

MINUTES  
EMERALD FOREST UTILITY DISTRICT

April 10, 2025

The Board of Directors (the "Board") of Emerald Forest Utility District (the "District") met in regular session, open to the public, on the 10<sup>th</sup> day of April, 2025, at the offices of Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2400, Houston, Texas, outside the boundaries of the District, and the roll was called of the members of the Board:

Bobby G. Dillard	President
Robert M. Kimball	Vice President
William B. Schmidt	Secretary
Donald F. Brooks	Asst. Vice President
DeWayne High	Assistant Secretary

and all of the above were present except Directors Schmidt and Brooks, thus constituting a quorum.

Also present at the meeting were Justin Jenkins of McCall Gibson Swedlund Barfoot Ellis PLLC ("McCall"); Danae DeHoyos of Touchstone District Services ("Touchstone"); Luly Stripling of District Data Services, Inc. ("DDS"); Erik Spencer of Vogler & Spencer Engineering, Inc. ("VSE"); Lonnie Lee of Regional Water Corporation ("RWC"); Debbie Arellano of Bob Leared Interests; and Katie Sherborne and Jennifer Ramirez of Allen Boone Humphries Robinson LLP ("ABHR").

PUBLIC COMMENTS

There were no comments from the public.

APPROVE MINUTES

The Board considered approving the minutes of the March 13, 2025, regular meeting and the March 25, 2025, special meeting. After review and discussion, Director Dillard moved to approve the minutes of the March 13, 2025, regular meeting and the March 25, 2025, special meeting, as submitted. Director High seconded the motion, which passed unanimously.

APPROVE DEVELOPER REIMBURSEMENT REPORT AND AUTHORIZE DISBURSEMENT OF FUNDS

Mr. Jenkins reviewed a draft developer reimbursement report reflecting the amounts reimbursable by the District to Danny Way and WHM Leasing, Inc. from surplus water and sewer revenue.

After review and discussion, Director Dillard moved to (1) approve the developer reimbursement report; and (2) authorize the disbursement of funds. Director High seconded the motion, which passed unanimously.

#### WEBSITE AND COMMUNICATION MATTERS

Ms. DeHoyos reviewed the website and communication report, a copy of which is attached.

The Board discussed plans for a \$10.00 one-time utility bill credit for customers who are signed up for an EyeOnWater account by a certain date in order to increase resident participation in the smart meter online portal. After discussion, the Board concurred to set a deadline of May 31, 2025, for EyeOnWater account signups and authorize Touchstone and RWC to send out notices via the District's text alert system and a utility bill insert.

#### GARBAGE COLLECTION MATTERS

There was no discussion on this agenda item.

#### TAX ASSESSMENT AND COLLECTION MATTERS

Ms. Arellano presented the monthly tax report, a copy of which is attached. She stated that 97.7% of the District's 2024 taxes were collected as of March 31, 2025. Ms. Arellano then reviewed the District's delinquent tax roll.

After review and discussion, Director Kimball moved to approve the tax report and payment of the tax bills. Director High seconded the motion, which passed unanimously.

#### FINANCIAL AND BOOKKEEPING MATTERS

Ms. Stripling reviewed the bookkeeper's report, including the District's investments and the budget comparison, and submitted the bills for payment. A copy of the bookkeeper's report is attached.

After review and discussion, Director High moved to approve the bookkeeper's report and payment of the bills. Director Kimball seconded the motion, which passed unanimously.

#### OPERATION OF DISTRICT FACILITIES

Mr. Lee presented the operations report from RWC, a copy of which is attached. He reported on routine maintenance and repair items in the District. He stated that water accountability for the prior billing cycle was 90.8%.

Mr. Lee updated the Board on the status of the bacteriological testing and monitoring required by the Texas Commission on Environmental Quality ("TCEQ") as part of the conditional approval for the water well exception request.

Mr. Lee reviewed a request from account no. 1-30-50050-01 requesting an adjustment to the sewer portion of a high water and sewer bill from March, 2025, due to an underground leak.

After review and discussion, Director High moved to (1) approve the operator's report; and (2) credit the excess sewer charge for account no. 1-30-50050-01, contingent upon the customer signing up for EyeOnWater leak alerts. Director Kimball seconded the motion, which passed unanimously.

