the 70,000 pumpage fee from the Authority, Director Cooper seconded the motion and the motion passed unanimously.

c. Mr. Oliver next reported that he evaluated the trees around the Water Plant and felt that all needed trimming.

d. Mr. Oliver stated that the water meters at 19214 Tyrone Street and 19210 Tyrone Street, have been replaced. Mr. Oliver also reviewed with the Board one of the older meters and discussion ensued regarding replacing the meters with 2,000,000 or 3,000,000 reads. Director Eisterhold asked Mr. Oliver to go thru the meter book and provide the Board a list of meters with over 2,000,000 meter reads.

e. Next, Director Eisterhold asked Mr. Van Dusen around the chloramine plans and Mr. Van Dusen stated that Eagle Water has provided those plans to him and that Vogt Engineering plans to submit them to the TCEQ next week.

f. Director Bethany discussed with the twenty-three termination letters sent out by Eagle Water for non-payment of water and sewer services. She also stated that there were several homes within the District that flooded. Director Bethany made a motion stating that should a District customer who contacts Eagle Water stating their home flooded and they would like to request a payment plan on a delinquent account, that the Board authorize Eagle Water to work with said customer on a payment plan over a 60-day period of time, starting from the date of the termination. She also noted this should be on a case-by-case basis. The motion was seconded by Director Cooper with all Directors present voting aye.

Upon motion by Director Cooper, seconded by Director Jensen, after full discussion and with all Directors present voting aye, the Board approved the Operator's Report.

4. Engineer's Report. The Engineer's Report was presented by Mr. Van Dusen, a copy of which is attached as Exhibit "D".

a. Mr. Van Dusen reported Mr. Rudy Playtez (18718 Casper Drive) is moving forward with his project. Vogt Engineering resent their August 14th letter to Mr. Playtez. Mr. Playtez is to prepare a plan for the sanitary line extension and hire a contractor to extend such line, but because it is in the right-of-way, Harris County must first approve the plans, then the District will review and consider approval of same.

Mr. Van Dusen reported Vogt Engineering will resume organizing the aging asset inventory list after the repairs to the sanitary sewer line ("SSL") crossing Lemm Gully are complete. He also noted that the Harris County Flood Control District requested him to keep track of what is spent on repairs to the SSL.

b. Next, Director Eisterhold inquired about the WCID 99 Board attending one of Harris County Water Control Improvement District No. 110's ("WCID 110") upcoming Board meetings. Ms. Roberts stated she would contact the WCID 110's attorney regarding being placed on their November agenda. Director Bethany stated that if all of WCID 99 Board members attend the WCID 110 meeting that an agenda would need to be posted, otherwise WCID 99 would be in violation of the Texas Open Meetings Act. Ms. Roberts suggested that the Board appoint two (2) members to attend the WCID 110 meeting. Director Eisterhold asked Mr. Van Dusen to also attend, to which he concurred.

c. Discussion regarding Eagle Water sending a letter regarding chloramine conversation. Mr. Van Dusen will provide some language regarding same.

Upon motion by Director Cooper, seconded by Director Jensen, after full discussion and with all Directors present voting aye, the Board approved the Engineer's Report.

5. Annual Agenda/Miscellaneous Business.

Mr. Johnson gave a report on recent Website Development activities.

Director Jensen reported that he had been in touch with Denise Blasé regarding paying the water bills online and that Ms. Blasé would get back with Director Jensen once she contacted the bank that provides such merchant services.

Director Jensen requested that the Annual Engineer's Report be placed on the District's website. Ms. Roberts stated she would forward same to Mr. Johnson for posting same on the District's website.

6. Public Comment.

Director Jensen stated that in the latest publication of *Impact* magazine there was an article stating that residential crime had been down and that a substation is being built at Holtzworth.

Ms. Ferguson inquired about the special meeting held by the District, specifically if the Board had made the property notification prior to such meeting. It was noted that the agenda had been posted 72 hours prior to the date of the meeting in four (4) locations, 1) Harris County public records, 2) inside the District's boundaries (at Water Plant), 3) outside the District's boundaries (at the office of Johnson Petrov); and 4) on the District's website.

Mr. LaFosse asked the Board to explain how the District calculates the water pumped, disposed of and billed to customers. Director Eisterhold and Mr. Oliver explained the process.

