

**TIMBER LANE UTILITY DISTRICT**  
Minutes of Meeting of Board of Directors  
February 13, 2020

The Board of Directors (“Board”) of Timber Lane Utility District (“District”) met at 2615 Ciderwood, Spring, Harris County, Texas in the District, on February 13, 2020 in accordance with the duly posted notice of the meeting, with a quorum of Directors present, as follows:

Daniel M. Meacham, President  
Robert B. Schenck, Vice President  
James F. Messer, Secretary  
A. F. “Bud” Gessel, Assistant Secretary  
Eric Langstaff, Director

and the following was absent:

None.

Also present were Mike Potter, Michelle Blevins, Tammy Carby, Mark Cervantes, Bill Russell, Jeff Vogler, Greg Lentz, Katie Golzarri, Perry Miller, Harris County Precinct 4 Deputy Flores and Deputy Norton, Kenny Ocheltree, Paulette Scott, Curt Trauth, Jennifer B. Seipel and Lori G. Aylett.

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

1. Under public comments, Paulette Scott reported that the metes and bounds for the property being sold by the District to the Timber Lane CIA is nearing completion.

2. The Board considered the minutes of the meeting held on January 9, 2020. Upon motion duly made and seconded, the Board unanimously approved the minutes of the meeting as presented.

3. Harris County Precinct No. 4 Deputy Norton presented a law enforcement report, copy attached. He reported the following crime statistics: zero burglaries of a habitation, five vehicle thefts, no assaults, 35 calls for family disturbances, 52 alarms, five reported runaways, two burglaries of a motor vehicle, three other thefts, one sexual assault, zero calls for juvenile disturbance, 59 suspicious vehicles, one phone harassment, zero thefts of a habitation, one robbery, seven criminal mischief calls, 99 other disturbances, 21 suspicious persons and 990 other calls. After discussion, upon motion duly made and seconded, the Board approved the law enforcement report as presented.

4. Tammy Carby presented a tax assessor/collector’s report, copy attached. The District’s 2019 taxes are 94% collected. Ms. Carby also presented four requests for payment plans and one request for waiver of penalties and interest. Upon unanimous vote, the Board

approved the payment plans, the waiver of penalties and interest, and the tax assessor's report as presented.

5. There was presented the attached Resolution Authorizing Challenge to the Appraisal Roll. Ms. Aylett noted that the preliminary tax roll is released in May, and the tax assessor has a limited amount of time to review the roll and challenge any errors or omissions that are found. The tax assessor should be authorized to make such challenges on the District's behalf. Upon unanimous vote, the Board approved the resolution as presented.

6. Jeff Vogler presented the engineer's report, copy attached. The engineer stated that with regard to phase II of the detention for Breckenridge West, bids are due on Friday, February 14, 2020.

Mark Cervantes then reported on matters related to Cypress Creek Park Trail and the Cypress Creek bridge to Cypress Creek Park pedestrian bridge. He requested authorization to advertise for bids.

Construction of the Community Center continues. The engineer presented Pay Application No. 13 in the amount of \$315,981.00 to A&M Contractors and recommended its payment.

As for the sanitary sewer rehabilitation project for Sections 2, 3, and 5 of Timber Lane, the engineer presented Pay Application No. 3 in the amount of \$24,480.00 to T Construction and recommended its payment.

With regard to the trail and canopy structures adjacent to the Union Pacific Railroad property, the engineer stated that construction continues, but no pay applications were submitted for approval.

In connection with the auxiliary power for facilities at various locations, the engineer presented Pay Application No. 4 in the amount of \$183,564.58 to McDonald Electric and recommended its payment.

In connection with the clearing of Breckenridge West, the engineer presented Pay Application No. 4 in the amount of \$67,251.59 to K&K Earthworks and recommended its payment.

As for the Breckenridge West outfall channel and detention, the engineer presented Pay Application No. 5 in the amount of \$117,169.39 to Liscka and recommended its payment.

With regard to Breckenridge West, Section 2, the engineer presented Pay Application No. 4 in the amount of \$9,982.22 to Clearwater Utilities, Inc. and recommended its payment.

As for Breckenridge West, Sections 3 and 5, the engineer presented Pay Application No. 1 in the amount of \$542,573.14 to Fellers & Clark and recommended its payment.

With regard to the lift station for Breckenridge West, the engineer presented Pay Application No. 4 in the amount of \$129,618.00 to Jollux and recommended its payment.

With regard to the lift station for Breckenridge West, the engineer presented Pay Application No. 1 in the amount of \$92,277.00 to Underground Construction Solutions and recommended its payment.

