

MINUTES OF MEETING  
OF THE  
BOARD OF DIRECTORS

June 26, 2024

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 1:00 p.m., on Wednesday, June 26, 2024, 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
B. Layne Mashburn	-	Secretary
Charles L. Prause	-	Assistant Secretary
Nancy Walker	-	Assistant Secretary

All members of the Board of Directors were in attendance, thus constituting a quorum.

Also in attendance were: Bill Land, Arlene Faustermann, Norma Davila, and Joann Moscatelli; Chief Stephen Carlisle of the Roman Forest Police Department; Kirk Franklin of Growth Services, Inc., Maintenance Provider for the District; Michelle Giacona of H2O Innovation, Operator for the District; Justin Graham of LJA Engineering, Inc., Engineer for the District; Debra Loggins of L&S District Services, LLC, Bookkeeper for the District; Chase Wolf of Robert W. Baird & Co. Incorporated, Financial Advisor for the District; and Mallory Craig, Emily Forswall, and Tara Miles of Coats|Rose, P.C. ("Coats|Rose"), the District's legal counsel.

Whereupon, the meeting was called to order at 12:04 p.m. A copy of the notice of the meeting is attached hereto as Exhibit "A."

**HEAR FROM THE PUBLIC**

The Board recognized Ms. Davila who requested a director from East Montgomery County Municipal Utility District Nos. 6 and 7 attend the District's Board meetings.

The Board recognized Mr. Land who requested the District i) improve maintenance of the creek and ii) convey certain property to the Tavola Homeowners Association ("HOA") due to the HOA's desire to construct additional amenities for residents. Following discussion, the Board concurred to authorize the District's legal counsel and engineer to review the current maintenance agreement with the HOA and the proposed land conveyances to determine the appropriate course of action for consideration at the next Board meeting.

**APPROVE MINUTES OF THE MEETING**

The Board considered approving the minutes of the meeting held on May 16, 2024, which were previously distributed to the Board. After discussion and consideration, upon a motion made by Director

Campbell and seconded by Director Mashburn, the Board voted unanimously to approve the minutes of the meetings as presented.

### **HEAR ROMAN FOREST POLICE DEPARTMENT REPORT**

The Board recognized Chief Carlisle who presented the Roman Forest Police Department ("RFPD") Report, a copy of which is attached hereto as Exhibit "B." Chief Carlisle proposed adding security cameras to the District at an estimated cost of \$21,000 for six cameras, with an annual monitoring cost of \$18,000. The Board requested a formal proposal for consideration at the next meeting.

### **FINANCIAL ADVISOR'S REPORT**

Mr. Wolf said he had no action items.

### **BOOKKEEPER'S REPORT**

The Board recognized Ms. Loggins who presented the Bookkeeper's Report for the Board's review and approval along with certain checks for payment, a copy of which is attached hereto as Exhibit "C." Upon a motion brought by Director Patterson and seconded by Director Mashburn, the Board voted unanimously to approve the Bookkeeper's Report, payment of the bills listed therein.

### **MEMBERSHIP IN ASSOCIATION OF WATER BOARD DIRECTORS**

The Board considered joining the Association of Water Board Directors ("AWBD") at an annual cost of \$750. Following discussion, Director Patterson moved to approve the District's membership in AWBD, beginning in August 2024 due to the membership dues schedule. Director Campbell seconded the motion, which passed unanimously.

### **HEAR TAX ASSESSOR-COLLECTOR'S REPORT**

The Board recognized Ms. Gideon who reviewed and presented the Tax Assessor-Collector's Report, a copy of which is attached hereto as Exhibit "D." Upon a motion made by Director Patterson and seconded by Director Campbell, the Board voted unanimously to approve the Tax Assessor-Collector's Report and payment of the bills listed therein.

### **HEAR OPERATOR'S REPORT**

The Board recognized Ms. Giacona who presented and reviewed the Operator's Report, a copy of which is attached hereto as Exhibit "E."

Ms. Giacona reported on a boil water notice issue on June 23, 2024, for approximately four hours due to a main water line break at Water Plant No. 1. She noted that communication on the matter was posted to the District's website, sent via automated robocalls to all customers, and communicated directly to HOA Board members.

Ms. Giacona presented a proposal from Elite Pumps and Mechanical Services ("Elite") to repair the blower at the sewer plant in the amount of \$7,297.00. A copy of the proposal is attached as Exhibit "F."

Upon a motion made by Director Patterson and seconded by Director Campbell, the Board voted unanimously to approve the Operator's Report as presented and the action items listed therein, including

the termination of service to delinquent customers in accordance with the District's Rate Order and the proposal from Elite in the amount of \$7,297.00.

**HEAR ENGINEER'S REPORT**

The Board recognized Mr. Graham who presented the Engineer's Report, a copy of which is attached hereto as Exhibit "G," and reviewed the Board action items listed therein.

Mr. Graham recommended award of the contract for the construction of Water Plant No. 2, Phase 2 to the lowest bidder, Gilleland Smith Construction, Inc., in the amount of \$1,138,534.

Mr. Graham presented a Right-of-Way Instrument from the District to Entergy of Texas, Inc., for overhead power lines (the "Easement"), a copy of which is attached to these minutes as Exhibit "H."

Mr. Graham reported on the status of the District's pending bond issues, noting that i) the internal and master district bond applications were submitted to the Texas Commission on Environmental Quality for approval in May and ii) he will present the Summary of Costs for the road bond issue upon receipt of the Estimate of Value from the Montgomery Central Appraisal District.

After review and discussion and based on the Engineer's recommendation, upon a motion made by Director Patterson and seconded by Director Campbell, the Board voted unanimously to approve the Engineering Report and the action items listed therein, including award of the contract for Water Plant No. 2, Phase 2 to Gilleland Smith Construction, Inc., and the Easement.

**HEAR DETENTION/DRAINAGE MAINTENANCE REPORT**

The Board recognized Mr. Franklin who reviewed the mowing and maintenance report from Growth Services, Inc., a copy of which is attached hereto as Exhibit "I." Mr. Land stated his concerns regarding dead trees in the District and said he will provide such locations to Mr. Franklin and Mr. Graham for further investigation. Following review and discussion, Director Patterson moved to approve the mowing and maintenance report. Director Campbell seconded the motion, which passed unanimously.

**HEAR DEVELOPER'S REPORT**

The Board recognized Mr. Espinoza who provided an update on development in the District. No action was taken.

**ATTORNEY'S REPORT**

The Board recognized Ms. Craig who presented a Resolution Requesting Estimate of Value as of July 1, 2024, from Montgomery Central Appraisal District (the "Resolution"), which is required in connection with the District's bond issues. Upon a motion made by Director Patterson and seconded by Director Campbell, the Board unanimously voted to adopt the Resolution.

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 28<sup>th</sup> day of August, 2024.

  
Secretary, Board of Directors

(DISTRICT SEAL)

