

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

APRIL 16, 2019

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, April 16, 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, with the exception of Director Fritsche, thus constituting a quorum. Also attending all or portions of the meeting were: Mike Plunkett of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Karen Long of Equi-Tax, Inc., tax assessor-collector and bookkeeper for the District ("Equi-Tax"); Sergio Van Dusen and Caitlin Bobb, EIT of Vogt Engineering, L.P., engineer for the District ("Engineer"); Andrew P. Johnson III and Zachary A. Petrov, attorneys and Marisa L. Roberts, Legal Assistant 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. Minutes. The Board reviewed the minutes of the regular meeting held on March 19, 2019 and the special meeting held on March 28, 2019, copies of which were previously distributed to the Board. Upon motion by Director Evans, seconded by Director Jensen, after full discussion and with all Directors present voting aye, the Board approved the minutes of the regular meeting held on March 19, 2019 and the special meeting held on March 28, 2019.

2. Constable's Report. There was not a representative present.

3. Bookkeeper's Report/Investment Report/Tax Assessor-Collector's Report/Energy Usage Report. Ms. Long 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. Long next reported that TexPool is paying 2.4100% interest and the net asset value is 0.99996%. She also presented and reviewed the Energy Usage Report.

Upon motion by Director Jensen, seconded by Director Richardson, 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 11915 through 11943 from the Operating Account; and 3) authorize the payment of one (1) check numbered 2388 from the Tax Account.

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

a. Mr. Plunkett reported the average daily flow at the sewer plant during the previous month was 70,000 G.P.D. He also reported the pumped to billed ratio was 90.83% at the water plant, and no permit excursions were noted. Mr. Plunkett then presented and reviewed several estimates from NTS totaling \$23,150 for repairs at the WWTP. A copy of which is attached to the Operator's Report.

Upon motion by Director Evans, seconded by Director Jensen after full discussion and the question being put to the Board, all members of the Board present approved the estimates from NTS in the amount of \$23,150 for repairs at the WWTP.

Mr. Plunkett also stated that the engineer, Mr. Young, performed his inspection and his report was pending. Mr. Jensen asked what was the additional testing that Mr. Young recommended, to which Mr. Plunkett responded that he recommended Eagle Water collect influent samples of raw sewage twice (2x) monthly, which would be an additional cost of \$30/per sample, reflecting an additional \$60.00/monthly.

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 approved Eagle Water to collect the influent samples twice monthly.

Next, Mr. Plunkett presented the Monthly Light Fixture Review, a copy of which is also attached to the Operator's Report. He reported forty (40) delinquency notices were sent out to customers while twenty (20) remain unpaid to date.

Upon motion by Director Jensen, seconded by Director Richardson after full discussion and the question being put to the Board, all members of the Board present approved the Operator's Report.

5. Engineer's Report. The Engineer's Report was presented and reviewed by Mr. Van Dusen, a copy of which is attached as Exhibit "C".

Mr. Van Dusen reported that bids were received and opened today for the Lemm Gully Slope Stabilization for the Sanitary Sewer Crossing project. The lowest qualified bid is \$311,263.00. He explained that this project would involve armoring the banks and not replacing the piers. Discussion ensued. Mr. Van Dusen stated he can hold the bids for 90-days to allow the Board time to consider them.

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 tabled approval until the May Board of Director's meeting.

He reviewed the rest of his report and responded to question. The Board also tabled approval of the Draft Fiscal Year End Status Report until the May meeting.

Upon motion by Director Jensen, seconded by Director Richardson after full discussion and the question being put to the Board, and with all Directors present voting aye, Board approved the Engineer's Report, with the exception of the Lemm Gully Slope Stabilization at the Sanitary Sewer Crossing and the Draft Fiscal Year End Status Report, which were both tabled until the May meeting.

6. New Business/Annual Agenda.

a. Mary Dubois, sales director of Acclaim Energy introduced herself to the Board. Ms. Dubois explained the current market conditions and the impact of same to the Board. Discussion ensued. The Board thanked Ms. Dubois, and no action was taken.

b. Mr. Johnson updated the Board on discussions with DreamLabs. He stated that DreamLabs had engaged legal counsel from Lynne Humphries of Allen Boone Humphries Robinson LLP. He discussed comments he received from Ms. Humphries and suggested that the Board request the District's financial advisor to prepare a financial analysis and provide a report to the Board. He discussed a November Bond Election (November 5, 2019), and stated that the deadline to call such election is 78 days prior to election day, which would be Monday, August 18, 2019. He asked the Board to think about the best approach to informing the community and getting a feel for what the community wants. He suggested scheduling a town hall meeting to answer any questions that the community might have.

