

**TIMBER LANE UTILITY DISTRICT**  
Minutes of Special Meeting of Board of Directors  
February 3, 2023

The Board of Directors (“Board”) of Timber Lane Utility District (“District”) met at 1904 NapleCHASE Crest Drive, Spring, Harris County, Texas on February 3, 2023 in accordance with the duly posted notice of said 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

and the following director absent:

Eric Langstaff, Director.

Also present were Jeff Vogler, Josh Maas, and Lori Aylett.

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

1. The chair opened the meeting for public comments. No public comment was given.

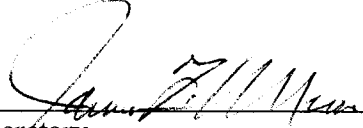
2. District engineer Jeff Vogler reported on the Sandpiper Village Subdivision drainage improvement projection, including the county contract award and District budget. The engineer reminded the Board that the Sandpiper project includes construction of parallel internal storm sewer lines at various streets in the subdivision and improvement of a detention pond. During the plan preparation process, the County concurred with the District’s request to increase the trail from six feet to ten feet and approved excavation of the pond to make a larger wet-bottom pond. The District entered into a joint participation agreement with the county, and pursuant to the terms of the agreement, the District agreed to pay for half of the costs. The appraised value of the detention pond land owned by the District was considered as a part of the District’s contribution and counted toward the 50/50 cost-sharing split. In addition, the District has deposited \$2,000,000 with Harris County in accordance with the original estimate. The County recently received bids, and the cost had increased substantially over the estimate. Pursuant to the joint participation agreement, the District has a right to concur or not concur with the issuance of the contract. The original estimate issued over two years ago was \$3.5 million, and the actual low bid amount was \$5.29 million. The engineer noted that some of the cost increases were attributable to rising costs over the past two years. Other costs were increased due to plan revisions during review. Engineering was fixed fee and did not increase because of the bid. If change orders are necessary during the progress of the contract, the District could experience a potential increase of \$800,000. The District has costs of \$2,018,688 in the bond application. In addition, the District has about \$350,000 left in a previous bond issue for drainage projects. The engineer confirmed that there were 16 bidders, and the low bidder

was a known contractor, Environmental Allies. Mr. Vogler noted that he had reviewed the bids, and they were in line with current market conditions. Mr. Vogler noted that he will be involved in review during the construction phase of the project to protect the District's interests. After a full discussion, upon unanimous vote, the Board authorized concurrence in the County's award of the contract.

3. Under pending business, the engineer requested Board clarification on the Otto Road annexation. The developer had originally proposed six lots, and the engineer performed an annexation feasibility study based upon that amount. After the study was completed and the Board authorized the attorney and engineer to proceed with preparation of annexation documents, the developer requested a 30-lot subdivision. The engineer noted that feasibility would have to be reevaluated. The Board noted their approval of the feasibility was based upon single-family housing, with no multi-family development. In addition, the Board would not approve pumped detention, and detention must be constructed to Harris County Flood Control District's standards. The Board noted that they would commit a maximum of 20 ESFCs for that development. The engineer stated that he would communicate these issues to the developer.

Also, under pending business, Josh Maas reported that the operator will be issuing a credit back to the District on an upcoming invoice because the operator had paid for some subcontractor invoices, and the District bookkeeper had also paid those same invoices.

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

  
Secretary