

# MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 152A

## MINUTES OF MEETING

October 15, 2025

The Board of Directors (the "Board") of Montgomery County Municipal Utility District No. 152A met in regular session, open to the public on October 15, 2025, in accordance with the duly posted notice of meeting. Members of the public were also permitted to attend the meeting by telephone conference. The roll was called of the duly constituted officers and members of the Board, to-wit:

Justin Cox	President
Wesley Hightower	Vice President
Stanton Brown	Secretary
Mary V. Farrell	Assistant Secretary
Peter Selber	Assistant Secretary

and all of said persons were present, except Directors Cox and Hightower, thus constituting a quorum.

Also present were Toto Ontowiryo of Municipal Accounts & Consulting, L.P. ("MAC"); Robin Goin of BLICO Inc. ("BLICO"); Cameron Miller of Quiddity Engineering, LLC ("Quiddity"); William R. Zollman of Pape-Dawson Engineers, LLC ("Pape-Dawson"); Dana Hollingsworth of Municipal District Services, L.L.C. ("MDS"); Julie Peak of Masterson Advisors LLC ("Masterson"); Robert Garcia of Champions Hydro-Lawn, Inc. ("Champions"); Jake Martinez and Jason Buckley of Clark Condon Associates, Inc. ("Clark Condon"); Greg McGrath of McGrath & Co., PLLC ("McGrath"); Bill Cole, resident of the District, and Diana Miller and Jennifer Spears of Schwartz, Page & Harding, L.L.P. ("SPH"). Armand Bonola, a resident of the District, joined the meeting via teleconference. Lorenzo Rivera and Zach Kunchardy of TPHTL HBL, LLC ("TPHTL") entered the meeting later as noted below.

As the first order of business, it was noted that both Directors Cox and Hightower were absent, and a President Pro Tempore should be appointed for the meeting. After discussion, Director Selber moved that Director Brown be appointed President Pro Tempore. Director Brown seconded said motion, which unanimously carried.

### PUBLIC COMMENTS

The Board opened the meeting for public comments. Mr. Cole addressed the Board and reported that the clearing and grubbing occurring at the back of the District is causing lots of dust in the air, and residents are concerned about the amount of trees being cut down. He also reminded the Board that the residents of the District would appreciate the Board considering reducing the tax rate for District taxpayers.

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Director Selber moved that Director Brown be appointed President Pro Tempore. Director Brown seconded said motion, which unanimously carried.

#### APPROVAL OF MINUTES

The Board reviewed the draft minutes of its meeting held on September 17, 2025. Following discussion of the minutes presented, Director Selber moved that such minutes of the September 17, 2025, Board meeting be approved, as written. Director Brown seconded said motion, which unanimously carried.

#### BOOKKEEPING REPORT

Mr. Ontowiryo then presented to and reviewed with the Board the Bookkeeping Report dated October 15, 2025, a copy of which is attached hereto as **Exhibit A**. Following review and discussion, Director Selber moved that the Bookkeeping Report be approved and that payment be authorized for the checks presented, with the exception of check nos. 2607 and 2611, which were voided. Director Farrell seconded the motion, which unanimously carried.

Mr. Ontowiryo recommended that the District enroll in the Positive Pay Program, explaining that it further protects the District's checking accounts and adds an additional layer of security. After discussion, the Board concurred to participate in the Program.

Mr. Ontowiryo further noted that the Board may utilize direct deposit for the payment of per diems to directors. The Board concurred that it would like to utilize direct deposit. Ms. Miller recommended that the Board add an agenda item for next month's Board meeting to consider the approval of contracts with HR&P, MAC's direct deposit provider.

#### TAX ASSESSOR/COLLECTOR REPORT

Ms. Goin presented the Tax Assessor/Collector Report dated September 30, 2025, a copy of which is attached hereto as **Exhibit B**. Following review and discussion, Director Farrell moved that the Tax Assessor/Collector Report be approved, and that payment be authorized on the checks presented. Director Brown seconded the motion, which unanimously carried.

#### DELINQUENT TAX ATTORNEY REPORT

Ms. Miller presented to and reviewed with the Board the Delinquent Tax Report, dated October 15, 2025, prepared by Perdue, Brandon, Fielder, Collins & Mott, L.L.P., the District's delinquent tax collection attorneys. A copy of the report is attached hereto as **Exhibit C**. Ms. Miller noted that no Board action was necessary in connection with any of the accounts reflected in the report.

