

**TIMBER LANE UTILITY DISTRICT**  
Minutes of Meeting of Board of Directors  
July 13, 2023

The Board of Directors (“Board”) of Timber Lane Utility District (“District”) met at 1904 NapleCHASE Crest Drive, Spring, Harris County, Texas on July 13, 2023 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 Kayla Ray, Rae Delk, Mark Ivy, Monica Pena, Jeff Vogler, Mark Cervantes, Perry Miller, Lt. Juan Flores, Sergeant Juvencio Ramos, Captain Vicente Medina, Sergeant Lindley, Sergeant Brian Norton, Eric O’Brien, Kurt Trauth, Paulette Scott, Jennifer Vossler, Sarah Sanchez, Terry Dulworth, Douglas McNeil, 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. Director Langstaff led the recital of the Pledge of Allegiance.
2. Ms. Sanchez, a representative of the Tiger Shark swim team, provided an update on the team’s season. She thanked the Board for the District’s sponsorship of the team.
3. The Board then considered the minutes of the meeting held on June 8, 2023. The Board noted one correction. Upon motion duly made and seconded, the Board unanimously approved the minutes as corrected.
4. Sergeant Juvencio Ramos presented a law enforcement report, copy attached. The following crime statistics were reported: four burglaries of a habitation, five vehicle thefts, two assaults, 32 calls for family disturbances, 67 alarms, two reported runaways, five burglaries of a motor vehicle, 22 other thefts, zero sexual assaults, two juvenile disturbances, 62 suspicious vehicles, one phone harassment, one theft of a habitation, zero robberies, 14 criminal mischief calls, 46 other disturbances, 39 suspicious persons, and 863 other calls. Following Sergeant Juvencio’s presentation, the Board inquired about the recent dumping in one of the District’s Werrington ponds. Sergeant Juvencio responded that they are investigating this incident, but potential witnesses have been reluctant to speak. The attorney inquired about the feasibility of using images captured by the Flock cameras. The Sergeant responded that these cameras capture license plates but may be able to help identify the vehicle involved in the dumping because it was likely a large truck. The attorney and the Board requested that the

officers follow up on the Flock camera images. Upon unanimous vote, the Board approved the law enforcement report as presented.

5. Monica Pena presented a tax assessor-collector's report, a copy of which is attached. The District's 2022 taxes are 97.65% collected as of the date of the report. Two wire transfers and 13 checks were presented for the Board's review and approval. Upon unanimous vote, the Board approved the tax assessor-collector's report as presented.

6. The Board then considered an engineer's report, copy attached. Mark Cervantes reported on the status of several District engineering matters. Design is continuing of the wastewater treatment plant expansion. With regard to the wastewater treatment plant permit, Mr. Cervantes confirmed that the District is awaiting the final permit and that the plan is to request a major permit amendment to remove certain testing requirements after receipt of the final permit. As for the Schultz Gulley pedestrian bridge, the engineer stated that the necessary surveying work is complete, and his office is awaiting receipt of the environmental assessment report. Mr. Cervantes stated that Harris County Flood Control District has approved the plans for lift station no. 1 generator replacement, and the District is awaiting approval from Harris County Engineering Department. Mr. Cervantes then informed the Board that the contracts for water plant no. 3, lift station no. 2, and lift station no. 7 generator replacement projects have been submitted for execution.

Mr. Cervantes then presented and recommended payment of Pay Application No. 1 & Final in the amount of \$236,382.00 from C&C Water Services, LLC for their work in connection with the emergency repair to water plant no. 1. Next, Mr. Cervantes presented and recommended payment of Pay Application No. 5 in the amount of \$530,876.61 from Principal Plant Services, Ltd. in connection with water plant no. 5. Lastly, Mr. Cervantes presented and recommended approval of Change Order No. 1 in the amount of \$22,500.00 from C.F.G. Industries, LLC in connection with the rehabilitation of lift station no. 5.

Mr. Vogler presented some preliminary flow data related to the placement of flow recorders in certain manholes. The data will be useful in pinpointing areas of inflow and infiltration.

