

**TIMBER LANE UTILITY DISTRICT**  
Minutes of Meeting of Board of Directors  
October 14, 2021

The Board of Directors (“Board”) of Timber Lane Utility District (“District”) met at 1904 Naplechase Crest Drive, Spring, Harris County, Texas in the District, on October 14, 2021 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 Mark Cervantes, Tammy Carby, Bill Russell, Mike Potter, Greg Lentz, Josh Rambo, Michelle Blevins, Kayla Ray, Sergeant Brian Norton, Lt. Juan Flores, Sergeant Juvencio Ramos, Paulette Scott, 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. The meeting commenced with a recital of the Pledge of Allegiance.
2. There were no public comments.
3. The Board considered the minutes of the meeting held on September 9, 2021. Upon motion duly made and seconded, the Board unanimously approved the minutes of the meeting as presented.
4. Harris County Precinct No. 4 Sergeant Juvencio Ramos presented a law enforcement report, copy attached. He presented the following crime statistics: three burglaries of a habitation, two vehicle thefts, one assault, 26 calls for family disturbances, 47 alarms, four reported runaways, ten burglaries of a motor vehicle, eleven other thefts, one sexual assault, three juvenile disturbances, 81 suspicious vehicles, two phone harassments, three thefts of a habitation, zero robberies, four criminal mischief calls, 13 other disturbances, 33 suspicious persons, and 1,525 other calls. Upon unanimous vote, the Board approved the law enforcement report as presented.
5. Tammy Carby presented a tax assessor/collector’s report, copy attached. The District’s 2020 taxes are 98.06% collected. There were five checks presented for approval. Upon unanimous vote, the Board approved the tax assessor/collector’s report as presented.
6. The Board confirmed that the tax assessor/collector properly and timely advertised the District’s proposed 2021 tax rate in the *HCN Cypress Creek Champions*, and the President called the public hearing on the proposed tax rate open. After soliciting comments, the Board declared the public meeting closed. Upon motion duly made, seconded and unanimously

carried, the Board voted to adopt the attached Order Setting Tax Rate, Approving Tax Roll, and Levying Debt Service Tax and Maintenance and Operation Tax for the Year 2021, which order levies a maintenance and operations tax rate of \$0.34 per \$100 assessed valuation and a debt service tax rate of \$0.55 per \$100 assessed valuation for a total combined tax levy of \$0.89 per \$100 assessed valuation for the 2021 tax year.

7. There was then presented the Amendment to Statement of Directors Furnishing Information Required by Section 49.455(b), Texas Water Code, as Amended. The attorney noted that the Amendment to Statement of Directors is filed in the real property records of Harris County and informs property owners in the District that they are located in a water district and what the current tax rate is. Upon motion duly made, seconded and unanimously carried, the Board voted to adopt the amendment as presented, authorized its execution by all directors present, and authorized the attorney to file the document as required by law.

8. The Board then considered renewal of the District's contract with its tax assessor-collector, with the attorneys noting that the primary change to the agreement is that is an evergreen contract. Subject to that discussion, upon motion duly made and seconded, the Board unanimously approved the agreement as presented.

9. Mark Cervantes presented the engineer's report, copy attached. With regard to the wastewater treatment facility expansion project, the engineer discussed with the Board the possible conversion from a UV light system to one featuring the chlorination/de-chlorination process. He recommended that the Board hold a special meeting to fully devote to the matter. The Board agreed to hold such meeting on November 3, 2021.

With regard to the recoating of Water Plant No. 3, Mr. Cervantes noted that the bid documents are being prepared.

With regard to the Cypress Creek Park trail from the Cypress Creek pedestrian bridge to UPRR, the engineer presented and recommended payment of Pay Application No. 8 and Final in the amount of \$24,412.25 to Division III.

As for the recoating of Water Plant Nos. 1, 2, and 4, the engineer presented and recommended payment of Pay Application No. 8 in the amount of \$32,850.00 to CFG Industries, LLC.

With regard to Werrington Park, Section 6 utilities, the engineer presented and recommended Board concurrence in the payment of Pay Application No. 6 in the amount of \$158,817.14 to Northtex Construction.

The engineer also discussed with the Board a variety of other pending matters, including the purchase of a fire tower, the geotechnical borings for which are to occur later this month.