#### FINANCIAL ADVISOR'S RECOMMENDATION CONCERNING THE DISTRICT'S PROPOSED 2025 TAX RATE

The Board then considered the tax rate to be adopted for the 2025 tax year. Ms. Peak presented a Proforma Cash Flow Analysis relative to Masterson's 2025 tax rate recommendation, a copy of which is attached hereto as **Exhibit D**. Ms. Peak advised that she is recommending a proposed 2025 debt service tax rate of \$0.62 per \$100 of assessed valuation and a proposed 2025 maintenance tax rate of \$0.48 per \$100 of assessed valuation. There next followed a discussion concerning the requirements for notice of the District's intention to adopt a 2025 tax rate. Ms. Miller advised that, pursuant to §49.236 of the Texas Water Code, as amended, the District is required to provide a notice containing certain tax-related information in connection with each meeting at which the adoption of a tax rate will be considered. Ms. Miller further advised that the information to be included in the notice is set forth in the Texas Water Code and includes the proposed tax rate to be adopted. She advised that the District must provide the notice by either (1) publishing it at least once in a newspaper having general circulation in the District at least seven days before the date of the meeting at which the tax rate will be adopted, or (2) mailing it to each owner of taxable property in the District, at the address shown on the most recently certified tax roll of the District, at least ten days before the date of the meeting. After further discussion on the matter, Director Farrell moved that the Board (i) accept the financial advisor's recommendation of a proposed 2025 debt service tax rate of \$0.62 per \$100 of assessed valuation and (ii) proposed maintenance tax rate of \$0.48 per \$100 of assessed valuation, and (iii) the District's tax assessor-collector be authorized to publish notice of the District's intention to adopt a 2025 tax rate at its next meeting in the form and at the time required by law. Director Brown seconded said motion, which unanimously carried.

Mr. Rivera and Mr. Kunchardy entered the meeting during the tax rate recommendation.

Ms. Peak exited the meeting at this time.

#### AUTHORIZE PREPARATION AND FILING OF INITIAL LOCAL GOVERNMENT BOND, TAX, AND PROJECT REPORT

Ms. Miller advised the Board that, pursuant to Chapter 403, Texas Gov't Code, as amended by H. B. 103 in the 89<sup>th</sup> Regular Legislative Session, every taxing unit that currently levies a tax, including the District, must annually submit a tax rate and bond authorization and issuance report to the Comptroller of Public Accounts (the "Comptroller") for inclusion in the Comptroller's Local Government, Bond, Tax, and Project Database. She stated that the initial report will include historical tax rate and bond election and issuance information for the District for the previous ten year period and must be submitted by January 1, 2026. Following discussion, Director Farrell moved that the District's consultants be authorized to prepare the report, and that SPH be authorized to submit same to the Comptroller on the District's behalf. Director Selber seconded the motion which carried unanimously.

#### APPROVAL OF AUDIT RELATIVE TO THE PAYMENT OF PROCEEDS OF THE DISTRICT'S \$9,000,000 UNLIMITED TAX BONDS, SERIES 2025 (THE "BONDS")

The Board considered the approval of an audit report prepared by McGrath in connection with the issuance of the Bonds and the disbursement of the proceeds thereof. Mr. McGrath reviewed with the Board the draft audit report, a copy of which is attached hereto as **Exhibit E**.

After review and discussion of the draft audit report, it was moved by Director Farrell, seconded by Director Brown, and unanimously carried that (i) the draft audit report prepared by McGrath be approved, and (ii) the Board authorize the disbursement of the proceeds of the Bonds in accordance with same, subject to the District's receipt of a Developer Receipt for said funds.

#### REVIEW, APPROVAL AND AUTHORIZATION OF THE FILING OF INTERNAL REVENUE SERVICE FORM 8038-G RELATIVE TO THE BONDS

The Board next considered the execution and filing of Internal Revenue Service Form 8038-G (the "Form") relative to the Bonds. After discussion, Director Farrell moved that (i) the Form be approved and that the President be authorized to execute same on behalf of the Board and the District, and (ii) SPH be authorized and directed to file the Form with the Internal Revenue Service by the appropriate deadline. Director Brown seconded said motion, which carried unanimously.

