

MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 205

MINUTES OF MEETING OF BOARD OF DIRECTORS

January 15, 2025

The Board of Directors (the "Board") of Montgomery County Water Control and Improvement District No. 205 (the "District") met in regular session, open to the public, on Wednesday, January 15, 2025, at 11:00 a.m., in accordance with the duly posted Notice of Public Meeting, and the roll was called of the duly constituted officers and members of the Board, as follows:

Erica Sinner, President  
Alene Frey, Vice President  
Chad P. Collins, Secretary  
Dana Neuneker, Assistant Secretary  
Elaine Balagia, Assistant Secretary

and all of said persons were present, thus constituting a quorum.

Also present were Katrina Bogany of TPHTL HBL, LLC ("TPHTL"); Ravi Patel of Municipal Accounts & Consulting, L.P. ("MAC"); Robin Goin of BLICO Inc. ("BLICO"); Martin Murdock of Quiddity Engineering, LLC ("Quiddity"); Bill Zollman of Pape-Dawson Engineers, LLC ("Pape-Dawson"); Robert Garcia of Champions Hydro-Lawn, Inc. ("Champions"); Chris Neville of TexaClean Services, LLC ("TexaClean"); Julie Peak and Greg Lentz of Masterson Advisors LLC ("Masterson"); Sue Jones, Kevin Jones, Bill Cole and Ren Cole, residents of the District; and Howard Cohen, Cole Trolinger and Jennifer Spears of Schwartz, Page & Harding, L.L.P. ("SPH"). Joe Forester of TexaClean entered later in the meeting as noted herein.

The meeting was called to order and declared open for business as might properly come before it.

PUBLIC COMMENTS

The Board opened the meeting for public comments. Mr. Cole introduced himself and his wife, Ren Cole and informed the Board that they were there to get more information on the District. Mr. Cohen responded to Mr. Cole and explained that after the Board meeting he would meet with Mr. Cole and the other residents to further answer their questions. Mr. Cole thanked the Board and Mr. Cohen.

APPROVAL OF MINUTES

As the first order of business, the Board considered approval of the draft minutes of the meeting of the Board of Directors held on December 18, 2024. After review and discussion of the

minutes presented, Director Sinner moved that such minutes be approved, as written. Director Neuneker seconded said motion, which unanimously carried.

Mr. Forester entered the meeting at this time.

#### BOOKKEEPING REPORT AND QUARTERLY INVESTMENT REPORT

Mr. Patel then presented to and reviewed with the Board the Bookkeeping Report, a copy of which is attached hereto as **Exhibit A**. He also presented and reviewed with the Board the Quarterly Investment Report for the period ended November 30, 2024 ("Investment Report"), a copy of which is attached to the Bookkeeper's Report. Following review and discussion, Director Sinner moved that the (i) Bookkeeping Report be approved and that payment be authorized for the checks presented, and the additional check no. 1289 for the request for estimate of value from Montgomery Central Appraisal District, and (ii) the Investment Report be approved and the District's Investment Officer be authorized to execute same on behalf of the Board and the District. Director Neuneker seconded the motion, which unanimously carried

#### SUBMISSION OF DISTRICT INFORMATION TO TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Mr. Cohen next reminded the Board that, pursuant to the provisions of Chapter 403, Government Code, and Chapter 203, Local Government Code, the District is required to submit information to the Texas Comptroller of Public Accounts (the "Comptroller") for inclusion on the Special Purpose District Public Information Database. Mr. Cohen then recommended that the Board authorize the District auditor, McGrath & Co., PLLC ("McGrath") to prepare and submit the required information to the Comptroller. Following discussion, Director Sinner moved, seconded by Director Neuneker and unanimously carried, that McGrath be authorized to prepare the required information and submit same to the Comptroller for inclusion in the Special Purpose District Public Information Database.

Ms. Bogany, and Mr. and Mrs. Jones entered the meeting at this time.

#### TAX ASSESSOR/COLLECTOR REPORT

Ms. Goin presented the Tax Assessor/Collector Report dated December 31, 2024, a copy of which is attached hereto as **Exhibit B**. Following review and discussion, Director Sinner moved that the Tax Assessor/Collector Report be approved and that payment be authorized on the checks presented. Director Neuneker seconded the motion, which unanimously carried.

Ms. Goin next reminded the Board that it authorize an aerial flyover of the District for submission to the Montgomery County Appraisal District ("MCAD"), at last month's meeting, and presented the aerial picture of the District to the Board.

Ms. Goin also discussed the recent supplements to the District's tax rolls and the impact on certain residential property in the District.

RATIFY ADOPTION OF RESOLUTION TO REQUEST APPRAISAL OF PROPERTY FROM MONTGOMERY CENTRAL APPRAISAL DISTRICT ("MCAD") FOR APPRAISAL OF PROPERTY

Mr. Cohen then discussed the District Financial Advisor's request for an estimate of value from MCAD for appraisal of property, previously approved by the Board last month. Mr. Cohen advised that the Board ratify the adoption of the Resolution to Request Appraisal of Property from MCAD. Following discussion, Director Sinner moved to ratify the action taken at last month's meeting. Director Neuneker seconded the motion, which unanimously carried.