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


Pay the Bills: As previously approved by the Board, the following bills were paid:

**Checks Written on Operations Account # 0751-690363
W C I D # 99
October 17, 2017**

Item	Payable To:	Check #	Amount	STP/WP	Account/Invoice#	For:
1	AT&T	11388	140.97	WP	281-288-3728-078-0	Fault Monitoring Line
2	AT&T	11389	136.25	STP	281-288-5820-614-4	Fault Monitoring Line
3	AT&T	11390	133.55	STP/LS	281-288-5942-008-2	Fault Monitoring Line
4	Center Point Energy	11391	227.53	STP	4610016-0	Gas for Generator
5	Reliant Energy	11392	9.81	LS/STP	1 499 574 - 0	Electricity
6	Reliant Energy	11393	1,648.26	WP	1 500 965 - 7	Electricity
7	Reliant Energy	11394	1,512.67	STP	1 505 184 - 0	Electricity
8	Waste Connections of Texas	11395	177.78	STP	Inv# 1450754	Dumpster
9	All-Pump & Equipment Inc	11396	786.00	WP	Inv# A1067277	Maintenance
10	Association of Water Board Directors	11397	190.00		Tim Evans/Ed Jensen	Dues/Seminars/Workshops
11	DXI Industries	11398	465.22	WP	70.00 Inv#DE05006669-17	Chemicals
				WP	70.00 Inv#DE05004806-17	Chemicals
				WP	108.41 Inv#055015623-17	Chemicals
				STP	216.81 Inv#055015624-17	Chemicals
	Eagle Water Management, Inc.	11399	10,005.54		September 2017	Operations & Maintenance
	Electrical Field Services Inc	11400	380.00	STP	Inv#27347	Maintenance
	E T I Bookkeeping Services	11401	700.00		Inv# 8050	Bookkeeping Fees
	Johnson Petrov LP	11402	3,664.10		Inv# 1797	Legal Fee
	NHCRWA	11403	15,346.80	WP	September 2017	Water Usage Monthly Billing
	Vogt Engineering	11404	5,903.75		2986.25 Inv#2458	Engineer Fee
					37.50 Inv#2457	Engineer Fee- LRWP
					2880.00 Inv#2459	Engineer Fee - Lemm Gully
	Dale Magallanes	11405	35.10		19322 Whitewood Dr	Deposit Refund
	Janese Renee Poe	11406	54.05		464 Dover Ln	Deposit Refund
	Lola Salinas	11407	57.24		19315 Casper Dr	Deposit Refund
	Luke Nicholas	11408	19.63		19118 Challe Cir	Deposit Refund
	Mary Charlene Jamail	11409	44.96		626 Andover St	Deposit Refund
	Monique V Parks-James	11410	103.54		18903 Casper Dr	Deposit Refund
	Raymond Marler	11411	27.97		330 Bickett Ln	Deposit Refund
	Sue Rich	11412	150.00		19534 Whitewood Dr	Deposit Refund
	Victoria Frances Eunson	11413	48.37		18811 Casper Dr	Deposit Refund
	Annette Bethany	11414	138.53		Director Fees	Special Mtg
	Edward Jensen		-		Director Fees	Special Mtg - To Withholding
	Monte L Cooper	11415	138.53		Director Fees	Special Mtg
	Thomas Eisterhold	11416	138.53		Director Fees	Special Mtg
	Timothy Evans	11417	138.53		Director Fees	Monthly Mtg / Additional Fees
	Annette Bethany	11418	265.57		Director Fees	Monthly Mtg / Additional Fees
	Edward Jensen		-		Director Fees	Monthly Mtg - To Withholding
	Monte L Cooper	11419	138.52		Director Fees	Monthly Mtg
	Thomas Eisterhold	11420	138.52		Director Fees	Monthly Mtg
	Timothy Evans	11421	323.22		Director Fees	Monthly Mtg / Additional Fees
	Lawns & More	11422	690.00	STP	470.00 Inv# 1595	Mowing Contract - September
				WP	220.00 Inv# 1595	Mowing Contract - September

September 30, 2017

PASSED AND APPROVED on the 21st day of November, 2017.



Secretary
Board of Directors

EXHIBITS:

- A - Bookkeeper's Report, Investment Report,
Tax Assessor-Collector's Report, Energy Report
- B - Operations Report
- C - William Thames Letter
- D - Engineer's Report
- E - Website Development Activity Report

**Minutes recorded by Marisa L. Roberts
Johnson Petrov LLP
Regular Session October 17, 2017**

