

# **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99**

## **MINUTES OF MEETING OF BOARD OF DIRECTORS**

**NOVEMBER 16, 2021**

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 7:00 p.m at 19423 Lockridge Drive, Spring, Texas 77373, on Tuesday, November 16, 2021, 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:

Billy Ray Fritsche	President
Charles Leroy Richardson	Vice President/Operations Maintenance Officer
George Galindo	Secretary
Thomas Riddle	Assistant Secretary/Treasurer/Investment Officer
Vacant	Director

All members of the Board were present, thus constituting a quorum. Also attending all or portions of the meeting were: Karen Long of ETI Bookkeeping Services, bookkeeper for the District ("ETI"); Debbie Bessire of Equi-Tax, Inc., tax assessor-collector for the District ("Equi-Tax"); Marisa L. Roberts, legal assistant, for the District ("Johnson Petrov" and/or "Attorney"); Mike Plunkett of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Sergio Van Dusen, P.E. and Tyler Reeves of Vogt Engineering, L.P., engineers for the District ("Engineer" and/or "Vogt"); Deputies Z. Ryan and J. Flores of the Harris County Constable's Office ("HCCO"); and residents of the District (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 October 19, 2021, a copy of which was previously distributed to the Board.

Upon motion by Director Riddle, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved the minutes of the regular meeting held on October 19, 2021.

2. Constable's Report. Deputy Ryan reviewed the October Constable's Report with the Board and responded to questions from the Board.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved the Constable's Report.

3. Appointment of Director. Next, the President asked if there were any additional candidates to consider as an appointee to the Board to fill the current vacancy. After hearing none, the President requested the Board make a motion to appoint either Lance Rumfield or Rick Ghinelli to fill the vacancy. Upon motion by Director Richardson, seconded by



Director Galindo, after full discussion and with all Directors present voting aye, the Board appointed Rick Ghinelli to fill the unexpired term of Monte Cooper, which expires in May 2022.

Ms. Roberts, a Texas Notary Public, presented the Director Qualification Affidavit thereby verifying Mr. Ghinelli is qualified to serve as Directors of the District, as well as the sworn Statement of Appointed Officer, as required by the Texas Constitution, and the Oath of Office, a copy of which is attached as Exhibit "A."

Upon taking the Oath of Office, Statement of Appointing Office and verifying his qualifications, Mr. Ghinelli began serving as a director of the Board of Directors of the District.

4. Bookkeeper's Report/Investment Report/Energy Usage Report. Ms. Long presented to and reviewed with the Board the Bookkeeper's Report, Investment Report, and Energy Usage Report for the previous month, copies of which are attached hereto collectively as Exhibit "B."

a. Next, Ms. Long reported that TexPool is paying 0.0354% interest and the net asset value is 1.00005%.

Upon motion by Director Riddle, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board: 1) approved the Bookkeeper's Report, with certain revisions, Investment Report, and Energy Usage Report; and 2) authorized the payment of checks numbered 13029 through 13054 from the Operating Account.

5. Tax Assessor-Collector's Report. Ms. Bessire presented the Tax Assessor-Collector's Report, a copy of which is attached hereto as Exhibit "C."

Mr. Bessire reported that 8.5% of the 2021 taxes had been collected as of October 31, 2021.

Upon motion by Director Galindo, seconded by Director Richardson, after full discussion and with all Directors present voting aye, the Board approved the Tax Assessor-Collector Report, and authorized payment of check number 2403 in the amount of \$600 for the Tax Assessor's fee.

6. Operator's Report. Mr. Plunkett presented the Operations Report, a copy of which is attached hereto as Exhibit "D."

Mr. Plunkett reported the total monthly pumpage for October was 4,980,000 gallons and the average daily flow at the sewer plant during the previous month was 103,000 GPD, which is 46.0% of current capacity. There were no excursions for the month of October. He also reported the pumped to billed ratio was 89.77% at the water plant.

Mr. Plunkett next presented the Monthly Light Fixture Review, a copy of which is attached to the Operator's Report.

Mr. Plunkett reported approximately fifteen (15) accounts remained unpaid to date. Mr. Plunkett requested that the Board authorize termination of any remaining accounts for non-payment.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board, after confirming with the Operator that notice



had been delivered by the Operator to each person on the list notifying them that they could appear before the Board to discuss termination of services and that services could be terminated at any time after this meeting, and determining that no one appeared at the meeting for such purpose, approved the termination list and authorized the Operator to terminate service as permitted by the Rate Order to all customers who remain unpaid.