RESOLUTION AUTHORIZING AN ADDITIONAL PENALTY ON DELINQUENT PERSONAL PROPERTY TAXES

The Board next considered the adoption of a Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes, a copy of which is attached hereto as **Exhibit C**. Mr. Cohen advised that the Board is authorized pursuant to Section 33.11 of the Texas Tax Code, as amended, to impose, under certain conditions, 60 days after the date the taxes become delinquent, an additional penalty not to exceed twenty percent (20%) of the total taxes, penalty and interest due the District on personal property taxes that remain delinquent as of said 60th day, as more fully described in said Resolution. After discussion, it was moved by Director Sinner, seconded by Director Neuneker and unanimously carried, that the Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes be adopted by the Board.

FINANCIAL ADVISOR REPORT

Ms. Peak noted that she has nothing new to report at this time.

DEVELOPER'S REPORT

Ms. Bogany noted that she has nothing new to report at this time.

ENGINEER'S REPORT

Mr. Zollman next presented an Engineer's Report prepared by Pape-Dawson dated January 15, 2025 ("Pape-Dawson Report"), a copy of which is attached hereto as **Exhibit D**. He noted that there was no action needed in connection with the Pape-Dawson Engineer's Report.

Mr. Murdock presented an Engineer's Report prepared by Quiddity dated January 15, 2025 ("Quiddity Report"), a copy of which is attached hereto as **Exhibit E**. Following review and discussion, Director Sinner moved to authorize payment of the change orders listed in the Quiddity report. Director Neuneker seconded the motion, which unanimously carried.

CHAMPIONS HYDRO-LAWN REPORT (PHASE ONE OF THE DIVERSION CHANNEL)

Mr. Garcia presented a Detention and Drainage Facilities Report dated January 2025, a copy of which is attached hereto as **Exhibit F**. Mr. Garcia next presented a proposal for Feral

Hog trapping and removal, at a cost of \$2,307.50. Following review and discussion, Director Sinner moved to approve the proposal in all respects, authorize the President to execute same, and authorize SPH to acknowledge receipt of the Texas Ethics Commission ("TEC") Forms 1295 provided with same. A copy of the proposal thus approved is included hereto in **Exhibit F**. Director Neuneker seconded the motion, which unanimously carried.

#### TEXACLEAN REPORT (PHASES TWO AND THREE OF THE DIVERSION CHANNEL)

Mr. Forester presented an Outfall Channel, Phase Two for Woodson's Reserve, Phase One Maintenance Report dated January 15, 2025, a copy of which is attached hereto as **Exhibit G**. He noted that there was no action requested in connection with the TexaClean Maintenance Report.

#### SOLICITATION OF INSURANCE PROPOSALS

The Board next considered authorizing solicitation of proposals for renewal of the District's insurance coverages. Mr. Cohen advised the Board that the District's current coverage is through McDonald Wessendorff ("McDonald"), and will expire on March 31, 2025. After discussion, the Board agreed to solicit insurance renewal proposals from McDonald for its consideration at the next meeting.

#### ORDER ESTABLISHING POLICY FOR COVERED APPLICATIONS AND PROHIBITED TECHNOLOGY

The Board considered the adoption of an Order Establishing Policy for Covered Applications and Prohibited Technology ("Technology Policy"), a copy of which is attached hereto as **Exhibit H**. Mr. Cohen advised that Senate Bill 1893, as passed during the 88<sup>th</sup> Regular Session, requires that all political subdivisions of the state, including the District, adopt a policy that prohibits the installation of certain social media applications, defined as "covered applications", on electronic devices owned or leased by the District. Mr. Cohen noted that the social media application TikTok and any other software owned by ByteDance Limited are considered covered applications and may not be installed or used on a District owned or leased device. Mr. Cohen further advised that the proposed Technology Policy mirrors the model policy created for governmental entities created by the Texas Department of Information Resources ("DIR"), and will be updated as needed to comply with the recommendations of DIR. After discussion on the matter, Director Sinner moved that the Technology Policy be adopted, and that the President and Secretary be authorized to execute the same. Director Neuneker seconded said motion, which unanimously carried.

#### ATTORNEY'S REPORT

Mr. Cohen then advised the Board that the District has received notice from its continuing disclosure counsel, McCall Parkhurst & Horton L.L.P., that the Annual Report Pursuant to SEC Rule 15c2-12, was timely filed.

ADJOURNMENT

There being no further business to come before the Board, on motion made by Director Sinner, seconded by Director Nueneker, and unanimously carried, the meeting was adjourned.



Secretary, Board of Directors

List of Attachments to  
Montgomery County Water Control and Improvement District No. 205  
Minutes of Meeting of January 15, 2025

- Exhibit A Bookkeeping Report dated January 15, 2025
- Exhibit B Tax Assessor/Collector's Report
- Exhibit C Resolution Authorizing an Additional Penalty on Delinquent Personal Property Taxes
- Exhibit D Pape-Dawson Engineers Report
- Exhibit E Quiddity Engineering Report
- Exhibit F Champions Hydro-Lawn Detention and Drainage Facilities Report
- Exhibit G TexaClean Maintenance Report
- Exhibit H Order Establishing Policy for Covered Applications and Prohibited Technology