#### HEARING REGARDING TERMINATION OF WATER AND SEWER SERVICE

The Board conducted a hearing on the termination of water and sewer service to delinquent accounts. Mr. Lee stated that the residents on the list were delinquent in payment of their water and sewer bills and had been given written notification prior to the meeting of the opportunity to appear before the Board to explain, contest, or correct the utility service bills and to show reason for nonpayment, all in accordance with the District's Rate Order. After discussion, Director Dillard moved that, because the customers on the list were neither present at the meeting nor had presented any written statement on the matter, water and sewer service for accounts totaling \$10 or more would be terminated the following week in accordance with the District's Rate Order, except (i) accounts in compliance with payment agreements, and (ii) commercial accounts, which are to be contacted first by RWC and then terminated the following Monday if payment has not been received. Director Kimball seconded the motion, which passed unanimously.

#### BOOKKEEPING MATTERS (CONT'D)

The Board discussed the director fee tracking chart and considered switching to receiving monthly payments for per diems and expenses versus an annual payment. After discussion, Director Dillard moved to authorize DDS to coordinate with the District's auditor on the simplest method to pay and track director per diems and expenses moving forward. Director High seconded the motion, which passed unanimously.

#### ANNUAL REPORT ON IMPLEMENTATION OF WATER CONSERVATION PLAN

Mr. Lee stated that RWC is completing the annual report on implementation of the Water Conservation Plan. After review and discussion, Director Kimball moved to approve the annual report on implementation of the Water Conservation Plan, subject to final review. Director Dillard seconded the motion, which passed unanimously.

CONDUCT ANNUAL REVIEW AND RECEIVE REPORT FROM OPERATOR ON  
IDENTITY THEFT PREVENTION PROGRAM AND ADOPT IDENTITY THEFT  
PREVENTION PROGRAM AMENDMENT, IF NECESSARY

Mr. Lee reviewed the annual report on the Identity Theft Prevention Program. He stated that no problems have been identified and no changes to the Identity Theft Prevention Program are recommended.

ENGINEERING MATTERS

Mr. Spencer reviewed the engineer's report, a copy of which is attached.

FEASIBILITY STUDIES, PLAN REVIEWS, AND SERVICE REQUESTS

Mr. Spencer updated the Board on the status of the pending plan reviews and service requests, as reflected in his report.

Mr. Spencer updated the Board on VSE's coordination with the three businesses on FM 1960 on connecting to the District's utility system.

WASTEWATER TREATMENT PLANT GENERATOR REPLACEMENT  
PROJECT

Mr. Spencer updated the Board on the status of design of the wastewater treatment plant generator replacement project.

GREEN CREEK LIFT STATION GENERATOR REPLACEMENT PROJECT

Mr. Spencer updated the Board on the status of design of the Green Creek lift station generator replacement project.

WATER PLANT NO. 3 GENERATOR REPLACEMENT PROJECT

Mr. Spencer updated the Board on the status of design of the water plant no. 3 generator replacement project.

UPDATE REGARDING EXCEPTION REQUESTS FROM TCEQ AND  
COMPLIANCE WITH ENFORCEMENT ORDER

There was no discussion on this agenda item.

DEEDS, EASEMENTS, AND/OR CONSENTS TO ENCROACHMENT

There was no discussion on this agenda item.

## UPDATE ON BOND APPLICATION

Mr. Spencer stated that the District's bond application is under review at the TCEQ.

## OTHER ENGINEERING MATTERS

Mr. Spencer updated the Board on the District's GIS system and stated that the system should be fully functional by the next regular meeting.

## ATTORNEY'S REPORT

Ms. Sherborne discussed an upcoming change to ABHR personnel assigned to the District.

## REORGANIZE THE BOARD AND ELECT OFFICERS

The Board discussed potentially reorganizing the Board. After review and discussion, Director Dillard moved to reorganize the Board as follows:

DeWayne High	President
Bobby G. Dillard	Vice President
William B. Schmidt	Secretary
Donald F. Brooks	Asst. Vice President
Robert M. Kimball	Assistant Secretary

Director Kimball seconded the motion, which passed unanimously.

## AUTHORIZE FILING OF DISTRICT REGISTRATION FORM WITH TCEQ

The Board then considered authorizing filing of an updated District Registration Form with the TCEQ, reflecting the reorganization of the Board. Following review and discussion, Director Dillard moved to authorize filing of the updated District Registration Form with the TCEQ and direct that the District Registration Form be filed appropriately and retained in the District's official records. Director High seconded the motion, which passed unanimously.

## DISCUSS MEETING SCHEDULE

The Board discussed the meeting schedule and concurred to not hold a special meeting in the month of April.

There being no further matters to come before the Board, the meeting was adjourned.

(SEAL)



  
Secretary, Board of Directors

## LIST OF ATTACHMENTS TO MINUTES

	Minutes
	<u>Page</u>
Website and communication report.....	2
Tax assessor/collector's report.....	2
Bookkeeper's report.....	2
Operations report.....	2
Engineer's report.....	4