

RIVER PLANTATION MUNICIPAL UTILITY DISTRICT

BOARD MEETING MINUTES

July 25, 2024

DIRECTORS PRESENT: Julie Gilmer, Tim Goodman, Tom Vandever, Karl Sakocius, and Mark Denham

DIRECTORS ABSENT: None

OTHERS PRESENT: River Plantation Residents Betty Brown, Denise Waller and Mr. Jimenez; Taylor Reed, District Engineer; Tiffany Loggins Carden, District Bookkeeper; Keith Arrant, District Operator; Loren Morales of Rathmann & Associates; and Austin T. Reed, District Attorney

OTHERS PRESENT BY MICROSOFT TEAMS:

Paul Radich of the Radich Law Firm

FIRST ORDER: MINUTES OF THE MEETING(S) OF BOARD OF DIRECTORS

The Board considered the June 26, 2024 meeting minutes. Upon motions made by Director Vandever, seconded by Director Sakocius and unanimously carried, the Board approved the minutes of the June 26, 2024 meetings as presented.

SECOND ORDER: RECEIVE COMMENTS FROM THE PUBLIC

The Board received public comment regarding election costs and fees and drainage work in the District, each of which the Board and its consultants addressed in turn. Mr. Jimenez then addressed the Board regarding the violation of District rules to be considered later on the agenda. Mr. Jimenez noted that his truck was driven onto District property during a flood event and the damage occurred while exiting the property.

THIRD ORDER: DISCUSS FINANCIAL ADVISOR CONTRACT AND ENGAGEMENT OF RATHMANN & ASSOCIATES

The Board recognized Loren Morales of Rathmann & Associates. Mr. Morales then addressed the Board regarding financial advisory services, noting his recent transition from RBC Capital Markets to Rathmann & Associates. Mr. Morales reviewed a proposed contract for financial advisory services with the Board on behalf of Rathmann & Associates, which the Board then discussed, including as to hourly and refunding bond fees. Directors Gilmer and Goodman noted that they had met with RBC Capital Markets on Monday to discuss services. After discussion, upon motion made by Director Sakocius, seconded by Director Goodman, the Board moved to a vote to engage Rathmann & Associates, such vote carried with Directors Gilmer, Vandever and Goodman in favor and Directors Sakocius and Denham against.

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

The Board recognized Paul Radich of The Radich Law Firm. Mr. Jimenez then addressed the Board, noting that his truck was driven onto District property during a flood event and the damage occurred while exiting the property. Mr. Jimenez noted further that he had performed repair work at the direction of a peace officer who informed him of the damage. After discussion, the Board thanked Mr. Jimenez and noted that the Board would be discussing further in executive session.

FIFTH ORDER: FINANCIAL AND BOOKKEEPING MATTERS

The Board recognized Tiffany Loggins Carden, who reviewed the bookkeeper's report in detail. Director Vandever inquired regarding All Seasons invoicing, which the Board then discussed. The Board reviewed the tax assessor-collector's report in detail. The Board reviewed the investment report in detail. The Board then considered the payment of District bills. Upon motion made by Director Goodman, seconded by Director Denham and unanimously carried, the Board approved the bookkeeper's report. Upon motion made by Director Goodman, seconded by Director Vandever and unanimously carried, the Board approved the tax assessor-collector's report. Upon motion made by Director Goodman, seconded by Director Vandever, the Board approved the investment report. Upon motion made by Director Goodman, seconded by Director Denham and unanimously carried, the Board approved the payment of the District's bills.

SIXTH ORDER: ELECTION OF OFFICERS

The Board considered the election of officers. Upon motion made by Director Goodman, seconded by Director Sakocius and unanimously carried, the Board appointed Director Gilmer President. Upon motion made by Director Gilmer, seconded by Director Denham and unanimously carried, the Board appointed Director Goodman Vice President. Upon motion made by Director Goodman, seconded by Director Denham and unanimously carried, the Board appointed Director Sakocius Secretary. Upon motion made by Director Sakocius, seconded by Director Goodman and unanimously carried, the Board appointed Director Vandever Treasurer. Upon motion made by Director Sakocius, seconded by Director Gilmer and unanimously carried, the Board appointed Director Denham Assistant Secretary.

