

MINUTES
EMERALD FOREST UTILITY DISTRICT

December 11, 2023

The Board of Directors (the "Board") of Emerald Forest Utility District (the "District") met in regular session, open to the public, on the 11th day of December, 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
Donald F. Brooks	Asst. Vice President
DeWayne High	Assistant Secretary

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

Also present at the meeting were Tracy Knapp, Abbey Residential Services, Inc.; Robert Hansen of HooverSlovacek, LLP; Angie Hartwell of Touchstone District Services ("Touchstone"); Stephanie Viator of District Data Services, Inc.; Sherry Grant of Baxter & Woodman, Inc. ("B&W"); Jennifer Rowe-Baker and Scott Barr of Regional Water Corporation ("RWC"); Debbie Arellano of Bob Leared Interests; and Katie Sherborne and Jennifer Ramirez of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There was no discussion on this agenda item.

APPROVE MINUTES

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

WEBSITE AND COMMUNICATION MATTERS

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

Ms. Hartwell inquired if the Board would like to post an article regarding home winterization. After discussion, Director Kimball moved to authorize Touchstone to

post an article on home winterization. Director Schmidt seconded the motion, which passed unanimously.

GARBAGE COLLECTION AND RECYCLING MATTERS

The Board discussed garbage collection and recycling matters in the District.

OPERATION OF DISTRICT FACILITIES

Mr. Hansen addressed the Board regarding the outstanding balance for the account for The Abbey at Jones Road apartment complex. Ms. Rowe-Baker reviewed the usage history for the account since January, 2023 and discussed the replacement of the previous mechanical meter with an electronic smart meter. She noted that the current outstanding balance for the account is \$6,011.98. Discussion ensued.

TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Arellano presented the monthly tax report, a copy of which is attached. She stated that 6.4% of the District's 2023 taxes were collected as of November 30, 2023. Ms. Arellano then reviewed the District's delinquent tax roll.

The Board reviewed the delinquent tax report provided by Perdue, Brandon, Fielder, Collins & Mott, LLP, a copy of which is attached.

After review and discussion, Director Schmidt moved to approve the tax report and payment of the tax bills. Director High seconded the motion, which passed unanimously.

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.

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

OPERATION OF DISTRICT FACILITIES (CONT'D)

Mr. Hansen stated that, after review of the account information provided by RWC, the property management company for The Abbey at Jones Road concurs with the remaining outstanding balance owed. He stated that the property management company is requesting a credit against the outstanding balance in the amount of \$1,600.00 for the leak detection test performed by the property management company in response to the District's assertion that there is a leak on the property. After review

and discussion, Director Kimball moved to deny the request for a credit in the amount of \$1,600.00. Director Schmidt seconded the motion, which passed unanimously.

TRAVEL REIMBURSEMENT GUIDELINES AND DIRECTOR EXPENSES FOR ASSOCIATION OF WATER BOARD DIRECTORS ("AWBD") WINTER CONFERENCE

The Board generally discussed the Board's Travel Reimbursement Guidelines and Director expenses for the AWBD winter conference.

REVIEW AND UPDATE EMINENT DOMAIN REPORT TO THE TEXAS COMPTROLLER

Ms. Sherborne reported ABHR has filed the District's Eminent Domain Authority Annual Report with the Comptroller of the State of Texas.

OPERATION OF DISTRICT FACILITIES (CONT'D)

Mr. Barr 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 88.7%.

Mr. Barr reviewed a request from account no. 1-30-06040-05 requesting a payment plan for high water and sewer bill from October, 2023.

Mr. Barr reviewed a request from account no. 1-30-03480-054 requesting a bill adjustment for high water and sewer bills from July-September, 2023, due to a leaking toilet. He noted that the account has been paid in full.

After review and discussion, Director High moved to (1) approve the operator's report; (2) authorize a three-month payment plan for account no. 1-30-06040-05, plus the current month's bill as it becomes due; and (3) deny the request for a bill adjustment for account no. 1-30-03480-054. Director Kimball 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. Barr 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 High 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 Kimball seconded the motion, which passed unanimously.

UPDATE ON PREPARATION OF BOND APPLICATION

Ms. Grant updated the Board on the preparation of the District's bond application.

ENGINEERING MATTERS

Ms. Grant reviewed the engineer's report, a copy of which is attached.

