

MINUTES OF MEETING OF BOARD OF DIRECTORS
SEPTEMBER 15, 2020

THE STATE OF TEXAS
COUNTY OF HARRIS
ATASCOCITA JOINT OPERATIONS BOARD

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The Board of Directors (the “Board”) of Atascocita Joint Operations Board (the “District”) convened in regular session on Tuesday, September 15, 2020 at 7:00 p.m. via videoconference pursuant to Section 551.125, Texas Gov’t Code as modified by the temporary suspension of certain provisions thereof pursuant to guidelines issued by the Texas Attorney General and approved by the Governor for use during the COVID-19 statewide disaster. A roll call was taken of the persons present:

Owen Parker, Harris County Municipal Utility District No. 109
 (“No. 109”), President
Vera Nykaza, Harris County Municipal Utility District No. 46
 (“No. 46”), Vice President
Ernest Bezdek, Harris County Municipal Utility District No. 152
 (“No. 152”), Assistant Secretary
Tim Stine, Harris County Municipal Utility District No. 132
 (“No. 132”), Secretary
Edward Cocetti, Harris County Municipal Utility District No. 153
 (“No. 153”), Director
Kent Spitzmiller, Harris County Municipal Utility District No. 151
 (“No. 151”), Director
Neil McLeroy, Harris County Municipal Utility District No. 106
 (“No. 106”), Director

All members of the Board were present. Also attending all or parts of the meeting were Mr. Michael Hamlin and Mr. Ralph Edgar, Directors of No. 106; Ms. Deborah Malone, Director of No. 46; Mr. Curtis McMinn, Director of 152; Mr. Rick Soliz, Director of No. 153; Mr. Brian Toldan of McCall Gibson Swedlund Barfoot, PLLC, auditors for the District; Mr. Bill Kotlan of BGE, Inc. (“BGE”), engineering firm for the Atascocita Central Sewage Treatment Plant (the “Plant”) and District Nos. 109, 132, and 153; Mr. Allen Jenkins of Inframark (“Inframark” or the “Operator”), operators for the Plant and District Nos. 132, 151, and 152; Ms. Cindy Craig of Governmental Financial Reporting, LLC, bookkeeper for the Plant; and Mr. Dimitri Millas and Ms. Jane Maher of Norton Rose Fulbright US LLP (“NRF”), attorneys for the Plant.

Pursuant to Section 551.054, Texas Gov’t Code, as modified by the temporary suspension of certain provisions thereof, notice of the meeting was posted on No. 109’s website, www.waterdistrict109.com, within the time limits prescribed by law. The agenda packet was posted on the website as items became available. Certificates of such posting are attached hereto as *Exhibit A*.

Call to Order. President Parker called the meeting to order. He noted that the meeting was being held by teleconference in accordance with federal, state and county directives to slow the spread of COVID-19 by avoiding meetings that bring people together. He said the notice of the meeting included a toll-free dial-in number for members of the public to call so they can hear the meeting and address the Board. He noted that the meeting was being recorded and a recording would be available upon public request. President Parker then set out guidelines for the conduct of the meeting. He asked each speaker to identify themselves before speaking. He then proceeded with the meeting business:

1. **Public comments.** There were no public comments.

2. **Minutes.** The Board considered the proposed minutes of the meeting of August 18, 2020, previously distributed to the Board. Upon motion by Director Nykaza, seconded by Director Stine, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the meeting of August 18, 2020, as presented.

3. **Approve audit for fiscal year ended May 31, 2020.** The President recognized Mr. Toldan, who reviewed with the Board the management letter and draft audit for fiscal year ended May 31, 2020, a copy of which is attached hereto as *Exhibit B*.

Upon motion by Director Nykaza, seconded by Director Bezdek, after full discussion and the question being put to the Board, the Board voted unanimously to approve the audit for fiscal year ending May 31, 2020.

4. **Review Engineer's Report.** President Parker recognized Mr. Kotlan, who presented to and reviewed with the Board the Engineer's Report, a copy of which is attached hereto as *Exhibit C*.

Mr. Kotlan stated that the design has started for the rehabilitation projects at the wastewater treatment plant.

Upon motion by Director Bezdek, seconded by Director Nykaza, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Engineer's Report.

5. **Discuss and take necessary action in connection with capital improvement plan.** There was no report.

6. **Review Operations Report and authorize repairs.** President Parker recognized Mr. Jenkins, who presented and reviewed the Operations Report for the month of August 2020, a copy of which is attached hereto as *Exhibit D*.

Mr. Jenkins reviewed the Major Maintenance Summary for the month of August.

Upon motion by Director Nykaza, seconded by Director Bezdek, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Operations Report.

7. **Discuss proposed Inframark agreement to add building to plant and take necessary action.** President Parker recognized Mr. Millas, who presented and reviewed the Lease Agreement with Inframark, a copy of which is attached hereto as *Exhibit E*. He stated that No. 109 approved the Lease Agreement subject to the incorporation of the final revisions.

8. **Review Financial Statements and authorize payment of bills.** President Parker recognized Ms. Craig, who presented to and reviewed with the Board the Bookkeeper's Report, a copy of which is attached hereto as *Exhibit F*.

Upon motion by Director Nykaza, seconded by Director Stine, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Bookkeeper's Report, to authorize the payment of check numbers 6311 through 6317, and the two payments processed subsequent to the last meeting from the General Fund in the amounts, to the persons, and for the purposes listed in the Bookkeeper's Report and to authorize President Parker to coordinate their execution.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, the meeting was adjourned.

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The foregoing minutes were passed and approved by the Atascocita Joint Operations Board on October 20, 2020.

President, Board member

ATTEST:

Secretary, Board member

(AJOB SEAL)