# MINUTES MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 142

June 8, 2022

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 142 (the "District") met in regular session, open to the public, on the 8<sup>th</sup> day of June, 2022, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Ste. 2600, Houston, TX, outside the boundaries of the District, and the roll was called of the duly appointed members of the Board:

Dillon Mills President
Fritz Fowler Vice President
David J. Patrick Secretary
Connor Lynch Director
Cameron Feehan Director

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

Also present at the meeting were: Debbie Arellano of Bob Leared Interests; Rahi Patel of Municipal Accounts & Consulting LP; and Nellie Connally and Arlene Catalan of Allen Boone Humphries Robinson LLP.

## **PUBLIC COMMENT**

Ms. Connally offered any members of the public attending the meeting the opportunity to make public comment. There being no members of the public requesting to make public comment, Ms. Connally moved to the next agenda item.

#### **MINUTES**

The Board considered approving the minutes of the April 5, 2022, meeting. After review and discussion, Director Mills moved to approve the minutes of the meeting, as presented. Director Patrick seconded the motion. Upon hearing no objections or abstentions from directors, the motion passed unanimously.

#### 2022 DIRECTORS ELECTION

The Board considered approving a Certificate of Election, reflecting the election of David J. Patrick and Connor Lynch to the Board of Directors of the District, both for a four-year term.

Ms. Connally reviewed the Sworn Statements and Oaths of Office for Directors Patrick and Lynch.

The Board considered reorganizing the Board of Directors and concurred to maintain the current organization.

The Board then considered ratifying the filing of an updated District Registration Form with the Texas Commission on Environmental Quality ("TCEQ"), reflecting the terms of the newly elected directors.

After review and discussion, Director Mills moved to: (1) approve the Certificate of Election and the distribution of same to Directors Patrick and Lynch and direct that the Certificate of Election be filed appropriately and retained in the District's official records; (2) approve the Sworn Statements and Oaths of Office and direct that the documents be filed appropriately and retained in the District's official records, and that the Oaths of Office be filed with the Secretary of State, as required by law; and (3) ratify filing of the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director Patrick seconded the motion, which passed by unanimous vote.

# ANNUAL REVIEW OF PROCEDURES FOR CONTINUING DISCLOSURE COMPLIANCE

The Board reviewed the District's procedures for continuing disclosure compliance. Ms. Connally stated that no changes are required at this time.

# APPROVE ANNUAL REPORT AND AUTHORIZE FILING OF SAME WITH APPROPRIATE INFORMATION REPOSITORIES IN ACCORDANCE WITH CONTINUING DISCLOSURE OF INFORMATION AGREEMENT

Ms. Connally discussed certain filing requirements related to the District's Annual Report filing as part of the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c2-12. She noted the District may file its most recent audit to satisfy its continuing disclosure requirements. Following discussion, Director Mills moved to approve the Annual Report, authorize ABHR to submit the District's updated financial and operating data in compliance with the continuing disclosure provisions contained in the bond resolutions, and direct that the Annual Report be filed appropriately and retained in the District's official records. Director Patrick seconded the motion. Upon hearing no objections or abstentions from directors, the motion passed unanimously.

#### FINANCIAL AND BOOKKEEPING MATTERS

Mr. Patel presented and reviewed a bookkeeper's report, a copy of which is attached, including a list of checks presented for payment.

Following review and discussion, Director Mills moved to approve the bookkeeper's report and pay the bills. Director Patrick seconded the motion. Upon hearing no objections or abstentions from directors, the motion passed unanimously.

#### TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Arellano presented and reviewed the tax assessor/collector's report, a copy of which is attached. After review and discussion, Director Mills moved to approve the tax assessor/collector's report and payment of the tax bills. Director Patrick seconded the motion. Upon hearing no objections or abstentions from directors, the motion passed unanimously.

#### DELINQUENT TAX COLLECTION

Ms. Connally reported that the District's delinquent tax attorney, Perdue, Brandon, Fielder, Collins & Mott, L.L.P., can begin collecting delinquent taxes in the District on July 1, 2022. After discussion, Director Mills moved to authorize the District's delinquent tax attorney to proceed with the collection of delinquent District taxes as of July 1, 2022. Director Patrick seconded the motion. Upon hearing no objections or abstentions from directors, the motion passed unanimously.

# ADOPT RESOLUTION REGARDING DEVELOPMENT STATUS FOR 2022 TAX YEAR

The Board discussed the District's development status. After fully considering relevant data, information, and statutory definitions, the Board determined that the District is a Developing District for the 2022 tax year.

Following review and discussion, Director Mills moved to adopt a Resolution Regarding Development Status for 2022 Tax Year establishing the District as a Developing district for the 2022 tax year, pursuant to Section 49.23603 of the Texas Water Code and direct that the Resolution be filed appropriately and retained in the District's official records. Director Patrick seconded the motion. Upon hearing no objections or abstentions from directors, the motion passed unanimously.

#### **ENGINEERING MATTERS**

Mr. Sullivan presented and reviewed the engineer's report, a copy of which is attached, and updated the Board on ongoing District projects.

Mr. Sullivan updated the Board on the construction of the Mackenzie Creek, Section 3 water, sewer, and drainage facilities and reviewed and recommended approval of Pay Estimate No. 4 in the amount of \$1,378,373.93, and Pay Estimate No. 5 in the amount of \$360,475.13, payable to Northtex Construction, LLC ("Northtex").

Following review and discussion, Director Mills moved, based on the engineer's recommendation, to: (1) approve the engineer's report; (2) approve Pay Estimate No. 4

in the amount of \$1,378,373.93; and (3) approve Pay Estimate No. 5 in the amount of \$360,475.13. Director Patrick seconded the motion, which carried unanimously.

## **ANNEXATION MATTERS**

There was no discussion on this item.

#### **MAINTENANCE MATTERS**

There was no discussion on this item.

### **DEVELOPMENT IN THE DISTRICT**

There was no discussion on this item.

#### **NEXT MEETING DATE**

The Board concurred to meet in-person on July 13, 2022, subject to securing quorum.

There being no further business to come before the Board, the Board concurred to adjourn the meeting.

Secretary, Board of Directors

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