

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
MARCH 14, 2024**

**STATE OF TEXAS §
 §
COUNTY OF HARRIS §**

The Board of Directors of Harris County Municipal Utility District No. 23 of Harris County, Texas, met in regular session, open to the public, beginning at 6:30 P.M. at a regular meeting place inside the District on the 14th day of March, 2024, and the roll was called of the duly constituted officers and members of the Board, to-wit:

William E. Ross	President
Jeff Blackwell	Vice President
Jim Haney	Secretary
Christy Shepard	Treasurer
Charles Mathewes	Assistant Secretary/Treasurer

and all of said directors were present, thus constituting a quorum.

Persons also present included:

Caleb Burson, Vice President of Accurate Meter & Supply;
Wally Byers of Courtyard Glen;
Pete Pedersen of District 220;
Debbie Bessire of ETI Bookkeeping Services;
Chip Callegari and Claudine Pacioni of TNG Utility Corporation; and
Cindy Nichols of Michael A. Cole P.C.

COMMUNITY COMMENTS

Director Ross provided a personal check to the bookkeeper to reimburse the District for one of three per diems he had received for attending the AWBD Winter Conference. He explained that he had since learned that the District’s policy is to only pay Directors for 2 days for the Winter Conference.

Caleb Burson, Vice President of Accurate Meter & Supply, introduced himself to the Board. Discussion was had concerning the malfunctioning Badger water meters in the District. It was explained that the meters are working properly even though the screens on the meters are malfunctioning and are not able to be read. Mr. Burson said that Accurate Meter & Supply will replace the malfunctioning meters, estimated to be 550 meters, beginning at the end of April. The meters will be replaced in three batches and all are expected to be replaced no later than the end of July. He explained that the warranty on the meters does not cover the cost of labor to replace the meters, but that Accurate Meter & Supply will give the District a reduced labor cost of \$35.00 per

meter, which is about a 50% discount. Discussion continued and Mr. Burson stated that the existing meters came with a 20 year warranty, the first 10 years of which 100% is covered and the next 10 years are covered on a prorated basis. In response to Directors, Mr. Burson said the warranty period for the replacement meters does not start new, meaning that in the case of replacing a 3 year old meter, the warranty period would only have 7 years left at 100% and the next 10 years on a prorated basis. Directors expressed their dissatisfaction with the warranty period for the replacement meters and requested Mr. Burson to contact Badger Meters to request that the warranty period start new for the replacement meters. Directors also requested that Mr. Burson email to them a copy of the Badger contract for the existing meters with the warranty language. At the conclusion of discussion, Mr. Burson excused himself from the meeting.

SECURITY REPORT

Director Haney said that he is working to get an additional camera (outbound) on Battleoak but Flock said that because it will be placed in a right-of-way a permit from the County is required. Flock is assisting with obtaining the permit from the County. Director Haney reported that the inbound camera at Battleoak is being replaced because some of the pictures from the camera are not clear.

MINUTES

Director Blackwell moved approval of the February 8, 2024 meeting minutes, which motion was seconded by Director Shepard and carried unanimously.

CONSENT AGENDA

BOOKKEEPER, INVESTMENT OFFICER, AND TAX-ASSESSOR COLLECTOR REPORTS

Debbie Bessire presented the bookkeeper's report and bills for payment, a copy of which is filed in the District's electronic records. She reported that the Board must adopt the District's budget prior to May 31st. Directors requested that a new line item be placed on the budget for "Maintenance and Repair - Special - Meters" for \$35,000 for the upcoming meter replacement project.

Ms. Bessire next presented the tax assessor-collector's report and tax bills, a copy of which is filed in the District's electronic records. She noted tax collections are 98.32% collected for the 2023 tax year.

ENGINEER'S REPORT

It was noted that Sean Humble had provided a copy of his report prior to the meeting, a copy of which is filed in the District's electronic records. Claudine Pacioni reported that the utility operator is continuing inspections at the Shell Gas Station at 7335 Fairbanks North-Houston, noting the only thing left is the old sample well which needs to be inspected.

UTILITY OPERATOR

Chip Callegari addressed the issue reported at the last meeting of the technician's investigation and handling of a leak at a residence on Log Hollow resulting in the tech coming out twice to investigate. Mr. Callegari agreed with the Directors' sentiment that the tech should have been more curious and made more effort to correctly detect the cause of the leak. It was noted that the District has already been credited back for the operator's charge for the tech's investigation. Mr. Callegari stated that all of the technicians have tablets and were trained today how to use them. He noted that the tablets have the District's maps and all of the technicians have access to the maps.

It was reported that a customer had called TNG with a complaint that the operator would not give her any information on her account. It was explained that the account is in just the husband's name and that Claudine provided the appropriate form to have the wife's name added to the account so that she would be able to receive account information going forward.

