## MINUTES OF MEETING OF BOARD OF DIRECTORS May 18, 2020

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COUNTY OF MONTGOMERY	8
MONTGOMERY COUNTY UTILITY DISTRICT NO. 3	3

The Board of Directors ("Board") of Montgomery County Utility District No. 3 ("District") met in **regular** session, open to the public, on **May 18, 2020** at **2:00 PM**, at the offices of Hays Utility North Corporation (the District's utility operator) at 375 Lake Meadows Drive, Montgomery, Texas 77356, in Montgomery County, Texas and via a telephone conference call audible at that location (with two way audio), as authorized by the Governor of Texas under an emergency declaration, whereupon the roll was called of the members of the Board, to-wit:

Doris Hickman, President Richard Tibbetts, Vice President Janis Boulware, Secretary and Assistant Treasurer Carolyn H. Smith, Treasurer Judy Robert, Assistant Secretary

and all members of the Board were present via conference call, thus constituting a quorum. Also present via conference call were Steve Haskins of Protocol Bookkeeping, Inc., bookkeeper for the District; and Mr. Chris Roznovsky of Jones & Carter, Inc. and Katherine Vu of Jones & Carter, Inc., engineers for the District; James Dougherty, special counsel for the District; Philip Wright of Hays Utility North Corp., operator for the District was present at the meeting place. Mr. Gary North, President of Montgomery County Utility District No. 4 ("UD4") was present via conference call. The meeting was called to order, and in accordance with notice posted pursuant to law, in the form attached as *Exhibit A*, the following business was transacted:

1. Election, Notices, Minutes, Etc. The President reported that the certificates of election for the two candidates had both been signed. The attorney described the required written statements, oaths and bonds. Ms. Boulware and Ms. Smith each confirmed that the documents had been signed and filed in the correct order. At that point, Mr. Tibbetts moved to accept and approve the statements, oaths and bonds and to find and determine that the two candidates had duly qualified for office (four-year term). The motion was seconded and adopted by unanimous vote.

It was moved and seconded to find and determine that notice of the current meeting had been duly given in the form shown in *Exhibit A*, attached. The motion was adopted. Draft minutes of the meeting held April 20, 2020 were reviewed. It was moved and seconded to approve them as presented. The motion carried unanimously.

- 2. Public comments. There were no public comments.
- 3. Neighborhood Update (UD4). There was no neighborhood update initially, but later in the meeting the President reported on a pending meeting of the consolidation committee and work that had been done on the five-year and 15-year plans.
- 4. Bookkeeper's Report; Investment Report; Etc. Mr. Haskins presented and reviewed the bookkeeping and investment report for the General Fund and a separate report for the Regional WWTP,

copies of which are attached as *Exhibits B* and *C*. He noted the final pay estimate for the RJ&M contract. After discussion, it was duly moved and seconded to approve payment of the bills and checks prepared by Mr. Haskins. All voted in favor.

Director Boulware moved to approve: (1) the annual financial report with the treatment of the special items discussed with by Mr. Eyring the prior month and (2) a letter of representation to the auditor. Director Tibbetts seconded, and all voted in favor.

- **5.** Tax Assessor-Collector, Etc. The Board had excerpts from the Tax Assessor-Collector's report for the preceding month, as shown in *Exhibit D*, attached. They showed that the Tax Assessor-Collector had collected 95.44% of the TY 2019 taxes.
- **6. Engineer's Report, Etc.** Mr. Roznovsky presented the engineer's report attached as *Exhibit E*. He recommended payment and certification of completion of contract with the RJ&M firm for sanitary sewer dig repairs. Director Smith moved to approve Pay Estimate No. 6 & Final in the amount of \$35,174.31 and to authorize execution of the Certificate of Substantial Completion and the Certificate of Acceptance. Director Tibbetts seconded, and all voted in favor.

