

# HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 99

## MINUTES OF MEETING OF BOARD OF DIRECTORS

JUNE 18, 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, June 18, 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"); Debbie Bessire of Equi-Tax, Inc. ("Tax Assessor/Collector"); 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, Deputy Trevino and Lieutenants Flores and Lindley of the Harris County Constable's Office ("HCCO") and Michael Others with McCall Gibson Swedlund Barfoot, auditors for the District ("McCall Gibson").

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 were no members of the public that wished to speak at this time.
2. Minutes. The Board reviewed the minutes of the regular meeting of May 21, 2024, a copy of which was previously distributed to the Board.

Upon motion by Director Ghinelli, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved minutes of the regular meeting of May 21, 2024, as presented.

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

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

4. Auditor's Report. Mr. Others presented a draft of the audit for the fiscal year ended March 31, 2024, copies of which are attached hereto as Exhibit "A." Mr. Others reported that the



Auditor will issue a clean opinion and free of material misstatement and that McCall Gibson will file the audit with the TCEQ as required by the Water Code. Mr. Petrov noted that it will need to be filed with (EMMA) an electronic database for the bonds required financial disclosures. Mr. Others also responded to questions from the Board.

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved the audit report for fiscal year ended March 31, 2024 subject to final review from Johnson Petrov, and authorized the legally required filings of the audit.

5. 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 "B."

Ms. Wilbanks reported that TexPool interest rate has increased and is paying 5.3161% interest and the net asset value is 0.99995%.

b. Ms. Wilbanks then stated that she had submitted the Texas Unclaimed Property Report on June 1<sup>st</sup> on behalf the District for one (1) account in the amount of \$205.19, a copy of which is attached to the Bookkeeper's Report.

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved submission of the Unclaimed Property Report.

Upon motion by Director Galindo, seconded by Director Ghinelli, 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 13847 through 13874 from the Operating Account.

6. Tax Assessor-Collector Report. Ms. Bessire reviewed the Tax Assessor-Collector Report with the Board, a copy of which is attached hereto as Exhibits "C".

Ms. Bessire reported that 93.4% of the 2023 taxes have been collected as of May 31, 2024.

Upon motion by Director Wright, seconded by Director Galindo, after full discussion and with all Directors present voting aye, the Board approved the Tax Assessor-Collector Report, including payment of check nos. 2514 thru 2517.

7. Delinquent Tax Attorney Report, which was prepared by Perdue, Brandon, Fielder, Collins & Mott, L.L.P., a copy of which is attached hereto as Exhibit "C." There was no report presented at this time.

8. 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 the month of May was 6,149,000 gallons and the average daily flow at the sewer plant during the previous month was 205,000 GPD, which is 71% of current capacity. Mr. Plunkett also reported the pumped to billed ratio was 83.27% 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 fourteen (14) accounts.

Upon motion by Director Galindo, seconded by Director Wright, 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 the termination list and authorized the Operator to terminate service as required by the Rate Order to all customers who remain unpaid.

Upon motion by Director Galindo, seconded by Director Ghinelli, after full discussion and with all Directors present voting aye, the Board 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 "E".

Mr. Van Dusen presented and reviewed Payment Application No. 4 from SiteCon Services, Inc. in the amount of \$159,615.00, a copy of which is attached to the Engineer's Report. Mr. Van Dusen recommends approval of the Payment Application No. 4.

Upon motion by Director Galindo, seconded by Director Wright, after full discussion and with all Directors present voting aye, the Board approved Payment Application No. 4 from SiteCon Services, Inc. in the amount of \$159,615.00.

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.

10. New Business.

a. Use of Water Board Building for Constables.

Upon motion by Director Ghinelli, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved allowing the on duty Constable's access to the building, including the purchase of a mini-refrigerator and snacks.

b. Ethics Policy.

Upon motion by Director Galindo, seconded by Director Riddle, after full discussion and with all Directors present voting aye, the Board approved an amendment to the Ethics Policy by providing a discretionary budget of \$1,500 for committee tasks and authorizing a director to rollover an amount if it exceeds the monthly maximum per diem.

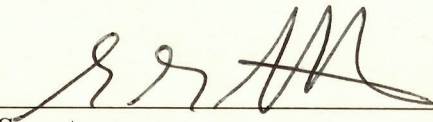
11. Old Business.

a. Shrubbery for Fence and repair of service driveway at Water Plant. Director Riddle stated the work is scheduled to start June 24th. Director Riddle reported he received a bid to stain the fence in the amount of \$6,495.

- b. Discussion regarding District's Property located near I-45. No updates at this time.
- c. Request from Apartments regarding PILOT Agreement. No updates at this time.
- d. Conversion of the District to powers of a MUD. This item was tabled until the August meeting.
- e. Dunn and Miller Properties. Mr. Petrov updated the Board on the status of the Dunn property.
- f. Audit Committee. No updates at this time.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,**  
the meeting was adjourned at 8:15 p.m.

**PASSED AND APPROVED** on the 16th day of July, 2024.

  
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Secretary  
Board of Directors

**EXHIBITS:**

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

**Minutes recorded by Zachary A. Petrov  
Johnson Petrov LLP  
Regular Session June 18, 2024**