SURFACE WATER, CHLORAMINE CONVERSION, AND BLEACH DISINFECTION CONVERSION

Ms. Grant stated that the District received a response on November 30, 2023, from the North Harris County Regional Water Authority ("NHCRWA") regarding the request for payment for the District's portion of Project 28F. She stated that the NHCRWA is working with AECOM to prepare the revised payment request and gather the missing documentation.

FM 1960 LIFT STATION NO. 5

Ms. Grant updated the Board on the status of the FM 1960 lift station no. 5 project, as reflected in her report. She reviewed and recommended approval of Pay Estimate No. 13 and Final in the amount of \$48,014.36, submitted by Persons Services Corporation ("Persons"). Ms. Grant also recommended the Board accept the project.

After review and discussion, and based on the engineer's recommendation, Director High moved to (1) approve Pay Estimate No. 13 and Final in the amount of \$48,014.36 to Persons; and (2) accept the project. Director Schmidt seconded the motion, which passed unanimously.

FM 1960 WATER AND SANITARY SEWER EXTENSION

Ms. Grant updated the Board on the status of the FM 1960 water and sanitary sewer extension project, as reflected in her report. She reviewed and recommended approval of Pay Estimate No. 7 and Final in the amount of \$12,757.74, submitted by D.L. Elliott Enterprises, Inc. Ms. Grant also recommended the Board accept the project.

After review and discussion, and based on the engineer's recommendation, Director High moved to (1) approve Pay Estimate No. 7 and Final in the amount of \$12,757.74 to D.L. Elliott; and (2) accept the project. Director Schmidt seconded

the motion, which passed unanimously.

CYPRESS NORTH HOUSTON ROAD (LOUEDD ROAD) WIDENING

There was no discussion on this agenda item.

FEASIBILITY STUDIES, PLAN REVIEWS, AND UTILITY AVAILABILITY REQUESTS

Ms. Grant updated the Board on the status of the pending plan reviews, service requests, and feasibility studies, as reflected in her report.

Ms. Grant updated the Board on the status of preparation of the draft feasibility for the 6.2-acre 7C Jones LLC tract.

CYPRESS GLEN SANITARY SEWER REPAIR PROJECT

Ms. Grant updated the Board on the status of the sanitary sewer and manhole rehabilitation project for Cypress Glen, as reflected in her report. Ms. Grant did not have any Pay Estimates or Change Orders from Texas Pride Utilities, LLC for the Board's approval.

UPDATES TO EMERGENCY PREPAREDNESS PLAN ("EPP") AND EMERGENCY RESPONSE PLAN ("ERP")

Ms. Grant stated that B&W is working on updates to the District's EPP and ERP to reflect the changes in chemical treatment at the water plants. She stated that she anticipates providing the draft updated EPP and ERP to the Board and consultants for review in the next week.

DEEDS, EASEMENTS, AND/OR CONSENTS TO ENCROACHMENT

There was no discussion on this agenda item.

OTHER ENGINEERING MATTERS

Ms. Grant stated that the District received an email response from the Texas Commission on Environmental Quality ("TCEQ"), a copy of which is attached to the engineer's report, to the District's response letter regarding the letter the District received regarding the failure to submit compliance documentation for a Notice of Violation Letter dated September 9, 2019. She stated that the recommendation from the TCEQ is to file an exception request for the missing documentation for water well. After discussion, Director High moved to authorize B&W to prepare an exception request to file with the TCEQ. Director Schmidt seconded the motion, which passed unanimously.

Ms. Grant updated the Board on the preparation of the service line inventory for the Lead and Copper Rule compliance program.

Ms. Grant reviewed B&W's new schedule of hourly rates, effective January 1, 2024, a copy of which is attached to the engineer's report.

APPROVE ANNEXATION AGREEMENT

There was no discussion on this agenda item.

APPROVE DEVELOPMENT FINANCING AGREEMENT

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.

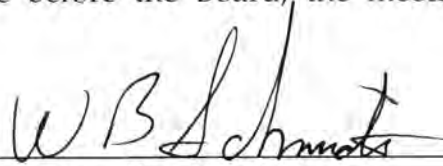
ATTORNEY'S REPORT

There was no discussion on this agenda item.

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

(SEAL)




Secretary, Board of Directors

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