

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

MINUTES OF MEETING OF BOARD OF DIRECTORS

JANUARY 16, 2024

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, January 16, 2024, 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"); Zachary A. Petrov, Attorney ("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, Deputy K. Walker, Lt. Flores and Lt. Lindley of the Harris County Constable's Office ("HCCO").

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. There being no public comment, the Board President proceeded with the agenda.
2. Minutes. The Board reviewed the minutes of the regular meeting of December 19, 2023, a copy of which was previously distributed to the Board.

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved minutes of the regular meeting of December 19, 2023 as presented.

3. Constable's Report. Deputy Richardson reviewed the December Constable's Report with the Board. Deputy Richardson responded to questions from Director Galindo.

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 5.3694% interest and the net asset value is 1.00000%.

Next, the Board reviewed the draft budget for the fiscal year ending March 31, 2025.

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 13712 through 13734 from the Operating Account.

5. Tax Assessor-Collector Report. Ms. Wilbanks reviewed the Tax Assessor-Collector Report with the Board, a copy of which is attached hereto as Exhibits "B".

a. Ms. Wilbanks reported that 46.7% of the 2023 taxes and 97.8% of the 2022 taxes have been collected as of December 31, 2023.

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.

6. Delinquent Tax Attorney Reports. Ms. Wilbanks reviewed the Delinquent Tax Attorney Report with the Board, a copy of which is attached hereto as Exhibits "B-1".

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved Delinquent Tax Attorney Report.

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

a. Mr. Plunkett pointed out an E.Coli violation and stated that he believes the issue is how the sample was taken because other samples show within the normal and acceptable range.

Mr. Plunkett then reported the total monthly pumpage for December was 5,082,000 gallons and the average daily flow at the sewer plant during the previous month was 105,000 GPD, which is 37% of current capacity. Mr. Plunkett also reported the pumped to billed ratio was 87.84% at the water plant, which is relatively low. Eagle Water checked the SISD and apartment meters and found no issues. Eagle Water will check the interconnects next and check the construction site. 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 twenty-two (22) accounts. Mr. Plunkett then discussed a residential leak with a bill of \$1,800 and requested termination be deferred. Discussion ensued.

Mr. Plunkett stated Eagle Water would read the meter this week. The Board then requested Mr. Plunkett deferring termination of the requested account with a payment of \$500.00. The Board will consider a leak adjustment policy at the next meeting.

Next, the Board discussed establishing a formal leak adjustment policy.

Upon motion by Director Fritsche, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board appointed Directors Riddle and Wright as a committee for addressing the leak adjustment policy.

Upon motion by Director Ghinelli, seconded by Director Galindo, after full discussion and with all Directors present voting aye, 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 approved: (1) the termination list and authorized the Operator to terminate service as required by the Rate Order to all customers who remain unpaid except for the amount to be deferred with a partial payment; and (2) 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 "D".

Mr. Van Dusen reported that the City has requested a 30-foot access easement instead of a 25-foot access easement. Mr. Van Dusen stated he had inspected the detention pond and found it to be compliant with the approved plans.

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board accepted the Detention Pond from the Developer.

Upon motion by Director Galindo, 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. Annual Eminent Domain Filing on Texas Comptroller's Website.

Mr. Petrov reminded the Board that recently enacted SB 1812 requires public and private entities with eminent domain authority to report specific information annually to the Texas Comptroller by February 1, 2024.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board authorized Johnson Petrov to complete the annual filing on behalf the District.

b. Ratify approval of the Direct Waste Disposal, Inc. trash contract.

Upon motion by Director Riddle, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board ratified the approval of the Direct Waste Disposal, Inc. trash contract.

c. 2024 Bond Application and Use of Surplus 2021 Bond Funds. This was discussed under the Engineer's Report.

10. Old Business.

Mr. Petrov stated he will follow-up with Mark Merrell regarding the Dunn property and with Capital Title regarding the closing of the Miller property.

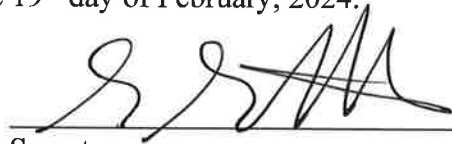
Election Agenda:

Director Riddle reminded the Board that the Directors Election is scheduled on Saturday, May 4, 2024. Mr. Petrov presented an Order Calling Director's Election, a copy of which is attached hereto as Exhibit "E". Discussion ensued regarding joint elections, applications to be on the ballot and voting machines.

By general consensus of all Board members present, the Board approved the Order Calling Director's Election.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
the meeting was adjourned at 8:20 p.m.

PASSED AND APPROVED on the 19th day of February, 2024.



Secretary
Board of Directors

EXHIBITS:

- A - Bookkeeper's Report, Investment Report, Energy Report
- B - Tax Assessor Collector Report
- B-1 - Delinquent Tax Report
- C - Operations Report
- D - Engineer's Report
- E - Order Calling Director's Election

**Minutes recorded by Zachary A. Petrov
Johnson Petrov LLP
Regular**

Session



January 16, 2024