With regard to Highland Glen, Section 5, the engineer presented Pay Application No. 2 in the amount of \$219,612.87 to Hyland Construction and recommended its payment. The engineer also presented Change Order No. 1 in the amount of \$73,476.00 and recommended its approval and payment.

After discussion, upon unanimous vote, the Board approved the engineer's report, including all pay applications, change orders, and requests to advertise listed thereon.

7. The Board discussed the District's Emergency Preparedness Plan. The attorney noted that the District had an approved plan in place since 2010. She stated that it was a good idea to authorize the engineer to periodically review and update the plan. The engineer noted that an update to the plan was already in progress, and approval from the Commission is expected soon.

8. Bill Russell presented a bookkeeper's report, copy attached. The District's debt service fund balance is \$5,832,534.43, and the capital projects fund balance is \$7,082,280.46. The capital projects park fund balance is \$684,990.39, and the operating fund balance is \$10,794,181.45. Upon unanimous vote, the Board approved the bookkeeper's report as presented.

9. There were no developers present.

10. Mike Potter presented an operator's report, copy attached. The District billed 6,175 accounts and had water accountability of 85.26%. The operator mailed 1,125 delinquent notices and terminated services to 106 accounts. The operator took 22 bacteriological tests, and all were acceptable.

Michelle Blevins noted that she received and processed three requests for routine payment plans. Upon unanimous vote, the Board approved the operator's report as presented.

11. Perry Miller presented a Champions Hydro-Lawn report, copy attached. He presented a proposal for repairing erosion on the north and south sides of the pedestrian bridge in an amount not to exceed \$12,950.00. After a brief review and discussion, upon motion duly made and seconded, the Board unanimously approved the report and proposal as presented.

12. The attorney reported that the Series 2020 bond sale successfully closed. Brian Lopera of McCall Gibson Swedlund Barfoot PLLC presented an Agreed-Upon Procedures report of funds to be reimbursed to the developer from the proceeds of the Bonds. The auditor reviewed cancelled checks, pay estimates, construction contracts, and developer reimbursement agreements to confirm amounts due to the developers. Upon motion duly made, seconded and

approved, the Board approved the Agreed-Upon Procedures Report and authorized release of the checks to the developers.

13. The Board then considered an Amendment to Statement of Directors Furnishing Information Required by Section 49.455(b), Texas Water Code, as Amended. The attorney noted that the District had completed the issuance of its Series 2020 Bonds, and therefore the amount of issued debt had changed. This triggers the need to amend the statement of directors. Upon motion duly made, seconded, the Board voted unanimously to approve the amendment to statement of directors as presented. The attorney was authorized to file the document in the real property records of Harris County.

14. Katie Golzarri presented a revised proposal for architectural services associated with the construction of a veterans memorial at the Timber Lane Community Center site. After discussion, the Board approved the proposal as presented.

15. In connection with the sale of property located at 2806 Trailing Vine to Timber Lane CIA, the attorney presented the contract for sale put forth by Timber Lane CIA. After discussion, upon motion duly made, seconded, and unanimously carried, the Board approved the contract as presented.

16. The Board took no action with respect to the District's Rate Order.

17. The attorney for the District then discussed with the Board the requirements of Senate Bill 625. The law requires districts to annually provide certain records and information concerning the District's finances and tax rates to the Texas Comptroller of Public Accounts. The comptroller has created a special information database on their website, where the information will be assembled, updated, and made available to the public free of charge. The required information is already publically available in other places, but the law requires submission of the information to the comptroller. The information includes the name of the District, the names of the Board members, any employees, addresses, websites if applicable, names of certain consultants, the total amount of bonds authorized by District voters, the aggregate principal amount of bonds issued, the tax rate, and audited financial information. Upon unanimous vote, the Board authorized the attorney to prepare and file the required report by the April 1, 2020 deadline.

18. At the request of the attorney, the Board tabled engagement of the firm to perform the arbitrage report for the Series 2015 bonds.

19. The attorney discussed cybersecurity training required of the Directors following the enactment of House Bill 3834. She stated that the training likely will be available via video in the coming weeks.

20. There was presented the attached Order for Election of Directors. The attorney noted that if an election were required to be held, it would be held on the uniform election date of Saturday, May 2, 2020. Upon unanimous vote, the Board adopted the Order as presented.

21. There was no hearing on violation of District rules.

22. Director Gessel presented a report on the District's parks and recreational facilities, a copy attached. Director Gessel discussed the status of several Eagle Scout projects. He provided an update on the construction of the Timber Lane Community Center. Lastly, Director Gessel reviewed the District's 2019 parks accomplishments and awards. Upon unanimous vote, the Board approved Mr. Gessel's report as presented.

23. There were no Eagle Scout projects for the Board's consideration.

24. There were no rewards for citizen information.

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

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Secretary