

**HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 361**  
**Minutes of Meeting of Board of Directors**  
**January 13, 2023**

The Board of Directors (the “Board”) of Harris County Municipal Utility District No. 361 (the “District”) held its regular monthly meeting in accordance with the duly posted notice of the meeting and the Texas Open Meetings Act. The meeting was held at 2001 Timberloch Place, Suite 500, Spring, Texas, 77380, and the roll was called of the duly constituted officers and members of said Board, as follows:

|                       |                          |
|-----------------------|--------------------------|
| J. Brian Harding      | President                |
| Todd Covart           | Vice President           |
| Jaelyn Hood           | Secretary                |
| Erica Dobbs           | Assistant Vice President |
| Christopher D. Roundy | Assistant Secretary      |

All of the above were present, except Director Roundy, thus constituting a quorum.

Also present at the meeting were Charlie LaConti of Municipal Accounts & Consulting, L.P. (“MAC”); Josh Maas of M. Marlon Ivy & Associates, Inc. (“MMI”); Cindy Fields of BGE, Inc. (“BGE”); Corey Laughner of KGA/DeForest Design, LLC (“KGA”); Stephanie Dorrrough of Wheeler & Associates, Inc. (“Wheeler”); and Jonathan Roach, Brian Cassidy\*, Ray Arce, Jessica Gentry, and Hayden Toth of Roach & Associates, PLLC (“RAPLLC”). [\*Remote Attendees]

**COMMENTS FROM THE PUBLIC**

There were no comments from the public.

**MINUTES FOR PRIOR BOARD MEETINGS**

The Board considered for approval the special meeting minutes of December 9, 2022, and the regular meeting minutes of December 9, 2022, whereby the Board concurred to defer the approval of the minutes until later in the meeting.

Then Mr. Roach encouraged the Directors to review Board meeting reports on their new District data devices to avoid the added expense of consultants bringing physical copies of the reports to future meetings.

**BOOKKEEPER’S REPORT**

Mr. LaConti presented the monthly Bookkeeper's Report, including investment report and invoices submitted for payment, a copy of which report is attached hereto as “**Exhibit A.**”

Director Dobbs inquired whether Directors could be issued advance checks for the Association of Water Board Directors (“AWBD”) Mid-Winter Conference. Director Harding noted that he confirmed with Mr. Weyand regarding the approval and limit on Directors being advanced

for conference related expenses, and Mr. LaConti confirmed which Directors were registered to attend the AWBD conference.

Following review and discussion, Director Hood moved to approve the Bookkeeper's Report and authorize payment of invoices. Director Covart seconded the motion, which passed three to zero (3-0), with Director Harding absent from the vote.

Director Harding temporarily exited during the above discussion and re-entered the meeting after the Bookkeeper's Report.

### **TAX ASSESSOR'S REPORT**

Ms. Dorrough presented and reviewed the District's monthly tax report for December 2022, a copy is attached hereto as "**Exhibit B,**" including a list of invoices submitted for payment from the District's tax account. Following review and discussion, Director Covart moved to approve the monthly tax reports and authorize payment of the invoices presented. Director Harding seconded the motion, which passed unanimously.

### **ESTIMATE OF VALUE**

Mr. Roach explained that RAPLLC had received the Estimate of Value ("EOV") from Harris County Appraisal District ("HCAD") and reviewed same with the Board.

### **RESOLUTION AUTHORIZING ADDITIONAL PENALTY ON DELINQUENT PERSONAL PROPERTY TAXES**

Mr. Roach noted that pursuant to applicable sections of the Texas Tax Code, the District can levy an additional penalty of up to twenty percent (20%) to cover the costs of collections on any delinquent personal property tax accounts as of February 1 each year. After a brief discussion, Director Harding moved, seconded by Director Hood, to maintain the previously approved additional twenty percent (20%) penalty as authorized for 2020 and subsequent years and to authorize the delinquent tax attorney to proceed with the usual statutory/contractual twenty percent (20%) additional penalty to be effective February 1, 2023. The motion carried unanimously. The 2020 Resolution was not rescinded; therefore, the prior Resolution remains in effect.

### **RESOLUTION GRANTING EXEMPTIONS FROM TAXATION FOR 2023**

Mr. Roach presented the Resolution Concerning Exemptions from Taxation for 2023, he explained the exemptions available under Section 11.13 of the Texas Tax Code, and he noted the prior years' exemptions adopted by the Board. After discussion, Director Harding motioned to adopt the Resolution to include: (1) an exemption of \$5,000 for individuals who are over sixty-five (65) years of age and under a disability according to applicable federal statutes; and (2) no general homestead exemption. Director Covart seconded said motion, which was carried unanimously.