Ms. Pacioni reported that she had talked to Lynn Hammond with the EPA regarding the American Water Infrastructure Act (AWIA) which requires water districts serving more than 3,300 people to conduct a risk assessment and prepare a risk and resiliency report. Claudine said that the District's population calculated based on 2.71 persons per household is less than the 3,300 threshold, and therefore a correction is being made with the TCEQ. As a result, the District is not required to conduct a risk assessment or prepare a risk and resiliency report.

Claudine Pacioni then submitted her report to the Board, a copy of which is filed in the District's electronic records. She reported water accountability of 97.3% for the month of February, and presented the list of delinquent water accounts and proposed services terminations.

ATTORNEY REPORT

There was no Attorney's report presented for tonight's meeting.

Cindy Nichols reported that there were no opposed candidates for the upcoming May 4, 2024 Directors Election. Noting that there are no opposed candidates, Director Shepard moved adoption of an Order Including Declaration of Election to declare that the May 4, 2024 Directors Election will not be held and to declare Directors Ross and Mathewes re-elected as Directors. A copy of the Order has been filed in the District's electronic records.

Discussion was had and consideration was given to changing the name of the District per Section 49.071 of the Texas Water Code to be more descriptive of the location of the District and to name it differently than other water districts similarly named to avoid confusion. Director Haney suggested renaming the District "Fairbanks MUD". Discussion continued about some of the expected costs of changing the District's name. At the conclusion of discussion, the Board requested the item be placed back on the next agenda, and directed Ms. Nichols to request from each of the District's consultants an estimate of costs related to a name change.

Some discussion was next had concerning possibly sharing the District's security contract and costs with Oakwood Forest, a 7 block gated community with about 320 homes. Director Haney suggested having Oakwood Forest pay the cost of adding one nighttime deputy. Director Haney will invite the Deputy Supervisor to the Board's next meeting to join the discussion.

Director Ross stated that he is not interested in receiving per diems related to his work with inspections of customer water lines for compliance with lead/copper requirements of the State.

BUILDING COORDINATOR REPORT

Director Ross shared with the Board a draft letter from the Woodland Trails West HOA Board of Directors stating its intention to transfer ownership of an approximate 6.3322 acres tract located within the District's boundaries from the HOA to Harris County MUD #23 in exchange for MUD 23's commitment to assume responsibility indefinitely for the maintenance, repair and improvement of electrical utilities within Woodland Trails West. Ms. Nichols was directed to provide the HOA's draft letter and HCAD description and location map of the 6.3322 acres to Michael Cole for his review and comment.

The Building Coordinator's report was presented by Director Ross, a copy of which is filed in the District's electronic records. Director Ross reported that the HOA for Terrace Brook wants to use the District's office building to hold its meetings. Director Blackwell reported that half of the graffiti under the White Oak bridge has been removed and the remaining graffiti will be removed soon. In response to Director Blackwell, Director Ross stated that he will spray for ants around the District's building. Director Ross reported there is sand washing out from under the District's building and he believes there is a problem with the sewer line. He will ask Shannon Plumbing to come out to do a hydrostatic test on the line. Director Ross next reported that he will look into replacing the flags at the District's building which have become tattered and damaged.

CONSENT AGENDA

The Consent Agenda was approved on the motion of Director Shepard and second of Director Ross, and the unanimous vote of the Board.

There being no other business to come before the Board the meeting was adjourned.

(SEAL)

Secretary, Board of Directors

**COMMITMENTS FOR ACTION
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
MEETING OF MARCH 14, 2024**

BOOKKEEPER to add new line item on budget for upcoming meter replacement project.

OPERATOR to conduct necessary terminations of service.

ATTORNEY to place items on the April and May agenda to discuss and approve the budget and to discuss possibility of sharing the District's security contract and costs with Oakwood Forest; request cost estimate of District name change from each of the District's consultants; and review and comment on the HOA's draft letter concerning the proposed transfer of ownership to the District of the 6.3322 acres tract.

ENGINEER *work on details of new agreement with City of Houston.*

BUILDING COORDINATOR to *look for items that have been paid out of the building account that can be reimbursed*; spray for ants around the District's building; ask Shannon Plumbing to do a hydrostatic test on the sewer line at the District's building; and look into replacing the flags at the District's building.

TAX ASSESSOR COLLECTOR no commitments.

CALEB BURSON with ACCURATE METER & SUPPLY to provide copy of contract for existing meters with warranty language to Directors; and request Badger Meters to provide a warranty that starts new for the replacement meters.

DIRECTOR HANEY to invite Deputy Supervisor to next meeting to join discussion about possibility of sharing the District's security contract and costs with Oakwood Forest.