

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

JUNE 20, 2023

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, June 20, 2023, 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
Thomas Riddle	Vice President
George Galindo	Secretary
Rick Ghinelli	Director
Terry Wright	Director

All members of the Board were present, with the exception of Director Wright, thus constituting a quorum. Also attending all or portions of the meeting were: Cathi Wilbanks of ETI Bookkeeping Services, bookkeeper for the District ("ETI"); Debbie Bessire of Equi-Tax, Inc., tax assessor-collector for the District ("Equi-Tax"); Zachary A. Petrov, attorney for the District and Marisa Roberts, Legal Assistant ("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, EIT of Vogt Engineering, L.P., engineer for the District ("Engineer" and/or "Vogt"); and Lieutenant G. Lindley, Lt. Flores and Deputy D. Richardson of the Harris County Constable's Office ("HCCO"); Kyler Correia, Richard Senasac, attorney and Lance Rumfield, a resident 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. Public Comment. Mr. Senasac approached the Board regarding 18648 Casper Drive. concerns. Discussion ensued regarding the penalty assessed against the property for the violations. Mr. Senasac requested an item regarding the penalty be on the next agenda.
2. Minutes. The Board reviewed the minutes of the regular meeting of May 16, 2023, a copy of which was previously distributed to the Board.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board approved the minutes of the regular meeting of May 16, 2023.

3. Constable's Report. Deputy Richardson reviewed the May Constable's Report with the Board.

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

4. Bookkeeper's Report/Investment Report/Energy Usage Report. Ms. Wilbanks 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 "A."

Next, Ms. Wilbanks reported that TexPool interest rate has increased and is paying 5.0035% interest and the net asset value is 0.99998%.

Upon motion by Director Galindo, seconded by Director Riddle, 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 13537 through 13561, from the Operating Account.

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

a. Ms. Bessire reported that 92.5% of the 2022 taxes had been collected as of May 31, 2023. She also reported that the penalty statements have been mailed out.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved the Tax Assessor-Collector Report, including payment of check nos. 2471 through 2475.

6. Delinquent Tax Attorney Report. There was no report presented for review.

7. Public Comment. Mr. Rumfield entered the meeting. The President, hearing no objections from the Board, returned to Public Comment. Mr. Rumfield inquired as to the protections on the water wells and motors. Mr. Plunkett responded to questions. The President stated that if Mr. Rumfield had anymore specific questions regarding operational facilities, he may speak with Mr. Plunkett before or after the Board meeting.

8. Operation's Report. Mr. Plunkett presented the Operations Report, a copy of which is attached hereto as Exhibit "C."

Mr. Plunkett then reported the total monthly pumpage for May was 4,086,000 gallons and the average daily flow at the sewer plant during the previous month was 132,000 GPD, which is 59% of current capacity. Mr. Plunkett also reported the pumped to billed ratio was 91.39% at the water plant. There were no excursions for the month of May.

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

Mr. Plunkett presented and reviewed the disconnection list of sixteen (16) accounts.

Mr. Plunkett stated Booster Pump motor and pump are in need of repair or replacement, he presented a quote for \$4,871.00.

Next, Mr. Plunkett stated that he received a customer letter (326 Bickett) requesting the District adjust an excessively high water bill, due to a water leak. Mr. Plunkett reported that the leak has been repaired.

Mr. Plunkett requested the Board consider the normal monthly charge for average usage be billed plus \$1.00 per 1,000, which covers the costs to produce, eliminate 10% surcharge for the RWA rate and waive past due and late fees. Discussion ensued.

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, the Board: (1) approved the termination list and authorized the Operator to terminate service as required by the Rate Order to all customers who remain unpaid; (2) authorized Eagle Water Management to either repair or replace the Booster Pump; (3) accepted Eagle Water's recommendation to charge \$1.00 per 1,000 gallons usage to cover the cost of water for both the customer's request at 326 Bickett; and (4) approved the Operations Report.

9. Engineer's Report. The Engineer's Report was presented and reviewed by Mr. Van Dusen, a copy of which is attached as Exhibit "D". Mr. Van Dusen responded to questions from the Board.

Mr. Van Dusen reported that he met with Mr. Dunn on the property. He stated that Mr. Dunn offered a less intrusive route for the easement.

Next, Mr. Van Dusen presented and reviewed a detailed cost estimate for the water plant parking lot. The Board deferred action at this time.

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

10. Old Business:

- a. Update on District Bulletin Board. The bulletin board is pending until such time as the location of installation is determined.
- b. Security Fence and Landscaping. Directors Ghinelli and Riddle will obtain price quotes for a wooden fence and landscaping improvements at the Water Plant and present same to the Board at a future meeting.
- c. Dresher Gate/Detention Pond meeting/West Boundary Fence with Fidelis and Dreamlabs. Mr. Plunkett purchased "No Parking" and "Emergency Vehicles Only" signs to be placed near the West Boundary Fence. Mr. Petrov stated that he agreed with Director Fritsche to request an inspection as well as deed restriction compliance prior to acceptance of the pond. He also recommended annual inspections.
- d. Easements for Dunn and Miller properties. Discussed during the Engineer's Report. The Board requested Johnson Petrov send the final 30-day notice to the property owners.
- e. Audit Committee. No updates at this time.

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

PASSED AND APPROVED on the 18th day of July, 2023.



Secretary
Board of Directors

EXHIBITS:

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

**Minutes recorded by Marisa Roberts
Johnson Petrov LLP
Regular**

Session

