

MINUTES OF MEETING
OF THE
BOARD OF DIRECTORS
February 20, 2025

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY COUNTY §
EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 §

The Board of Directors (the "Board") of East Montgomery County Municipal Utility District No. 5 (the "District") met in regular session open to the public, at 12:00 p.m., on Thursday, February 20 2025, at 9 Greenway Plaza, Suite 1000, Houston, Texas 77046, a designated meeting place outside the boundaries of the District; whereupon, the roll was called of the members of the Board of Directors, to-wit:

John Patterson	-	President
Jeff Campbell	-	Vice President
Charles L. Prause	-	Secretary
Nancy Walker	-	Assistant Secretary
Lauren Furlow	-	Assistant Secretary

All members of the Board of Directors were in attendance except Directors Patterson and Furlow, thus constituting a quorum.

Also in attendance were: Loren Clark of L&S District Services, LLC, Bookkeeper for the District; Reagan Lowman of Waste Management of Texas, Inc., Garbage Service Provider for the District; Kyle Franklin of Growth Services, Inc. ("GSI") and Shane Stuckey of Stuckey's, Maintenance Providers for the District; Michelle Giacona of H2O Innovation, Operator for the District; Brittany Silva of Assessments of the Southwest, the District Tax Assessor; Justin Graham of LJA Engineering, Inc., Engineer for the District; Jose Espinoza of Lennar, the developer for the District; Stephen Carlisle of the Roman Forest Police Department; David Smalling of Robert W. Baird & Co., financial advisor for the District; and Mallory Craig, Emily Forswall, and Shaila Sreedharan of Coats|Rose, P.C. ("Coats|Rose"), the District's legal counsel.

Whereupon, the meeting was called to order at 12:00 p.m. A copy of the notice of the meeting is attached hereto as Exhibit "A."

HEAR FROM THE PUBLIC

Members of the public were in attendance, Arlene Faustermann and Norma Davila. Ms. Faustermann presented her concerns and questions regarding the delinquent tax attorney contract and fees, the district website, and the trash contract.

APPROVE MINUTES

The Board considered approving the minutes of the January 16, 2025, Board meeting, a copy of which was distributed to the Board for review. Upon a motion made by Director Campbell and seconded by Director Prause, the Board unanimously voted to approve the minutes.

REPORT FROM ROMAN FOREST POLICE DEPARTMENT

Chief Carlisle presented the Monthly Police Report from the Roman Forest Police Department, a copy of which is attached hereto as Exhibit "B."

GARBAGE COLLECTION REPORT

The Board recognized Ms. Lowman who presented a First Amendment to the Municipal Solid Waste Contract ("Contract") with Waste Management.

Ms. Craig discussed the changes that were made to the Contract, stating that the section regarding the termination with services was revised.

After review and discussion, Director Campbell made a motion not to approve the Contract. The motion was seconded by Director Prause and passed unanimously.

Ms. Lowman next discussed the CPI increase, stating that the new rate will be effective as of March 1, 2025. She stated the CPI monthly rate will increase from \$23.33 to \$24.08.

After review and discussion, Director Campbell made a motion to accept the new CPI monthly rate. Director Prause seconded the motion, which passed unanimously.

BOOKKEEPER'S REPORT

The Board recognized Ms. Clark who presented the Bookkeeper's Report, a copy of which is attached hereto as Exhibit "C," and reviewed the checks presented for payment. After review and discussion, Director Campbell moved to approve the Bookkeeper's Report and payment of the bills listed therein. Director Prause seconded the motion, which passed unanimously.

TAX ASSESSOR/COLLECTOR'S REPORT

The Board recognized Ms. Silva presented the Tax Assessor/Collector's Report, a copy of which is attached hereto as Exhibit "D." After review and discussion, Director Campbell moved to approve such report and authorize payment of the tax bills as presented. Director Prause seconded the motion, which passed unanimously.

Consider adopting Resolution Implementing 20% Penalty of 2024 delinquent taxes and engaging delinquent tax attorney.

The Board then recognized Ms. Forswall who presented a Resolution Implementing a 20% Penalty on 2024 Delinquent Taxes, a copy of which is attached hereto as Exhibit "E". Ms. Craig

advised that January 31 was the deadline to pay 2024 taxes without incurring penalties and interest charges. Penalties and interest began accruing on delinquent 2024 taxes as of February 1, 2025, and as of July 1, 2025, all delinquent accounts will be turned over to the district's delinquent tax attorney for collection. An additional 20% penalty will be imposed to defray the costs of collection.