Upon unanimous vote, the Board approved the engineer's report, pay applications, change orders, and action items thereon as presented.

7. Kayla Ray presented a bookkeeper's report, a copy of which is attached. Upon unanimous vote, the Board approved the bookkeeper's report as presented and authorized payment of the checks listed thereon.

8. The Board then considered a Resolution Authorizing the Use of Surplus Funds, whereby the District would use \$236,382.00 in surplus construction funds from several prior bond sales to perform major repairs needed on District's water plant and lift stations. The Board discussed that such use of surplus funds under these circumstances is authorized by the Texas Administrative Code. Accordingly, upon motion duly made, seconded, and unanimously carried, the Board approved the resolution as presented.

9. The attorney reported that the Series 2023 bond sale successfully closed. Jennifer Vossler 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.

10. 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 2023 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.

11. There were no developers' reports.

12. Mark Ivy presented the operator's report, a copy of which is attached. The District served 7,625 active connections. The District's total current billing was \$527,440.18, while total current collections were \$559,636.65. The District had 92.28% water accountability. There were two e. Coli violations at the sewage treatment plant during the prior month.

Mark Ivy then reported on repairs and maintenance performed during the prior month, including the status of the ultraviolet system repairs. He also recommended the Board approve placing several delinquent accounts on the District's list of write-off accounts due to the inability to collect from the customer.

Upon unanimous vote, the Board approved the operator's report as presented and authorized the write-off of the recommended delinquent accounts.

13. Perry Miller presented the report from Champions Hydro-Lawn. He noted that the District's facilities are in good shape. He then presented two proposals for the Board's consideration. The first proposal was for Breckenridge West Channel #1 repair of areas around outlet pipes and concrete pilot channels for a total cost of \$17,537.50 lasting 3.5 days. The second proposal was for Breckenridge West Channel #2 repair of areas around outlet pipes and concrete pilot channels for a total cost of \$23,937.50 lasting 5 days. After discussion, upon unanimous vote, the Board approved both proposals presented by Mr. Miller.

14. The attorney reported that the District is still waiting on comments from Harris County with regard to the proposed Joint Participation Agreement for the Breckenridge trail project.

15. The Board then considered a Resolution Authorizing Application to Texas Parks and Wildlife Department for a Recreation Grant for 2024. Upon motion duly made and seconded, the Board unanimously approved the resolution as presented.

16. The Board considered the interlocal agreement with the Harris-Galveston Subsidence District for participation in the "WaterWise Program". The agreement calls for 130 sponsorships of students at Hirsch Elementary School, with a cost of \$38.00 per sponsorship. In exchange, the District will receive 84,000 series B groundwater credits per sponsorship. Subject to that discussion, upon motion duly made, seconded and unanimously carried, the Board approved the interlocal agreement as presented.

17. The Board considered a Resolution Authorizing Increase and Establishing Annual Increase on Fees of Office. The attorney stated that, during the 88th regular legislative session, the Texas Legislature amended Section 49.060 of the Texas Water Code to provide that a director is entitled to receive fees of office of not more than the amount of the per diem set by the Texas Ethics Commission for members of the legislature for each day the director spends performing his or her duties. The attorney noted that currently such amount is \$221 per day, and the \$7,200 per year cap for fees of office received remains unchanged by the new law. Subject to that discussion, the Board took no action on the resolution, and the fees of office will remain at the current amount of \$150.00 per day.

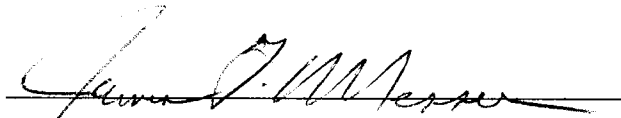
18. There were no hearings on violations of the District's rules.

19. Director Bud Gessel presented a parks and recreational facilities report, a copy of which is attached. No action items were presented in the parks and recreational facilities report.

20. There were no rewards for citizen information.

21. The Board agreed to schedule a workshop meeting to discuss capital projects and park rules on July 26, 2023 at 6:00 p.m.

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

  
Secretary