

MINUTES  
EMERALD FOREST UTILITY DISTRICT

April 10, 2023

The Board of Directors (the "Board") of Emerald Forest Utility District (the "District") met in regular session, open to the public, on the 10<sup>th</sup> day of April, 2023, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Bobby G. Dillard	President
Robert M. Kimball	Vice President
William B. Schmidt	Secretary/Investment Officer
Donald F. Brooks	Asst. Vice President
DeWayne High	Assistant Secretary

and all of the above were present except Director Brooks, thus constituting a quorum.

Also present at the meeting were Greg Lentz of Masterson Advisors LLC; Angie Hartwell of Touchstone District Services ("Touchstone"); Stephanie Viator and Jordyn Trezza of District Data Services, Inc. ("DDS"); Lonnie Lee of Regional Water Corporation ("RWC"); Patty Rodriguez of Bob Leared Interests; and Katie Sherborne and Jennifer Ramirez of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board considered approving the minutes of the March 13, 2023, regular meeting and the March 28, 2023, special meeting. After review and discussion, Director Dillard moved to approve the minutes of the March 13, 2023, regular meeting and the March 28, 2023, special meeting, as submitted. Director High seconded the motion, which passed unanimously.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Rodriguez presented the monthly tax report, a copy of which is attached. She stated that 97.4% of the District's 2022 taxes were collected as of the end of March. Ms. Rodriguez then reviewed the District's delinquent tax roll.

Ms. Rodriguez reviewed a list of delinquent business personal property taxes that can be transferred to the District's uncollectible roll, a copy of which is attached.

After review and discussion, Director Schmidt moved to (1) approve the tax report and payment of the tax bills; and (2) authorize the tax assessor/collector to move the uncollectible delinquent business personal property accounts to the uncollectible roll, as recommended. Director Kimball seconded the motion, which passed unanimously.

#### 2023 OPERATION AND MAINTENANCE TAX ELECTION MATTERS

Ms. Hartwell updated the Board on the status of the 2023 Operation and Maintenance Tax Election. The Board discussed the upcoming Town Hall meeting on April 18, 2023.

#### WEBSITE AND COMMUNICATION MATTERS

Ms. Hartwell reviewed the website and communication report, a copy of which is attached.

The Board discussed communication with residents regarding the EyeOnWater app. Ms. Hartwell reviewed the proposed website notice and text alert informing residents how to sign up and utilize the app. After discussion, the Board concurred to have Touchstone proceed with posting the information, as discussed.

#### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Viator reviewed the bookkeeper's report, including the District's investments and the budget comparison, and submitted the bills for payment. A copy of the bookkeeper's report is attached.

Ms. Viator stated that DDS filed a fraud affidavit with the District's bank related to the fraudulently cashed payment to a District contractor discussed at the previous regular meeting.

After review and discussion, Director Schmidt moved to approve the bookkeeper's report, the District's investments, and payment of the bills. Director High seconded the motion, which passed unanimously.

#### OPERATION OF DISTRICT FACILITIES

Mr. Lee presented the operations report from RWC, a copy of which is attached. He reported on routine maintenance and repair items in the District. He stated that water accountability for the prior billing cycle was 79.5%.

After review and discussion, Director Schmidt moved to approve the operator's report. Director High seconded the motion, which passed unanimously.

## HEARING REGARDING TERMINATION OF WATER AND SEWER SERVICE

The Board conducted a hearing on the termination of water and sewer service to delinquent accounts. Mr. Lee stated that the residents on the list were delinquent in payment of their water and sewer bills and had been given written notification prior to the meeting of the opportunity to appear before the Board to explain, contest, or correct the utility service bills and to show reason for nonpayment, all in accordance with the District's Rate Order. After discussion, Director Schmidt moved that, because the customers on the list were neither present at the meeting nor had presented any written statement on the matter, water and sewer service for accounts totaling \$10 or more would be terminated the following week in accordance with the District's Rate Order, except (i) accounts in compliance with payment agreements, and (ii) commercial accounts, which are to be contacted first by RWC and then terminated the following Monday if payment has not been received. Director High seconded the motion, which passed unanimously.

## ANNUAL REPORT ON IMPLEMENTATION OF WATER CONSERVATION PLAN

Mr. Lee stated that RWC is completing the annual report on implementation of the Water Conservation Plan. After review and discussion, Director Kimball moved to approve the annual report on implementation of the Water Conservation Plan, subject to final review. Director Schmidt seconded the motion, which passed unanimously.