SEVENTH ORDER: PARK MAINTENANCE MATTERS

Director Goodman presented five proposals obtained for the removal of trees felled by the recent weather event in and on Charleston Park. After discussion, upon motion made by Director Goodman, seconded by Director Denham and unanimously carried, the Board awarded the contract for the removal of felled trees from Charleston Park to the low bidder, J&K Tree Services, in the amount of \$33,612.00. Director Goodman then addressed the Board regarding the pond on the District greenspace. After discussion, upon motion made by Director Goodman, seconded by Director Vandever and unanimously carried, the Board authorized weed cleanout in an amount not to exceed \$2,000.00 and disposal of weeds in an amount not to exceed \$1,000.00. The Board then

discussed greenspace irrigation, maintenance, and scheduling. Thereafter, the Board discussed the potential park bench donation program.

EIGHTH 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 in detail. The District maintained 977 connections and accounted for 93% of water produced. The Board inquired regarding Well No. 2, which the operator noted is still operating on a rental motor with replacement pending. All facilities were restored to full power on July 14, following Hurricane Beryl. Upon motion made by Director Goodman, seconded by Director Vandever and unanimously carried, the Board approved the operator's report as presented. Mr. Arrant then noted that an insurance claim was made against the District by a resident who experienced a sewer backup. The District's insurance carrier denied the claim. The operator and attorney then noted that the District has supplemental coverage in the amount of \$5,000.00 which the Board may elect to provide the resident at its discretion. After discussion, upon motion made by Director Sakocius, seconded by Director Goodman and unanimously carried, the Board authorized providing the supplemental coverage subject to a release of claims.

NINTH ORDER: ENGINEER'S REPORT

The Board recognized Taylor Reed who presented the engineer's report. Regarding District joint projects, feedback has been provided to FEMA regarding the scope of work for the east ditch. The engineer noted that he has been in touch with All Seasons Lawn regarding the work to be performed on the east ditch channel. A site meeting was held to discuss the WWTP rehabilitation and electrical upgrades. During Hurricane Beryl, the operator's trailer was damaged. The Board discussed purchasing a built-out container that can be used as a new operations room. Upon motion made by Director Gilmer, seconded by Director Goodman and unanimously carried, the Board approved the operations room work. The Holly Springs drainage work is near completion, and the contractor has been told to remove its large equipment from the site.

Regarding District projects, construction for the sanitary sewer rehabilitation phase 2 is underway. The storm sewer phase 1 rehabilitation is substantially complete. Construction is underway with respect to the water plant no. 2 electrical upgrades. The engineer is awaiting bids for the Plantation Village drainage improvements. Inspections are being performed on the Stonewall Jackson Bend and Fairway Oaks sink hole repairs.

The engineer then presented the draft 10-year capital improvement plan, which the Board then discussed. The engineer noted that the financial advisor will have further input with respect to the tax rate and potential bond issuance and provided a summary of costs associated with urgent projects.

After review and discussion, upon motion made by Director Vandever, seconded by Director Denham and unanimously carried, the Board approved the engineer's report.

TENTH ORDER: TML CYBERSECURITY POLICY


The Board recognized Austin Reed who advised the Board that Texas Municipal League, the District's insurer, has elected to reform its cybersecurity policy, increasing costs and decreasing coverage due to increased risks associated with cybersecurity coverage. Mr. Reed noted that the deadline to enroll in the new plan is September 30. The Board then discussed the District and potential vulnerabilities to cybersecurity issues, noting that the District's risk profile has decreased since it has employed consultants to perform vital functions for the District. After discussion, the Board elected not to renew cybersecurity coverage with Texas Municipal League.

ELEVENTH ORDER: EXECUTIVE SESSION

The Board entered an executive session at 8:49 p.m. The Board closed the executive session at 9:36 p.m.

TWELFTH ORDER: PENDING BUSINESS

Upon motion made by Director Goodman, seconded by Director Sakocius and carried with Directors Gilmer, Goodman, Sakocius and Denham in favor and Director Vandever opposed, the Board assessed a penalty of \$2,000.00 against Mr. Jimenez for the damage caused to District property by his vehicle, such penalty reduced to \$1,500.00 if paid within 45 days. There being no further business for consideration, the Board adjourned the meeting.



Karl Sakocius
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 **Thursday, July 25, 2024.**

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

1. Minutes of the meeting(s) of Board of Directors
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. Election of Officers
5. Violation of District rules; Public hearing for violation of District rules and damage to District property; assessment of penalties
6. Park maintenance matters
7. Operator's Report
8. Engineer's Report
9. Discuss Financial Advisor Contract and Engagement of Rathmann & Associates
10. TML Cybersecurity Policy
11. Executive (closed) Session Pursuant to Texas Government Code §§ 551.071, 551.072, and 551.076 as necessary
12. Pending business




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