Mr. Plunkett reported that a strong wind caused a bucket to clog, and thereby causing overflow at the WWTP. Source Point was called out to resolve the issue.

Mr. Plunkett also reported that a TCEQ inspector came out to the WWTP for an inspection. Mr. Plunkett stated the solids were high and that the sludge will need to be cleaned out.

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

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

Mr. Van Dusen also reviewed Pay Application No. 1 submitted by SiteCon Services in the amount of \$193,057.74 for the subgrade preparation for the new WWTP. Mr. Van Dusen also reviewed Pay Application No. 2 in the amount of \$110,835.00 from Triple J Services for installation of Geoweb, turf reinforcement and stone at the north slope at the Sanitary Sewer Crossing Lemm Gully.

Upon motion by Director Galindo seconded by Director Richardson, after full discussion and with all Directors present voting aye, the Board approved Pay Application No. 1 to SiteCon Services in the amount of \$193,057.74 for the subgrade preparation for the new WWTP and Pay Application No. 2 in the amount of \$110,835.00 to Triple J Services for installation of Geoweb, turf reinforcement and stone at the north slope at the Sanitary Sewer Crossing Lemm Gully.

Mr. Van Dusen reviewed the Engineer's Report with the Board, and he responded to questions from the Board.

Upon motion by Director Richardson, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board the Engineer's Report as presented.

8. Old Business.

a. Spring ISD Annexation. No additional update at this time.

b. Audit Committee. No additional update at this time.

c. Easement Acquisition for services to SISD Transportation Facility. The survey has been scheduled.

d. Letter to Out-of-District Customers regarding new Out-of-District Rates. Ms. Roberts stated that there are two (2) Out-of-District taxpayer accounts that have not been certified. Ms. Roberts explained that the certified valuation is needed in order to accurately calculate the surcharge assessment for utility service.

e. May Uniform Election – Saturday, May 7, 2022.

Ms. Roberts stated that Harris County Elections Administration has offered to provide joint election services for the Uniform Election to be held on Saturday, May 7, 2022. Discussion ensued.

Upon motion by Director Galindo seconded by Director Richardson, after full discussion and with all Directors present voting aye, the Board approved having a Joint Election with Harris County for the May Uniform Election to be held Saturday, May 7, 2022.

9. New Business.

a. Director Fritsche asked the Board if there were any objections to moving the time of the meeting back to 6:30 p.m. Director Fritsche stated that the time was moved to 7:00 p.m. to increase public attendance. Discussion ensued.

Upon motion by Director Riddle, seconded by Director Richardson, after full discussion and with all Directors present voting aye, the Board approved changing the regular meeting time to 6:30 p.m. effective December 21, 2021.

b. Next, Director Fritsche presented and reviewed a memorandum from the Audit Committee regarding adding agenda items, including a Resolution adopted by the Board October 16, 2016, a copy of which is attached hereto as Exhibit "F". Discussion ensued.

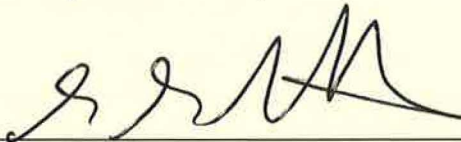
Upon motion by Director Riddle, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved the recommendations of the audit committee, including Director Riddle's amendment that the sponsoring director submit a memo of recommendation along with each new agenda item.

10. Public Comment. Members of the public were allowed to speak. Mr. Rumfield congratulated Mr. Ghinelli on his appointment to the Board and he offered his assistance to the Board, should they need it.



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

**PASSED AND APPROVED** on the 21st day of December, 2021.



Secretary  
Board of Directors

**EXHIBITS:**

- A - Qualification Affidavit/Statement of Appointed Officer/Oath of Office
- B - Bookkeeper's Report, Investment Report, Energy Report
- C - Tax Assessor Collector Report
- D - Operations Report,
- E - Engineer's Report
- F - Audit Committee Memo dated 11/4/2021 regarding Policy Regarding Adding Agenda Items

**Minutes recorded by Marisa L. Roberts**  
**Johnson Petrov LLP**  
**Regular Session November 16, 2021**

**[DISTRICT SEAL]**

