

MINUTES OF MEETING  
EAST PLANTATION UTILITY DISTRICT  
SEPTEMBER 16, 2019

THE STATE OF TEXAS §  
COUNTY OF MONTGOMERY §  
EAST PLANTATION UTILITY DISTRICT §

The Board of Directors (the “Board”) of East Plantation Utility District (the “District”) noticed a special session, open to the public, to be held on Monday, September 16, 2019, at 3:30 p.m., at 447 Cumberland Trail, Conroe Texas, a designated meeting place of the District. Whereupon, at 3:30 p.m. the meeting was called to order and the roll was called of the members of the Board of Directors, to-wit:

William B. Knapp	-	President
C. Marshall Loosier, Jr.	-	Vice President
Eugene C. Arnold, Jr.	-	Secretary
W. Preston Humphreys	-	Assistant Secretary
Roger Bartel	-	Treasurer

All members of the Board of Directors were present, except Director Bartel, thus constituting a quorum. Copies of the meeting notices are attached hereto.

Also present at the meeting were Franklin Gallegos, District employee; Deidra Daniels (paralegal) of Sanford Kuhl Hagan Kugle Parker Kahn LLP (“SK Law”), Attorneys for the District; and members of the public Jamie Goodman, Tim Goodman, and Julie Gilmer, each of whom is a resident of River Plantation Municipal Utility District.

## **PUBLIC HEARING ON PROPOSED 2019 TAX RATE**

At 3:30 p.m. the Board opened the meeting to a public hearing on the proposed 2019 tax rate for the District. The Board recognized Ms. Daniels, who reminded the Board that at the District's meeting on August 21, 2019, the Board discussed the District's tax rate for 2019. At such meeting the Board established its intent to set and levy a 2019 tax rate of \$0.54 per one hundred dollars (\$100) of assessed valuation; which tax shall be allocated \$0.24 per \$100 assessed valuation for debt service purposes and \$0.30 per \$100 assessed valuation for maintenance and operation purposes. The Board then discussed the proposed 2019 tax rate and, noting that there were no members of the public present who wished to comment on the 2019 tax rate, closed the public hearing and resumed the regular meeting.

## **ORDER SETTING TAX RATE FOR 2019**

Consideration was then given to the adoption of an Order Setting Tax Rate and Levying Tax for 2019.

Upon motion duly made and seconded, and after full discussion, the Board voted unanimously to set and levy a 2019 tax rate of \$0.54 per one hundred dollars (\$100) of assessed valuation; which tax shall be allocated \$0.24 per \$100 assessed valuation for debt service purposes and \$0.30 per \$100 assessed valuation for maintenance and operation purposes, and to adopt the Order Setting Tax Rate evidencing the same.

## **AMENDMENT TO NOTICE TO SELLERS AND PURCHASERS**

Consideration was then given to a proposed Amendment to Notice to Sellers and Purchasers. Ms. Daniels informed the Board that the Notice to Sellers and Purchasers must be revised to reflect the 2019 tax rate levied by the District. Ms. Daniels continued that the Notice will be filed in the Montgomery County Real Property records and with the TCEQ.

Upon a motion duly made and seconded, and after full discussion, the Board by unanimous vote approved the Amendment to Notice to Sellers and Purchasers of Real Estate Located Within the District and authorized Ms. Daniels to file said Notice in the Montgomery County Real Property Records and with the TCEQ.

## **HEAR FROM PUBLIC**

The Board noted that none of the public wished to address the Board.

## **MINUTES OF MEETING OF AUGUST 21, 2019**

The Board reviewed the minutes from the meetings of August 21, 2019, previously distributed to the Board.

Upon motion duly made and seconded, and after full discussion, the Board unanimously approved the minutes of the meeting of August 21, 2019, as presented.

## **RIVER PLANTATION MUD REPORT**

The Board recognized Director Loosier, who presented to and reviewed with the Board the River Plantation Municipal Utility District Report for the month of August 2019. A copy of the Report is on file in the official records of the District.

Upon motion duly made and seconded, and after full discussion, the Board voted unanimously to approve the River Plantation MUD Report.

### **DISTRICT FACILITIES AND OPERATIONS**

The Board recognized Mr. Gallegos, who reviewed with the Board the Operations Report.

Upon motion duly made and seconded, and after full discussion, the Board voted unanimously to approve the Operations Report.

### **BOOKKEEPER'S REPORT**

The Board recognized Director Humphreys, who presented to and reviewed with the Board the Bookkeeper's Report, the Investment Report, and the request for payment of checks. A copy of the Report is on file in the official records of the District.

Upon motion duly made and seconded, and after full discussion, the Board voted unanimously to approve the Bookkeeper's Report, Investment Report, and payment of checks presented.

### **BOND REDEMPTION**

The Board recognized Ms. Daniels, who reminded the Board that the Board had previously discussed early redemption of the 2031 Bond. Director Humphreys noted that the District had sufficient funds to make the early redemption.

Upon motion duly made and seconded, and after full discussion, the Board voted unanimously to (1) redeem the 2031 maturity of its Series 2005 Bonds in the

amount of \$175,000 on December 1, 2019; and (2) approve the Resolution Authorizing Redemption of Bonds.

**TAX REPORT**

No report was offered.

Director Humphreys then discussed with the Board terminating Larson & Weisinger, noting that Larson & Weisinger has refused to communicate with the District and has provided no reports for a lengthy period of time. Director Humphreys also advised that Maria Parker, the District's Attorney, had recommended the law firm of Perdue Brandon, a Houston firm which also has an office in Conroe.

Upon motion duly made and seconded, and after full discussion, the Board voted unanimously to terminate the services of Larson & Weisinger, as the District's Delinquent Tax Attorneys, and engage Perdue Brandon.

**LONESTAR GROUNDWATER CONSERVATION DISTRICT**

Director Humphreys noted that the District should be receiving the transfer of ground water credits within the next week.

**GENERAL MANAGER'S REPORT**

Director Humphreys next discussed the erosion of the drainage ditch from Stephen F. Austin to Somerset, noting that the District's Engineer would begin the 60% design phase on September 16, which would take approximately 3 weeks, with 100% design in 4 weeks. Director Humphreys also noted that he would review the design prior to bids being solicited, and that, after bids were received, he would

review the bids with the Engineer so that, if necessary, repairs can be made in stages to control costs.

Director Humphreys advised that a revised final proposal for the WWTP repair had been received in the amount of \$930,000, and that the District's pro rata share of the repair costs would be \$370,000.

Upon motion duly made and seconded, and after full discussion, the Board voted unanimously to accept the revised proposal for the WWTP repair.

**DIRECTOR COMMENTS**

No comments were offered.

**ADJOURNMENT**

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

PASSED, APPROVED, AND ADOPTED, this 16th day of October, 2019.

(DISTRICT SEAL)

  
Asst. Secretary, Board of Directors