He then asked the Board to consider moving to Executive Session.

Director Jensen made a motion, which was seconded by Director Richardson after full discussion and the question being put to the Board, and with all Directors present voting aye, the Board went into Executive Session pursuant to Section 551.072 of the Texas Government Code concerning Deliberation Regarding Real Property at 7:32 p.m. Everyone departed the meeting with the exception of the Board, Sergio Van Dusen, Caitlin Bobb, EIT, Mike Plunkett, Andrew P. Johnson, III, Zachary A. Petrov and Marisa Roberts. No Action was taken in Executive Session. As of 8:16 p.m., the President declared the Executive Session was ended and the public session resumed.

Residents and members of the public then re-entered the meeting.

7. Public Comment.

Mrs. Evans inquired about the time line for the repairs at the WWTP, to which Mr. Plunkett stated 30-60 days.

Mr. Paddock inquired about the status of the replacement fence at the Water Plant, to which Director Richardson stated he has received three (3) out of five (5) quotes and that the item will be discussed further at the May meeting.

Ms. Paddock asked Mr. Plunkett if the additional testing results will be part of his report, to which he responded, no, the information obtained will be used by the Engineers for future planning.

Mr. Niccum asked Mr. Plunkett about the water hardness level, to which Mr. Plunkett stated he would provide him that information by email or phone. Ms. Roberts stated Mr. Plunkett's email

is on the District's website. Ms. Paddock stated the website still had Mr. Oliver's email address. Ms. Roberts stated she would have the website consultant contact information corrected.

Director Jensen asked for Mrs. Jensen to clarify if the addition of the 9th Grade Center at Spring High School (SHS) would there be a change in student population, to which Mrs. Jensen, who is on the SHS board, stated that there would not be a change in student population.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
the meeting was adjourned at 8:27 p.m.

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

Checks Written on Operations Account #0751-690363

Harris County WCID #99 GOF

Checks Presented

April 16, 2019

Num	Name	Description	Amount
11915	Billy R Fritsche	Director Fee	-138.52
11916	Charles L Richardson	Director Fee	-118.52
11917	Monte L Cooper	Director Fee	-138.52
11918	Timothy P. Evans	Director Fee	-138.52
11919	Billy R Fritsche	Director Fee	-138.53
11920	Charles L Richardson	Director Fee	-118.53
11921	Monte L Cooper	Director Fee	-138.53
11922	Timothy P. Evans	Director Fee	-138.53
11923	Charles L Richardson	Maintenance Log	-184.70
11924	Edward J Jensen - VOID	Director Fee	0.00
11925	Center Point Energy	Utilities	-26.19
11926	Direct Waste Solutions	Garbage Collection	-9,250.00
11927	DXI Industries, Inc.	Chemicals	-140.00
11928	Eagle Water Management, Inc.	Operator Fee	-15,491.14
11929	ETI Bookkeeping Services	Bookkeeping Fee	-700.00
11930	Harris County Treasurer	Security	-5,764.00
11931	Lawns & More	Mowing	-360.00
11932	North Harris County Regional Water Author	NHCRWA Fee	-14,133.80
11933	Reliant Energy 1 499 574-0	Utilities	-12.85
11934	Reliant Energy 1 500 965-7	Utilities	-1,320.01
11935	Reliant Energy 1 505 184-0	Utilities	-1,672.05
11936	Verizon	Telephone	-63.27
11937	Vogt Engineering	Engineering Fee	-16,952.55
11938	Waste Connections of Texas	STP Dumpster	-222.71
11939	Amber Rene Watson	Customer Deposit Refund	-59.20
11940	Crystal King-Sadler	Customer Deposit Refund	-75.29
11941	Dennis Eveslage	Customer Deposit Refund	-54.02
11942	Meredith Wood	Customer Deposit Refund	-69.76
11943	Johnson Petrov LLP	Legal Fee	-23,564.15
			-91,183.89

PASSED AND APPROVED on the 21st day of May, 2019.



Secretary
Board of Directors

EXHIBITS:

- A - Bookkeeper's Report, Investment Report,
Tax Assessor-Collector's Report, Energy Report
- B - Operations Report
- C - Engineer's Report

**Minutes recorded by Marisa L. Roberts
Johnson Petrov LLP
Regular Session April 16, 2019**



[DISTRICT SEAL]