

RIVER PLANTATION MUNICIPAL UTILITY DISTRICT

BOARD MEETING MINUTES

May 22, 2025

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

DIRECTORS ABSENT: Mark Denham

OTHERS PRESENT: Betty Brown, Bonnie Busbee, Carl Busbee, Bernadette McLeroy, Robert McLeroy, Sharon Cutola, and Kevin Cutola, District residents; Tiffany Loggins Carden, District bookkeeper; Taylor Reed, District engineer; Mario Garcia and Keith Arrant, District operators; Loren Morales, District financial adviser; Paul Radich of the Radich Law Firm; and J. Davis Bonham, Jr, attorney for the District.

OTHERS PRESENT BY MICROSOFT TEAMS:

Austin T. Reed of Smith, Murdaugh, Little & Bonham, L.L.P.

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

The Board considered the April 24, 2025 meeting minutes. Upon motion made by Director Vandever, seconded by Director Sakocius and unanimously carried, the Board approved the minutes of the April 24, 2025 meeting as presented.

SECOND ORDER: RECEIVE COMMENTS FROM THE PUBLIC

The Board opened the floor for public comment. Ms. Betty Brown addressed the Board regarding the Charleston Park irrigation system, which the Board addressed in turn, noting that the system is operational.

THIRD ORDER: SALE OF \$8,050,000 UNLIMITED TAX BONDS, SERIES 2025

The Board then recognized the District's financial advisor, who presented bids for the District's \$8,050,000 Series 2025, Unlimited Tax Bonds. Mr. Morales presented 6 bids received electronically by Parity and it appeared the low bidder was SAMCO Capital Markets with a net interest cost of 5.019529%. Mr. Morales informed the Board that SAMCO Capital Markets has elected to purchase insurance and that the Bonds will be insured by Build America Mutual Assurance Co. ("BAM") with an insured rating from Standard and Poor's of AA. Mr. Morales noted that the District has attained an underlying rating of Baa3 from Moody's. The financial advisor recommended award of sale of the bonds to SAMCO Capital Markets and, at 6:48 p.m., upon motion made by Director Goodman, seconded by Director Sakocius and unanimously carried, the Board adopted the Order Awarding Sale of Bonds. The Board then considered the Bond Order for Sale of Bonds, and upon motion made by Director Vandever, seconded by Director Sakocius and unanimously carried, the Board adopted the Bond Order for Sale of Bonds. The

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Board then considered the Final Official Statement, and upon motion made by Director Vandever, seconded by Director Sakocius and unanimously carried, the Board adopted the Final Official Statement. The Board then considered the Paying Agent Agreement, and upon motion made by Director Vandever, seconded by Director Goodman and unanimously carried, the Board adopted the Paying Agent Agreement. The Board then considered other documents and certificates as are necessary to obtain the approval of the Attorney General and registration by the Comptroller of Public Accounts of the Series 2025 Bonds, and, after review, upon motion made by Director Vandever, seconded by Director Sakocius and unanimously carried, all documents were approved by unanimous vote and were executed, and the District's directors, attorney, and other consultants were authorized to take such action as is necessary to cause the bonds to be approved and delivered to the purchaser.

FOURTH ORDER: FINANCIAL AND BOOKKEEPING MATTERS

The Board recognized Tiffany Loggins Carden, who reviewed the bookkeeper's report in detail. Thereafter, 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. After discussion, upon motion made by Director Vandever, seconded by Director Goodman and unanimously carried, the Board approved the bookkeeper's report, the tax assessor-collector's report, the review of investments, and the payment of District bills.

FIFTH ORDER: PARK MAINTENANCE MATTERS

The Board discussed park maintenance matters, noting that the Charleston Park irrigation system is operational. Director Goodman then addressed the Board regarding bids received for the removal of trees, which the Board reviewed, noting the low bidder, J&K Tree Services in the amount of \$16,300.75. After discussion, upon motion made by Director Goodman, seconded by Director Sakocius and unanimously carried, the Board approved the award of the work to J&K Tree Services. Director Goodman then addressed the Board regarding a pond in the District and the installation of a decorative fountain thereon, the potential price of which the Board discussed. After discussion, upon motion made by Director Gilmer, seconded by Director Vandever and unanimously carried, the Board authorized the acquisition and installation of a decorative fountain on the pond. Thereafter, the Board discussed the pet waste stations in Charleston Park, noting two more have been obtained by the District's operator. The Board then delegated authority to determine the installation location for the new pet waste stations to Director Goodman. The Board then discussed additional tree removal for the Mosswood drainage ditch, such work to be performed for approximately \$2,400. Upon motion made by Director Sakocius, seconded by Director Goodman and unanimously carried, the Board authorized the Mosswood drainage ditch tree removal. Director Gilmer then addressed the Board regarding the commemorative park bench plaque program, presenting the first obtained plaque. The Board then discussed the potential planting of trees, including oak trees, to replace those trees being removed. The Board considered pricing and locations, considering a program for the planting of approximately ten trees annually. After discussion, the Board tabled the tree planting program, noting that the matter will be reconsidered once the Charleston Park irrigation system has established a tenure in good working condition to ensure proper maintenance for such trees.