After discussion, upon unanimous vote, the Board approved the engineer's report, including all pay applications, as presented.

10. The Board considered whether to consent to an archeological/antiquities study to be performed in Sandpiper Park, which the District owns. Harris County has requested the District's consent, as it is performing drainage studies in the area. After discussion, the Board unanimously consented to such survey.

11. The Board then considered a Resolution Approving Submittal of Project Awards Application for Inclusion in the Association of Water Board Directors Texas 2021 Project Award Program. The Board unanimously approved adoption of the resolution as presented.

12. Bill Russell presented a bookkeeper's report, copy attached. Upon unanimous vote, the Board approved the bookkeeper's report as presented and authorized payment of the checks listed thereon.

13. Josh Rambo gave an audit report for the fiscal year ended June 30, 2021. The auditor noted that his firm was issuing an unmodified or "clean" opinion; in other words, the financial statements present fairly, in all material respects, the respective financial position of the District's funds and governmental activities. The Board reviewed the audit in some detail. Upon unanimous vote, the Board approved the audit of the District's books and records for the fiscal year ended June 30, 2021 and authorized its filing, as required by law.

14. There was presented the attached Resolution Affirming Review of Investment Policy, Strategies and Objectives. The attorney noted that pursuant to the Public Funds Investment Act, the District is annually required to review its investment policy to assure its compliance with Texas law. The attorney recommended no revisions at this time to the investment policy, and the auditor's report noted no deficiencies with respect to how the District's investments are handled. Upon unanimous vote, the Board adopted the resolution as presented.

15. The Board noted the necessity to authorize preparation of continuing disclosure documents. The attorney noted that the District is required by federal securities law to update certain financial information that would be of interest to bondholders of the District. Upon unanimous vote, the Board authorized the attorney to prepare and file the necessary continuing disclosure.

16. The Board considered review of the District's investments for compliance with Senate Bill 253. The attorney reminded the Board that Senate Bill 253 prohibits the District from investing with entities that support terrorist organizations. The District's investment officer, Bill Russell, confirmed that he periodically reviews a list of such entities that is prepared by the Texas Comptroller of Public Accounts and made available on their website and confirmed that the District's investments are in compliance with the law.

17. Lori Aylett noted the need to update the Tax Code Section 26.18 and Government Code 2051.202 compliance document, as the Board has approved its audit for the fiscal year that ended on June 30, 2021. The Board authorized the attorney to update the document as required by law.

18. There was no developer's report.

19. Mike Potter presented an operator's report, copy attached. The District served 7,305 connections and had water accountability of 92.91%.

Mr. Potter reported that twenty-seven bacteriological samples were taken, and all were acceptable. He noted that the District's wastewater treatment plant did not experience any issues with elevated levels of E. Coli present in its samples in September.

Mr. Potter reported on routine maintenance for the previous month.

Michelle Blevins then noted that all current payment plans were being honored. There were no additional requests for payment plans this month.

Upon unanimous vote, the Board approved the operator's report as presented.

20. Greg Lentz, the District's financial advisor, presented preliminary official statement and notice of sale with the Board for the proposed Series 2021A bond issue. After review, the Board unanimously approved the preliminary official statement and plan of financing, authorized the publication of the notice of sale for the 2021A bonds, and authorized District consultants to take all necessary actions to move forward with the transaction.

21. As for the paperless billing and electronic payment options discussed at the July meeting, the attorney noted that her office is still working with the operator to amend the contracts with the third-party service provider to include additional language clarifying the charges for such services.

22. Perry Miller presented a report on behalf of Champions Hydro-Lawn, noting that all of the District's drainage and detention facilities are in good shape.

23. There were no hearings on violations of District rules.

24. Director Gessel presented a report on the District's parks and recreational facilities, copy attached. He reported that the automatic gate at the Timber Lane Community Center has been installed. He also requested approval for the funding of Girl Scout project to construct a bike repair station in the amount of \$1,500. After some discussion, the Board agreed to fund the project. Director Gessel also discussed the need to install an ultraviolet system at the District's splash pad to better protect the system against water borne diseases, which have been reported in other areas of the state, with such system to cost \$12,500. The Board authorized the purchase and installation of a system.

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

26. There were no rewards for citizen information.

27. There was no need for an executive session.

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

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Secretary