After discussion and upon a motion by Director Campbell, seconded by Director Prause, the Board voted unanimously to (i) adopt the Resolution Implementing a 20% Penalty on 2024 Delinquent Taxes, and (ii) Engage a delinquent tax attorney for the collection of delinquent 2024 taxes, a contingency fee agreement, on the bases that (i) there is a substantial need for the legal services provided by Coats Rose; (ii) those legal services could not be adequately performed by the attorneys and supporting personnel of the political subdivision; and (iii) the required legal services could not reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because the nature of the matter for which the services would be obtained or because the District does not have the funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

Consider adopting Resolution Concerning Tax Exemptions for 2025

Ms. Craig then presented a proposed Resolution Concerning Tax Exemptions for 2025, a copy of which is attached hereto as Exhibit "F".

After discussion and upon a motion by Director Campbell, seconded by Director Prause, the Board voted unanimously to adopt the Resolution Concerning Tax Exemptions for 2025.

OPERATOR'S REPORT

The Board recognized Ms. Giacona who presented the Operations Report, a copy of which is attached hereto as Exhibit "G." She stated there are currently 817 connections in the District and reviewed repairs and maintenance of District facilities.

Ms. Giacona presented a quote to replace the booster pump at water plant no. 2 in the amount of \$23,840.

Ms. Giacona requested approval to write off three accounts. Director Campbell made a motion to approve the write-offs. After review and discussion, Director Prause seconded the motion, which passed unanimously.

Following review and discussion, Director Campbell moved to approve the Operator's Report; to authorize termination of water service to delinquent accounts in accordance with the District's Rate Order; and to approve the replacement of the booster pump for water plant no. 2. Director Prause seconded the motion, which passed unanimously.

ENGINEER'S REPORT

The Board recognized Mr. Graham who presented the Engineer's Report, a copy of which is attached hereto as Exhibit "H," and requested approval of the pay estimates (none) and change orders for District construction projects (none) listed therein.

Mr. Graham then presented and briefly reviewed the summary of costs for the Series 2025 Unlimited Tax Road Bonds, Series 2025.

Following review and discussion and based on the engineer's recommendation, Director Campbell moved to approve the Engineer's Report and all action items listed therein, including the summary of costs. Director Prause seconded the motion, which passed unanimously.

Ms. Craig presented to and reviewed with the Board the Order Authorizing the Application for Approval to TCEQ of Project and Issuance of Bonds ("Application"), a copy of which is attached hereto as Exhibit "I." Director Prause made a motion to (i) adopt the Application to TCEQ, a copy of which is attached hereto as Exhibit "J" and to (ii) approve the Order Authorizing Application for the utility bonds. After discussion and review, Director Campbell seconded the motion, which passed unanimously.

REGIONAL DETENTION/DRAINAGE MAINTENANCE REPORT

The Board recognized Mr. Franklin who presented the monthly Maintenance Report, a copy of which is attached hereto as Exhibit "K." He stated that he did not have any repairs of action items this month.

Mr. Stuckey discussed the current maintenance status of the District with the Board.

DEVELOPER'S REPORT

Mr. Espinoza presented an update on the status of development in the District. He stated that Section 10, the final section of Tavola, should be completed by the end of the year.

Mr. Espinoza also stated that the streetlights at the school site on Via Corsica should be installed.

ATTORNEY'S REPORT

Consider Adopting an Order Cancelling Directors Election

The Board recognized Ms. Craig, who presented the Order Cancelling Directors Election, a copy of which is attached hereto as Exhibit "L". She stated that Directors Patterson and Campbell were running unopposed for the May 3, 2025 election. After review and discussion, Director Patterson moved to adopt the Order Cancelling Directors Election. Director Prause seconded the motion, which passed unanimously.

Ms. Craig then stated that it was requested that a zoom link for the Board meetings be added to the agendas. The Board agreed.

There being no further business to come before the Board, upon a motion duly made and seconded, the meeting was adjourned.

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PASSED, APPROVED AND ADOPTED, this 20th day of March 2025.


Secretary, Board of Directors

(DISTRICT SEAL)