#### REVIEW AND DISCUSSION OF CORRESPONDENCE FROM BOND COUNSEL REGARDING EXPENDITURE AND INVESTMENT OF BOND PROCEEDS AND INTERNAL REVENUE SERVICE RESTRICTIONS ON SAME

Ms. Miller next presented to and reviewed with the Board correspondence from SPH, as Bond Counsel, regarding certain provisions of federal tax laws and regulations of the Internal Revenue Service pertaining to the expenditure and investment of proceeds of the Bonds, attached hereto as **Exhibit F**. She advised the Board that certain periodic reviews and reports are required to monitor compliance with the requirements set forth therein and that arbitrage rebate or yield reduction payments could be required based on said reviews and reports. Ms. Miller explained that the District's bookkeeper would monitor investment rates and that the District's financial advisor would review the debt service fund balance and coverage in connection with the annual tax rate recommendation. Ms. Miller advised the Board, however, that compliance with the requirements is ultimately the responsibility of the Board.

#### APPROVAL AND EXECUTION OF AMENDMENT TO THE DISTRICT INFORMATION FORM

Ms. Miller next presented to and discussed with the Board an Amendment to the District's District Information Form ("DIF") relative to the sale of the Bonds. After discussion regarding the amendment to the DIF, Director Farrell moved that the amended DIF be approved, and that all Board members present be authorized to execute same on behalf of the Board and the District. Director Brown seconded said motion, which carried unanimously.

#### CONSIDER AND ACT UPON ANY OTHER MATTERS IN CONNECTION WITH THE ISSUANCE OF THE BONDS

As the next order of business, the Board considered the approval of various documents to be executed on behalf of the District in connection with the closing of the sale of the Bonds. In that regard, Ms. Miller presented to and reviewed various closing documents with the Board, including the No-Litigation Certificate and the Federal Tax Certificate. Furthermore, she advised

that the bond closing is scheduled for Tuesday, October 21, 2025, at 10:00 a.m. After discussion of the closing documents, it was moved by Director Farrell, seconded by Director Brown and unanimously carried, that the above-referenced documents be approved by the Board, that the President and Secretary be authorized to execute same on behalf of the Board and the District, and that SPH be authorized to deliver same, as appropriate, upon the closing of the Bonds.

#### REQUESTS FOR ANNEXATION AND EXCLUSION OF LAND

Ms. Miller advised the Board that SPH is expecting consent resolutions from the City of Conroe (the "City") regarding the District's annexation of 29.236 acres and 32.36 acres of land, respectively, by the end of the month. Ms. Miller advised that the land substitution will be completed following receipt of the City's Consent Resolution to the annexation of additional land.

Ms. Miller reviewed with the Board the procedures for the proposed exclusion of land from the boundaries of the District and presented the map included as **Exhibit G** attached hereto depicting the area proposed to be excluded. The Board then considered the calling of a public hearing to be held Wednesday, November 19, 2025, at 12:00 p.m. at which hearing the Board will announce its conclusions relating to the land to be excluded from the District and may receive petitions for exclusion of land pursuant to Section §49.303 through 49.307 of the Texas Water Code, as amended. After discussion, Director Farrell moved that (i) the hearing be called, as discussed, (ii) the Order Calling Exclusion Hearing attached hereto as **Exhibit H** be approved, as presented, and (iii) SPH be authorized to publish the appropriate notice with *The Conroe Courier*. Director Brown seconded said motion, which unanimously carried.

#### DEVELOPER'S REPORT

Mr. Rivera reported to the Board that all sections within Phase One and Phase Two have been completed, the development of Phase Three has begun, and Phase Four is expected to begin development in February 2026. Additionally, Mr. Rivera reported Sections 31 and 32 have been delivered, and Sections 37A and 37B are in the development phase.

#### ENGINEERS' REPORT

Mr. Miller presented an Engineer's Report prepared by Quiddity dated October 15, 2025 ("Quiddity Report"), a copy of which is attached hereto as **Exhibit I**, and discussed with the Board the projects listed therein.

Mr. Zollman next presented an Engineer's Report prepared by Pape-Dawson dated October 15, 2025 ("Pape-Dawson Report"), a copy of which is attached hereto as **Exhibit J**, including the Pay Estimate listed therein.

