

RIVER PLANTATION MUNICIPAL UTILITY DISTRICT

BOARD MEETING MINUTES

May 23, 2023

DIRECTORS PRESENT: Julie Gilmer, Tim Goodman, Betty Brown, Tom Vandever, and Karl Sakocius

DIRECTORS ABSENT: none

OTHERS PRESENT: River Plantation Residents; Dee Judge, Tim Horner and Bernadette McLeroy; Carol Morrison of Municipal Accounts and Consulting; Paul Radich of The Radich Law Firm; and Keith Arrant, District Operator

OTHERS PRESENT BY MICROSOFT TEAMS:

J. Davis Bonham, Jr., District Attorney
Taylor Reed, District Engineer

FIRST ORDER: CONFIRM MINUTES OF THE BOARD OF DIRECTORS MEETING HELD ON APRIL 12, 2023

The Board considered the April 12, 2023 meeting minutes. The Board noted that the minutes should reflect the attendance of Bernadette McLeroy and Jamie Goodman. After discussion, upon motion by Director Vandever, seconded by Director Goodman, and unanimously carried, the Board approved the minutes of April 12, 2023 as revised.

SECOND ORDER: RECEIVE COMMENTS FROM THE PUBLIC

The President opened the floor for comments from the public. The Board received questions regarding the front lot drainage ditch maintenance and maintenance responsibility. Dee Judge addressed the Board of Directors and discussed the history of Water Plant No. 3.

THIRD ORDER: REVIEW FINANCIAL AND BOOKKEEPING MATTERS INCLUDING

The Board recognized Carol Morrison who presented the bookkeeper's report. The Board reviewed the report and invoices. Upon motion made by Director Brown, seconded by Director Goodman, and unanimously carried, the Board approved the bookkeeper's report as presented.

The Board reviewed the tax assessor-collector's report in detail.

The Board reviewed the investment report in detail.

**River Plantation MUD
Board Meeting Minutes
May 23, 2023
Page 2**

The Board then considered the payment of District bills. Upon motion made by Director Vandever, seconded by Director Brown, and unanimously carried, the Board approved payment of the District's bills.

FOURTH ORDER: OPERATOR'S REPORT

The Board recognized Keith Arrant who presented the operator's report. The Board reviewed maintenance and repairs performed during the prior month. The District maintained 975 connections and accounted for 97% of water produced. Mr. Arrant presented the 2022 Drinking Water Quality and Consumer Confidence Report. After discussion, upon motion made by Director Brown, seconded by Director Vandever, and unanimously carried, the Board approved the operator's report as presented.

FIFTH ORDER: RECEIVE REPORT FROM ENGINEER

The Board recognized Taylor Reed who presented the engineer's report. The wastewater permit renewal has been submitted. The storm water quality management plan has been submitted. Testing and inspection for water plant no.1 and water well no. 1 is due January 12, 2026. Design is underway for the water plant no. 2 electrical upgrade project. The engineer requested Board authorization to advertise and bid the project. The engineer received three bids for the storm sewer phase 1 rehabilitation project and recommended awarding the contract to AR Turnkey Construction Company, Inc. in the amount of \$1,216,747.50. The engineer discussed a proposal for a District study to analyze the existing conditions and facilities including recommendations for potential improvements. The engineers are still missing information from the contractor for the sanitary sewer clean and televise phase 1 project and the storm sewer televise phase 1 project. Construction is underway for the sanitary sewer phase 1 project. Construction for the Gunston storm sewer sinkhole project is substantially completed, and the engineer recommended Pay Application No. 1 and Final in the amount of \$5,572.00 for the project. The irrigation contractor has requested installation of two meters at Charleston Park. These will allow them to pressurize the line and do a final assessment of the status before providing a proposal to bring everything back online. The Board discussed an issue with sinkholes along the east ditch and upon motion made by Director Goodman, seconded by Director Brown, unanimously approved the operator to put up orange fence and signage along the length of the affected area until the FEMA claim is processed and the District can move forward with repairs. After discussion, upon motion made by Director Vandever, seconded by Director Goodman, the Board approved disconnecting the effluent from the irrigation system before meter installation. After discussion, upon motion made by Director Vandever, seconded by Director Brown, the Board approved executing contracts and taking steps to complete necessary emergency repairs with Director Goodman abstaining. After discussion, upon motion made by Director Brown, seconded by Director Vandever, and unanimously carried, the Board approved awarding the contract to AR Turnkey Construction Company, Inc. for the storm sewer phase 1 rehabilitation project. After discussion, upon motion made by Director Goodman, seconded by Director Brown, and unanimously carried, the Board approved the District drainage study. After discussion, upon motion made by Director Goodman, seconded by Director Vandever, and unanimously carried, the Board approved the engineer's report as presented.

