

**MINUTES OF REGULAR MEETING
OF
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 43
OF HARRIS COUNTY, TEXAS**

March 12, 2024

The Board of Directors of Harris County Municipal Utility District No. 43 of Harris County, Texas, met for a regular session open to the public, on March 12, 2024, at 7:00 P.M., at the Birnamwood Clubhouse, 23803 Birnamwood Boulevard, Spring, Texas, a regular meeting place of the District. The roll was taken of the duly constituted officers and members of the Board to wit:

Matt Fagerburg	President
Kathleen Harrison	Vice President / Investment Officer
Connie Magee	Secretary
Patti Yazell	Assistant Secretary
Bob Frost	Director

The regular meeting was brought to order at 7:05 p.m. by Director Fagerburg with all directors present to establish a quorum.

CALL THE MEETING TO ORDER

Also, present were Benjamin Mellado with EHRA, Steve Reifel with TNG Utility, Lt. Flores, Deputy Jamarillo, and Sergeant Esparza with the Precinct 4 Constables Office, and Kelli Knapp, Perry Trosclair and Lester Novak of Birnamwood III HOA.

HEAR COMMENTS FROM DISTRICT RESIDENTS

Kelli Knapp of the HOA Security Committee addressed the board along with the other members regarding the current MUD 43 Constable Contract and resident concerns on officer visibility within the community. The HOA will be conducting a study and may consider hiring their own dedicated officer. If they retain their own dedicated officer, the HOA will terminate its portion of the MUD 43 Constable Contract reimbursement program.

Mr. Trosclair requested information on the land adjacent to the MUD 43 water plant on Birnamwood Blvd along and across the end of the thoroughfare. People are accessing the parks through this area from the adjacent community and riding 4-wheelers through the area and in the park. Damage has occurred and the HOA would like to install fencing on that property to deter entrance.

A discussion was held on the Flock Camera system, how it works, and if reports were available.

HEAR CONSTABLE'S SECURITY REPORT

Sergeant Esparza reviewed the security report for February.

REVIEW REPORTS OF THE BOOKKEEPER, TAX ASSESSOR/COLLECTOR, AND DELINQUENT TAX ATTORNEY, AND AUTHORIZE ANY NECESSARY ACTION.

Director Yazell made a motion to table the review of the bookkeeper's report and approve the payment of bills. Director Harrison seconded the motion which was approved unanimously.

OPERATOR'S REPORT

Mr. Reifel presented the operator's report for both water wells and the wastewater treatment plant for February 2024. Mr. Reifel will walk the common areas and identify the dead trees that need to be removed, he is obtaining quotes for their removal from several contractors including some who have previously done work for the HOA.

Door hangers for past due bills will be placed March 14th with cut-offs scheduled for March 19th.

Director Yazell made a motion to accept the Operator's Report. Director Harrison seconded the motion which was approved unanimously.

REVIEW ENGINEER'S REPORT AND TAKE ANY NECESSARY ACTION CONCERNING ON-GOING CONSTRUCTION WITHIN THE DISTRICT

Mr. Mellado reviewed the February 2024 engineer's report. Mr. Mellado presented a contract for the new engineer of record on the new operator's building and Mr. Fagerburg executed the document.

The water tank inspection was performed and all painting and coating has been completed. Once dried, they will start to refill the tank.

The Directors would like to start scheduling tours of the water treatment plant and water tank facilities on a regular basis.

Director Yazell made a motion to accept the Engineer's Report. Director Harrison seconded the motion which was approved unanimously.

HEAR REPORT FROM TRESCHWIG JOINT POWERS BOARD ("TJPB") REPRESENTATIVE AND REVIEW THE MEETING MINUTES OF SEPTEMBER 2023

Director Fagerburg provided the Treschwig Joint Powers report. The TJPB approved an I&I contract with advanced ways to see how much each district is contributing to the treatment plant. This is to identify possible reasons for peak 2-hour flows. This will be a 6-month study and the Districts will be provided their results.

The TCEQ issued a draft of the new discharge permit. A second public notice will be made on the required timeline.

The annual wastewater treatment plant tour and first responder update will be held on the next meeting date of April 3rd at 6:00 p.m.

NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY (“NHCRWA”) REPRESENTATIVE REPORT

Director Magee reported on the NHCRWA meeting. At least one board member continues to discuss a possible rate reduction and does not appear to be satisfied with the numbers pulled together by their staff. A discussion was ongoing about Project 37 and the property buyout to complete the project design. A Director wanted to control and have the final say on any property actions, but their attorney explained the process which seemed to help.

The Board discussed when and how agenda items should be approved and/or placed on the agenda as some items are ongoing for months. No real decision was made.

The meeting ended at 9:20 p.m. with the next meeting scheduled for April 1st.

HEAR REPORT FROM YELLOWSTONE REGARDING MAINTENANCE AND UPKEEP OF DRAINAGE FACILITIES AND AUTHORIZE ANY NECESSARY REPAIRS OR IMPROVEMENTS

None

DIRECTOR COMMENTS

Director Fagerburg mentioned his concern regarding the excessive cost of Yellowstone’s out-of-contract bid proposals.

There being no other business to come before the Board, the meeting was adjourned at 8:30 p.m.

Secretary, Board of Directors

(SEAL)