## CONDUCT ANNUAL REVIEW AND RECEIVE REPORT FROM OPERATOR ON IDENTITY THEFT PREVENTION PROGRAM AND ADOPT IDENTITY THEFT PREVENTION PROGRAM AMENDMENT, IF NECESSARY

Mr. Lee reviewed the annual report on the Identity Theft Prevention Program. He stated that no problems have been identified and no changes to the Identity Theft Prevention Program are recommended.

## ENGINEERING MATTERS

The Board reviewed the engineer's report prepared by AEI Engineering, a Baxter & Woodman Company ("AEI"), a copy of which is attached.

## SURFACE WATER, CHLORAMINE CONVERSION, AND BLEACH DISINFECTION CONVERSION

The Board reviewed the status of the North Harris County Regional Water Authority's construction at Water Plant No. 3, as reflected in the report.

## FM 1960 LIFT STATION NO. 5

The Board reviewed the status of the FM 1960 lift station no. 5 project, as reflected in the report. There were no Pay Estimates or Change Orders from

Persons Services Corporation for the Board's approval.

FM 1960 WATER AND SANITARY SEWER EXTENSION

The Board reviewed the status of the FM 1960 water and sanitary sewer extension project, as reflected in the report. There were no Pay Estimates or Change Orders from D.L. Elliott Enterprises, Inc. for the Board's approval.

WATER EXTENSION TO SERVE REPUBLIC BUSINESS CENTER ("RBC") TRACT

The Board reviewed the status of the public water line upsizing project to serve the RBC tract, as reflected in the report. There were no Pay Estimates or Change Orders from Aranda Industries LLC for the Board's approval.

CYPRESS NORTH HOUSTON ROAD (LOUEDD ROAD) WIDENING

There was no discussion on this matter.

WOODEDGE VILLAGE SANITARY SEWER REHABILITATION

The Board reviewed the status of the Woodedge Village sanitary sewer and manhole rehabilitation project, as reflected in the report. There were no Pay Estimates or Change Orders from T. Gray Utility & Rehab Co., LLC for the Board's approval.

FEASIBILITY STUDIES, PLAN REVIEWS, AND UTILITY AVAILABILITY REQUESTS

The Board reviewed the status of the pending plan reviews, service requests, and feasibility studies, as reflected in the report.

CYPRESS GLEN SANITARY SEWER REPAIR PROJECT

The Board reviewed the status of the design of the sanitary sewer and manhole rehabilitation project for Cypress Glen, as reflected in the report.

DEEDS, EASEMENTS, AND/OR CONSENTS TO ENCROACHMENT

There was no discussion on this agenda item.

OTHER ENGINEERING MATTERS

The Board reviewed the status of the draft wastewater treatment plant permit, as reflected in the report.

Ms. Sherborne reported that the new owner of the 9410 West FM 1960

property has not returned the executed Out-of-District Service Agreement within the stated deadline. After discussion, the Board directed ABHR to notify the owner that the agreement must be executed prior to the next regular Board meeting or the District will consider terminating the property's utility service.

PETITION FOR ADDITION OF CERTAIN LAND AND PETITION FOR CITY CONSENT TO ANNEX LAND

There was no discussion on this agenda item.

ACCEPT WAIVER OF SPECIAL APPRAISAL

There was no discussion on this agenda item.

APPROVE THIRD ADDENDUM TO WATER SUPPLY AND WASTE DISPOSAL CONTRACT WITH CY-FAIR ISD

There was no discussion on this agenda item.

ATTORNEY'S REPORT

There was no discussion on this agenda item.

TEXAS PUBLIC INFORMATION ACT REQUESTS

There was no discussion on this agenda item.

CONVENE IN EXECUTIVE SESSION TO CONSULT WITH ATTORNEY, PURSUANT TO SECTION 551.071, TEXAS GOVERNMENT CODE

The Board did not convene in Executive Session.

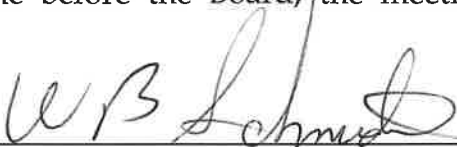
DISCUSS MEETING SCHEDULE

The Board discussed scheduling a special meeting to canvass the results of the 2023 Operation and Maintenance Tax Election. After discussion, the Board concurred to schedule a special meeting on May 15, 2023, at 3:00 p.m. at the offices of AEI.

There being no further matters to come before the Board, the meeting was adjourned.

(SEAL)



  
Secretary, Board of Directors

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