Following review and discussion, it was moved by Director Farrell, seconded by Director Brown, and unanimously carried that the Quiddity Report and Pape-Dawson Report and all action items listed therein be approved, as recommended by Quiddity and Pape-Dawson, including: (i) the approval or concurrence, as applicable, of all pay estimates, contract adjustments, and change orders as may be listed therein (including the acceptance of any related TEC Form 1295); and (ii)

the award or concurrence, as applicable, of construction contracts (including the acceptance of any TEC Form 1295), subject to review of payment and performance bonds and insurance certificate, if any as applicable; and (iii) the acceptance of the water, sanitary sewer, and drainage facilities to serve Woodson's Reserve Section 24 by Northtex Construction, LLC.

#### LANDSCAPE ARCHITECT'S REPORT

Mr. Martinez next presented the Landscape Architect Report prepared by Clark Condon, dated as of October 15, 2025 ("Clark Condon Report"), a copy of which is attached hereto as **Exhibit K**, including the proposal for design, pay applications and change orders as listed therein. Following review of same, Director Farrell moved to approve the Clark Condon Report as presented, and authorize payment and approval of the pay applications, change orders, and proposals listed therein, as applicable. Director Selber seconded the motion, which unanimously carried.

#### OPERATOR'S REPORT

Ms. Hollingsworth presented an Operations Report prepared by MDS, a copy of which is attached hereto as **Exhibit L**. Following discussion, Director Brown moved to approve the Operations Report, as presented, and authorize MDS to terminate water service to delinquent accounts in accordance with the District's Rate Order. Director Farrell seconded the motion, which unanimously carried.

#### AMENDMENT OF OPERATOR'S SCHEDULE OF RATES AND APPROVAL OF THIRD AMENDMENT TO SERVICE AGREEMENT

The Board considered amendment to the Operator's Schedule of Rates and approval of a Third Amendment to Service Agreement between the District and MDS (the "Amendment") to address proposed fee increases for various services. Ms. Hollingsworth then presented the Schedules of Rates attached hereto as **Exhibit M**. Ms. Miller reported that MDS has filed a Texas Ethics Commission ("TEC") Form 1295 with the TEC and has provided the District with a copy of said form. Following discussion, Director Brown moved to (i) approve and authorize the President to execute the Third Amendment to Service Agreement, effective November 1, 2025, subject to final review by SPH, and (ii) accept MDS TEC Form 1295 and authorize SPH to acknowledge receipt of same on behalf of the District. Director Farrell seconded the motion, which carried by unanimous vote. A copy of the Third Amendment to Service Agreement thus approved is attached hereto as **Exhibit M**.

#### AMENDMENT OF DISTRICT RATE ORDER

The Board then discussed an amendment of the District's Rate Order to reflect the increased fees approved in the Third Amendment to Service Agreement with MDS. Following discussion, Director Brown moved to adopt the amended Rate Order attached hereto as **Exhibit N** and revoke

all prior Rate Orders adopted by the Board. Director Farrell seconded the motion, which unanimously carried.

#### CHAMPIONS HYDRO-LAWN REPORT

Mr. Garcia presented to and reviewed with the Board a Detention and Drainage Facilities Report dated October 2025, a copy of which is attached hereto as **Exhibit O**. Mr. Garcia noted there were no action items this month.

#### LAKE MANAGEMENT SERVICES REPORT

Ms. Miller noted that the District did not receive a monthly report from Lake Management Services this month.

#### ATTORNEY'S REPORT

Ms. Miller advised that SPH had received correspondence directed to the District and the Board titled Call to Action – Montgomery County Concerned Citizens in connection with the Lone Star Ground Water Conservation District.

#### FUTURE AGENDA

The Board noted it had no items to be added to future agendas that were not already discussed.

#### ADJOURNMENT

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



Asst.

  
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Secretary, Board of Directors

List of Attachments to  
Montgomery County Municipal Utility District No. 152A  
Minutes of Meeting of October 15, 2025

- Exhibit A Bookkeeping Report dated October 15, 2025
- Exhibit B Tax Assessor/Collector's Report
- Exhibit C Delinquent Tax Attorney's Report
- Exhibit D 2025 Tax Rate Recommendation
- Exhibit E Developer Reimbursement Audit
- Exhibit F Correspondence from Bond Counsel
- Exhibit G Exclusion Map
- Exhibit H Order Calling Exclusion Hearing
- Exhibit I Quiddity Engineering Report
- Exhibit J Pape-Dawson Engineers Report
- Exhibit K Clark Condon Report
- Exhibit L Operations Report
- Exhibit M Third Amendment to Service Agreement between the District and Municipal District Services, LLC
- Exhibit N Rate Order
- Exhibit O Champions Hydro-Lawn Report