There was a general discussion of a TCEQ violation notice, which appeared to be related to administrative matters (not water quality). Mr. Roznovsky reported that the documentation requested was being assembled to be sent to TCEQ.

Mr. Roznovsky then presented a draft "5-Year Plan" covering planned operator items, including some lift station and sanitary sewer repairs. He explained that it was prepared so that there could be an "apples-to-apples" comparison to the UD4 five-year plan.

There were questions about the engineer's "return to work" plan following the coronavirus lockdown (public health restrictions).

7. Operator Report, Etc. Mr. Wright presented the operator's report attached as *Exhibit F* and reviewed it with the Board. He provided an update on water accountability, which he said was good (over 96%). He described revenue and payment impacts resulting from the CoVid-19 outbreak. He said the impact was low, and there was a general consensus of the Board that normal collection and cutoff procedures should resume. Mr. Wright explained that those procedures included special handling when a customer has a hardship condition.

There was a question about storm drain repairs and possible sinkholes. There was a question about the Waterpoint development, including the number of floors.

Mr. Wright reported that repairs at two lift stations had been completed. He mentioned the repairs that had to be done because of damage done by the TACHUS firm or its contractor, H&H Services. He said there were reports that some damage had been done by "third-party contractors." There was a discussion about the claims and the assertion from H&H Services that lines were "mismarked," in the sense that the marks made by the operator were more than four feet from the actual line locations. Mr. Wright said that maybe 40-50% could be in that category, costing perhaps \$5,000 to \$6,000. The President said that one of the indicated repairs (on Capetown Circle) was a UD4 item. Mr. Wright said he would send all the repair costs to the contractors involved.

Mr. Wright reported that it would be possible to install bacteriological sampling stations in the water distribution system for about \$2,000 each. He said three or four would be needed. He said they would be easy to disinfect (because they would use stainless steel) and would look good. He said they would reduce both excursions in sampling data and intrusions onto private property. After discussion, Director Boulware moved to authorize three of them, with the understanding that the existing tap near

the Eckstrum property would be used for the fourth station. Director Smith seconded, and all voted in favor.

Mr. Wright reported a claim based on alleged dirty water or rusty water. There was a general discussion about rust, rust remover and possible causes. There was no action to approve the claim.

The President asked about costs of maintaining and repairing the pressure-reducing valves. Mr. Wright reported that all the valve boxes were holding water, and there was a need to figure out how to drain the water. He said the water was causing rust and other problems with the equipment in the boxes. The estimated cost was about \$2,300, for just the four located in the UD3 boundaries. Mr. Wright said he would bill each District 50% of the cost of repairing each pressure-reducing valve, no matter where located, and provide a credit on the next month's bills if necessary to "true-up" the billing at 50% each.

There was a general discussion about the draft consumer confidence report (water quality report). It was duly moved and seconded to authorize Director Robert to review and approve it after revisions were completed and to authorize electronic distribution (with secondary distribution), as approved by Director Robert.

Mr. Wright and Mr. Dougherty reported on the Chiles settlement (\$4,700 total) and the pending agreement with the developer for a water facility extension in the Waterpoint development. Mr. Dougherty indicated that the easement discussion had stopped, pending receipt of the signed cost agreement and the deposit check from the developer.

- 8. Intergovernmental matters. There was no action taken.
- 9. District policies, rates, etc. There was an inquiry about resuming in-person meetings at HUNC offices. The President indicated it would be looked-at for the following month's meeting. The attorney reported on the need for each Director to complete the cybersecurity training mandated by the State, so the certificate of completion could be made by the June deadline. There was a discussion about the available courses and how to document them.
  - 10. Executive sessions(s). There was no executive session.

A motion was made to adjourn the meeting at about 4:20 PM. The motion was seconded and carried unanimously.

These minutes were approved by the Board of Directors on 15

SIGNED: Hockman, President, Board of Directors

ATTEST: Secretary, Board of Directors

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