

# HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

## MINUTES OF MEETING OF BOARD OF DIRECTORS

NOVEMBER 28, 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, November 28, 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, thus constituting a quorum. Also attending all or portions of the meeting were: Cathi Wilbanks of ETI Bookkeeping Services, bookkeeper for the District ("ETI"); Marisa Roberts, Paralegal ("Johnson Petrov" and/or "Attorney"); Mike Plunkett of Eagle Water Management, Inc., operator for the District ("Operator" and/or "Eagle Water"); Sergio Van Dusen, Engineer and Tyler Reeves, EIT of Vogt Engineering, L.P., engineer for the District ("Engineer" and/or "Vogt"); Deputy D. Richardson and Lt. Flores and Lt. Lindley of the Harris County Constable's Office ("HCCO") and Dave Skrehot, 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. The President first opened the meeting to public comment concerning the business of the District.

The President next motioned to move item 9a. for discussion. Mr. Skrehot approached the Board with a quote from Wright Fence for approximately 130 sq. ft. on the south side of the District's Water Plant. Discussion ensued.

Upon motion by Director Riddle, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board agreed to share the cost of replacing the south side water plant fence with Mr. Skrehot 50/50.

2. Minutes. The Board reviewed the minutes of the regular meeting of October 17, 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 minutes of the regular meeting of October 17, 2023.

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

Director Ghinelli asked how the District can request a speed study, request additional speed limit signs and/or speed bumps. Lt. Flores responded by directing him to the Harris County Precinct 3 website, where such request could be made.

Upon motion by Director Fritsche, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board appointed Director Ghinelli to request a speed study through Harris County Precinct 3 website.

Upon motion by Director Riddle, seconded by Director Galindo, 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."

Ms. Wilbanks reported that TexPool interest rate has increased and is paying 5.3588% interest and the net asset value is 0.99989%.

Upon motion by Director Galindo, seconded by Director Wright, 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 13662 through 13690, including a check to Johnson Petrov LLP from the Operating Account.

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

a. Ms. Wilbanks reported that 0% of the 2023 taxes and 97.6% of the 2022 taxes have been collected as of October 31, 2023. Ms. Wilbanks presented three (3) checks for approval.

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved the Tax Assessor-Collector Report, including payment of three (3) checks.

6. Delinquent Tax Attorney Report. The Board reviewed the Delinquent Tax Attorney's Report, a copy of which is attached hereto as Exhibit "C."

Upon motion by Director Riddle, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved the Delinquent Tax Attorney's Report and accepted the Delinquent Tax Attorney's two recommendations to write off an uncollectable account with a base tax of \$62.00 and to write off two (2) delinquent personal property accounts with a base tax ranging from \$1 to \$19.

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

Mr. Plunkett then reported the total monthly pumpage for September was 7,228,000 gallons and the average daily flow at the sewer plant during the previous month was 135,000 GPD, which is 60% of current capacity. Mr. Plunkett also reported the pumped to billed ratio was 92.72% at the water plant. There were no excursions.

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 five (5) accounts.

Mr. Plunkett reported that the Stage 1 Drought Contingency Plan have been lifted.

Next, Mr. Plunkett reported that a customer on Bickett stated there was an incorrect meter read, which has been investigated. Mr. Plunkett recommended the Board consider the normal monthly charge be billed plus \$1.00 per 1,000 gallons on an average usage of 50,000, which would cover the costs to produce, eliminate 10% surcharge for the RWA rate and waive past due and late fees. He stated the adjustment would be approximately \$390.56 on a bill of approximately \$1,200.

Mr. Plunkett stated that booster pump #3 will be installed this week.

Next, Mr. Plunkett stated that there was a main break on Lemm Ct., that was completed.

Upon motion by Director Riddle, seconded by Director Galindo, 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) postpone disconnection of services during holidays; (2) accepted Eagle Water's leak adjustment recommendation to charge \$1.00 per 1,000 gallons on an average usage of 50,000 to cover the cost of water for both the customer's request at Bickett; and (3) approved the Operations Report.

8. 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 responded to questions from the Board.

Mr. Van Dusen discussed the Aquifer data and recommended digging the new well deeper.

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

9. New Business:

a. Discussion and consideration regarding a proposal for fence on the south side of the Water Plant. Discussed after Public Comment.

b. Arbitrage Compliance Specialist Report for Series 2021 Bonds ("ACS Report"), a copy of which is attached hereto as Exhibit "F."

Ms. Roberts distributed a copy of the ACS Report. Ms. Roberts stated that the District is in compliance and therefore, there is no additional filing requirement regarding arbitrage rebate with the IRS. Director Fritsche then stated that no payment is due to the IRS.

c. Website Rate Increase. The monthly maintenance rate for the District's website will increase from \$62.50 to \$85.00 per month effective December 1, 2023.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board accepted the fee increase for the monthly maintenance of the District's website from \$62.50 to \$85.00 per month effective December 1, 2023.

10. Old Business:

a. Improvements at Water Production Site (19423 Lockridge Dr.) Installation of the fence has been complete.

b. Drescher Gate/Detention Pond / West Bound Fence with Fidelis and Dreamlab. Director Fritsche stated that several residents have reported the gate being left open. Director Fritsche stated with Board authorization, he would install a chain and fire marshal Knox box and obtain an inspection. Mr. Van Dusen will prepare and send a letter notifying Fidelis and Dreamlab and that the costs of the chain and fire marshal Knox box would added to the maintenance costs.

c. Easements for Dunn and Miller properties. Discussed under the Engineer's Report.

d. Audit Committee. The Board will start working on the 2025 Budget.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,**  
the meeting was adjourned at 7:51 p.m.

**PASSED AND APPROVED** on the 19th day of December, 2023.

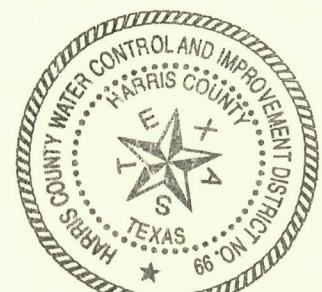
  
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Secretary  
Board of Directors

**EXHIBITS:**

- A - Bookkeeper's Report, Investment Report, Energy Report
- B - Tax Assessor Collector Report
- C - Delinquent Tax Report
- D - Operations Report
- E - Engineer's Report
- F - Arbitrage Compliance Specialist Report

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

**Session**



**[DISTRICT SEAL]**

**November 28, 2023**