## ENGINEER'S REPORT

Ms. Fields reviewed the Engineer's Report; a copy is attached hereto as Exhibit "C," providing updates on the following: (1) WLHP Phase 2 Sidewalk, noting she is awaiting the final cost from Harris County; (2) Harris County Municipal Utility District No. 344 ("HC344") WP Generator Replacement, noting the meter has been set and the load bank test has been completed; she further noted that the contractor has switched the Water Plant to the new generator, so they can now remove the old one and demolish the concrete pad and containment structure; (3) HC344 WP Recoating/Improvements, noting the contractor has completed the blasting of the surface water metering station and piping as well as the blasting and recoating of the exterior of hydropneumatic tank #2; she further stated that the new vents and new roof hatch have been installed on GST #1, and the exterior has been blasted and is in the process of being coated; (4) HC344 WWTP Rehabilitation, noting the new chemical pump house has been installed and that the contractor has completed all the remaining work except for the rehabilitation of aeration basin 2; she further noted that the delivery of the new slide gates is anticipated next month which, once installed, will allow the rehabilitation of aeration basin 2 to be completed. Finally, Ms. Fields advised that Pay Estimate No. 9 was presented to HC344 for JTR Constructors, Inc. for \$127,800.00 at their last meeting and that no action was necessary by the Board at this time.

## OPERATOR'S REPORT

Mr. Maas presented and reviewed the monthly Operator's Report; a copy is attached hereto as "Exhibit D," noting the service waterline was down for painting but is now back up and running. Mr. Maas then discussed last month's freeze, noting that MMI checked the water meters daily and continued to provide notice and updates to the residents. He further advised that MMI received a boil water notice from the City of Houston but no action was necessary for the District regarding the boil water notice.

## LANDSCAPE ARCHITECT MATTERS

Mr. Laughner reviewed the Landscape Architect's Report, a copy of which is attached hereto as Exhibit "E," and further discussed the Lakeview Park Phase 1 Development, noting the fire marshal inspected the site on January 11, 2023, and issued a failure notice. The Board concurred to have a special meeting on January 20, 2023, for a walkthrough after the minor fire marshal punchlist items had been addressed by the contractor. No action was necessary at this time.

## SUMMERWOOD COMMUNITY ASSOCIATION MATTERS

Director Dobbs inquired who was communicating with residents about the park. Mr. Arce noted he, along with Mr. Laughner, Mr. Dean, and the management company, have all been in contact with various residents.

## AMENDED RATE ORDER

This item was deferred.

## SECURITY MATTERS, INCLUDING PATROL SERVICES AGREEMENT(S)

Ms. Gentry noted that all parties have fully executed the Sixth Amended and Restated Patrol Services Contract. Director Covart inquired why it took so long to get the fully-executed contract back, and Ms. Gentry noted that there was a lack of communication among the other parties which had been resolved.

## TECHNOLOGY/WEBSITE UPDATES

Mr. Toth noted that the District's website is in SB2 compliance. He further offered that he is available anytime to assist the Directors regarding their new District data devices.

## PROPOSALS FOR INSURANCE POLICIES (*HARCO, EXPIRES MARCH 31, 2023*)

Mr. Roach informed the Board that the District's insurance policies with HARCO, now named Brown & Brown, will expire on March 31, 2023. The Board concurred to have RAPLLC review the policies and put the matter on the next meeting agenda.

Mr. Toth exited the meeting at this time.

## ATTORNEY'S REPORT

Mr. Roach noted that he recently received information from Acclaim Energy about their Texas Reliability Coalition program. He then reviewed the District's 2023 Master Calendar with the Board, noting various requirements which will be addressed throughout the year.

## ANNUAL EMINENT DOMAIN REPORT

Mr. Roach provided an overview for the Board regarding the annual filing of the District's Eminent Domain Report with the Comptroller. After a brief discussion, Director Hood made a motion authorizing RAPLLC to file the District's Eminent Domain Report with the Comptroller. Director Covart seconded the motion, which passed unanimously.

## MINUTES FOR PRIOR BOARD MEETINGS (con't)

Director Hood motioned to approve the special meeting minutes of December 9, 2022, and the regular meeting minutes of December 9, 2022. Director Harding seconded the motion, which passed three to one (3-1), with Director Dobbs abstaining.

## REVIEW OF DISTRICT POLICIES

This item was discussed during the special meeting held earlier in the day.

## \*EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071, 551.074, ET. SEQ.

The Board did not enter into executive session.

**PENDING BUSINESS AND MATTERS FOR FUTURE AGENDAS**

Mr. Roach offered the Galveston location for the District's March 2023 Board meeting and asked the Board to let him know if they are still interested in holding a future meeting at that location. The Board concurred to reconvene for a special park walkthrough meeting on January 20, 2023, at 1:00 p.m. at Lakeview Park (or such similar time) and their next regular meeting on February 10, 2023, at 12:00 p.m.

There being no further business to come before the Board, Director Hood motioned to adjourn the meeting. The motion was seconded by Director Harding and passed unanimously.

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Approved this 10<sup>th</sup> day of February, 2023.

/s/ Jaclyn Hood  
Secretary, Board of Directors

(SEAL)



LIST OF EXHIBITS

- Exhibit A - Bookkeeper's Report
- Exhibit B - Tax Assessor's Report
- Exhibit C - Engineer's Report
- Exhibit D - Operator's Report
- Exhibit E - Landscape Architect's Report