SIXTH ORDER: CONTRACTS FOR MOWING AND MAINTENANCE OF PARK FACILITIES

The Board discussed the contracts for mowing and maintenance of District park facilities and the status of the work completed by BrightView Landscape Services. After discussion, upon motion made by Director Sakocius, seconded by Director Vandever, the Board agreed to issue a contract termination letter to BrightView Landscape Services for cause. The Board solicited for new service proposals and three bids were received. The Board authorized the District attorney to draft a contract for review at the next meeting.

SEVENTH ORDER: PARKING SIGNAGE

The Board briefly discussed District parking spot signage. No action was taken at this time.

EIGHTH ORDER: PUBLIC HEARING FOR VIOLATION OF DISTRICT RULES AND DAMAGE TO PROPERTY; ASSESSMENT OF PENALTIES

The Board opened a public hearing at 7:56 p.m. to discuss the rule violations and property damage caused by Tachus and Stormtek. Representatives from either company were not in attendance. Paul Radich discussed the next steps with the Board of Directors and suggested that the rest of the discussion should be held in Executive Session. The Board then suspended the public hearing at 8:02 p.m.

NINTH ORDER: PRIOR PENALTIES FOR VIOLATION OF RULES AND DAMAGE TO PROPERTY

The Board discussed prior violations. They agreed to accept payment for the parking lot fine in the form of a cashier's check. The Carrillos reached out during by phone during this meeting and informed Mr. Radich that they would not be able to attend. They then requested to address the Board at the June Board of Directors meeting.

TENTH ORDER: EXECUTIVE SESSION

The Board entered an executive session at 8:09 p.m. After discussion, the Board closed the executive session at 8:54 p.m.

ELEVENTH ORDER: PENDING BUSINESS

After discussion, it was decided that the June Board of Directors meeting will be held on Thursday, June 8, 2023 at 6:30 p.m. and the July Board of Directors meeting will be held on July 13, 2023 at 6:30 p.m.

Upon motion made by Director Goodman, seconded by Director Brown, the Board unanimously voted to assess civil penalties against (i) Tachus in the amount of \$225,000 and, (ii) Storm-tek in the amount of \$225,000.

**River Plantation MUD
Board Meeting Minutes
May 23, 2023
Page 4**

Upon motion made by Director Goodman, seconded by Director Brown, the Board agreed to table item no. 9 for consideration at the June Board of Directors meeting to allow The Carrillos to attend the meeting.

Upon motion made by Director Goodman, seconded by Director Brown, and unanimously carried, the Board adjourned the meeting at 8:57 p.m.



Betty Brown
Secretary

RIVER PLANTATION MUNICIPAL UTILITY DISTRICT

NOTICE OF PUBLIC MEETING

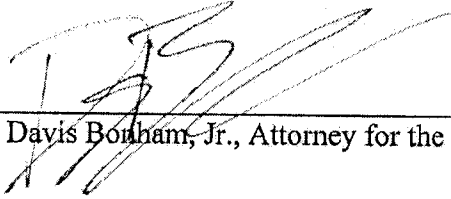
Notice is hereby given to all interested members of the public that the Board of Directors of the captioned district will hold a public meeting at **610 River Plantation Drive, Conroe, Texas 77302.**

The meeting will be held at **6:30 p.m.** on **Tuesday, May 23, 2023.**

The subject of the meeting is to consider and act on the following:

1. Minutes of the meeting of Board of Director(s)
2. Receive comments from the Public
3. Financial and bookkeeping matters including:
 - a. Bookkeeper's report
 - b. Tax Assessor-Collectors' report
 - c. Review of investments
 - d. Payment of District bills
4. Operator's Report
5. Engineer's Report
6. Contracts for Mowing and Maintenance of Park Facilities
7. Parking signage
8. Public Hearing for Violation of District Rules and Damage to Property; Assessment of Penalties
9. Prior Penalties for Violation of Rules and Damage to Property
10. Executive (closed) Session Pursuant to Texas Government Code §§ 551.071, 551.072, and 551.076 as necessary
11. Pending business





J. Davis Bonham, Jr., Attorney for the District