

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

May 16, 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 May 16, 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 7:02 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, and Sgt. Esparza and Lt. Fores of Precinct 4 Constables Office.

HEAR COMMENTS FROM DISTRICT RESIDENTS

None.

HEAR CONSTABLE'S SECURITY REPORT

Sgt. Esparza reviewed the April security report. Lt. Flores explained the recent activities in Cypresswood Landing to include a small group of teens involved in car theft.

Director Fagerburg asked Director Harrison if the HOA had made any decisions on the constable contract. Director Harrison said it is still under discussion.

Director Harrison advised that attorney, Justin Hicks of Hunton Andrews Kurth, met with the Cypresswood HOA Board last week, and they seemed more open to paying their share of the current constable contract, and are potentially, interested in paying the costs of adding a constable in the upcoming contract year.

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 of TNG Utility presented the operator's report for both water wells and the wastewater treatment plant for April 2024. The wastewater treatment plant is running at 47% of capacity with no issues. Door hangers for delinquent bills were placed on May 10th with cut-offs scheduled for May 14.

The Board discussed setting annual tours of the District's utilities. The board will tour the wastewater treatment plant and water well located in Cypresswood Landing at 6:00 p.m. before the June 11th Board meeting. A schedule for a tour of the water well on Birnamwood Blvd. will be schedule at a later date.

Mr. Reifel noticed a "C" missing from the Charlie Gant Park sign. He will get it replaced. He will also investigate the sinkhole brought to his attention by Director Harrison from a resident on Edgeway. The dead trees have been removed and a bill was submitted for \$2,000 less than the amount quoted. Mr. Reifel and Director Fagerburg noticed some debris and ruts left behind by the contractor, and Mr. Reifel will investigate and get it all cleaned up. Director Magee asked Mr. Reifel to make sure all the dead trees along Cypresswood had been taken down as two larger trees looked dead but were still standing.

Mr. Reifel provided the Board members with the CC&R report to review. The report will need to be added to the website no later than July 1.

Director Yazell made a motion to accept the Operator's Report and approve the CC&R report for publishing. 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 of EHRA reviewed the May 16th engineer's report. He provided plans for the new operator's building and will send copies to the Board members via email. He explained the layout and placement of the building on the parcel next to the wastewater treatment plant. The plans have been submitted for ADA approval and will be going out for bid soon.

When the water tank on Birnamwood Blvd was being refilled after the GST recoat some leaks were noticed. EHRA will contact the contractor to correct the problems and re-check all areas to ensure the correct thickness of the coating.

Mr. Mellado is currently working on a 5-year plan for capital improvements. This plan will detail all the District's facilities and improvements and detail the timing of any necessary improvements or rehabilitation projects.

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 insurance was renewed at a premium increase of \$3,400, which was not unexpected. The I&I study has begun and the preliminary results show Postwood looking good and some possible issues in Greengate, MUD 43 and MUD 136. They are awaiting more data from the ongoing study.

The oldest clarifier (#1) is starting to tilt and has reached the point where something will need to be done to repair it. The Board agreed to modify the budget plans and move the funds marked for the pipe and equipment coating toward the clarifier repair. An amendment to the budget will be looked at next month.

A fine was received from the TECQ from the prior Operator's violations in the amount of \$20,000, however, it included opportunities to prove repairs and corrections have been made which could reduce or possibly eliminate the fine.

The plant ran at 52% of capacity with no two hour peak flow periods.

NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY ("NHCRWA") REPRESENTATIVE REPORT

Director Harrison reported on the NHCRWA meeting. Mark Ramsey made a comment that there was no need for the regional water authority because there was enough water under our feet.

There was a lengthy discussion on the one vendor that responded to the RFQ that was requested months ago, and now that the Board is ready to take action, they are not replying to emails or phone calls.

The Board approved additional funding for legal services by special counsel on the pending lawsuit.

The meeting was over four hours long adjourning at 10:22 p.m. The next meeting is scheduled for June 3, 2024.

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

Yellowstone was not in attendance.

Director Fagerburg advised the bushes along Cypresswood from the AT&T facility drive south toward Quailgate need to be trimmed back. Pedestrians are having to go out onto the right of way in some areas.

DIRECTOR COMMENTS

Director Magee advised she forgot to add the plant tours to tonight's agenda

Director Magee will not be at the out-of-district meeting next week.

There being no other business to come before the Board, the meeting was adjourned at 8:28 p.m.

Secretary, Board of Directors

(SEAL)