SIXTH ORDER: OPERATOR'S REPORT

The Board recognized Mario Garcia and Keith Arrant, who presented the operator's report. The Board reviewed maintenance and repairs performed during the prior month in detail. The District maintained 978 connections and accounted for 93% of water produced. The operators noted that all bacteriological samples were compliant and that there were no breaches nor excursions for the reporting period. The operators then presented the consumer confidence report for the 2024 calendar year, which the Board reviewed. Upon motion made by Director Goodman, seconded by Director Vandever and unanimously carried, the Board approved the consumer confidence report. Thereafter, Mr. Arrant addressed the Board regarding a federal investigation involving a former contractor for the operator, North Water District Lab Services, providing a letter to the Board which noted that the operator is cooperating fully with federal law enforcement with respect to the investigation and that the contractor has been terminated and its sampling services reallocated to a new contractor, further noting that a Municipal Operations & Consulting, LLC employee was terminated in connection with the investigation. After discussion, upon motion made by Director Sakocius, seconded by Director Vandever and unanimously carried, the Board approved the operator's report as presented.

SEVENTH ORDER: ENGINEER'S REPORT

The Board recognized Taylor Reed who presented the engineer's report. Design is underway for the East Ditch FEMA work. The contractor is expected to mobilize this month for the East Ditch maintenance work and construction is underway and the generator delivered for the wastewater treatment plant rehabilitation and electrical upgrades. The engineer then presented pay application no. 5 and final in the amount of \$78,536.45 for the sanitary sewer rehabilitation phase two project, noting that construction is substantially complete. The engineer then noted that FEMA has awarded the District approximately \$24,000 for the generator run times during the April-June, 2024 emergency declaration period. Pay application no. 2 and final in the amount of \$43,970.00 was then presented for work performed to repair sanitary sinkholes, the engineer noting that construction is substantially complete. Construction is underway for the 704 fairway oaks storm sewer failure and preliminary design is underway for each of the Mosswood ditch rehabilitation and storm sewer phase two rehabilitation. The engineer then presented a cost estimate for the Cornerstone Church water line extension, recommending that the District request a deposit from the church for the full price of the estimate. Mr. Paul Radich and Mr. Taylor Reed then addressed the Board regarding a retaining wall built along a District channel within the District's drainage easement at 593 Fairway Court. Sharon Cutola and Kevin Cutola, the homeowners, then addressed the Board regarding the same. The engineer then recommended that the Board direct the Cutolas to cease work on the retaining wall pending an analysis by the District's engineer and approval by the District. The engineer then presented a site visit report, providing details regarding sinkholes along a District channel, repairs for which the engineer is pursuing. After discussion, upon motion made by Director Vandever, seconded by Director Goodman and unanimously carried, the Board approved the engineer's report and the action items therein, including pay application no. 5 and final and pay application no. 2 and final, as well as the deposit request for Cornerstone church.

EIGHTH ORDER: POLICY FOR RECORDING MEETINGS AND POSTING OF RECORDINGS

The Board recognized Davis Bonham, who addressed the Board regarding the policy for recording meetings and posting of recordings, recommending that the policy be tabled pending the disposition of House Bill 638, which is currently being considered in the Texas Legislature and would materially impact the Board's consideration of the policy as the bill provides for the required recording and posting of each regularly scheduled open meeting. House Bill 638 has passed in a record vote in the Texas House of Representatives and is pending in the Texas Senate Local Government Committee. The Board then tabled discussion of the policy.

NINTH ORDER: EXECUTIVE SESSION

The Board entered executive session at 7:41 pm. The Board reconvened in open session at 8:25 pm.

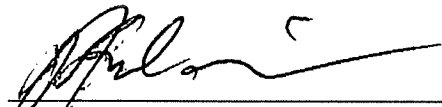
TENTH ORDER: PENDING BUSINESS

After reconvening in open session, and upon motion made by Director Goodman, seconded by Director Vandever and unanimously carried, the Board directed that the bookkeeper's and engineer's reports not be posted to the District's website going forward, noting that the decision has been made as a security measure due to recent incidents of fraud and cybersecurity compromise involving governmental entities in Texas. Thereafter, upon motion made by Director Goodman, seconded by Director Vandever and unanimously carried, the Board authorized the use of Positive Pay services for the District's financial transactions and directed that the bookkeeper acquire such services. The Board then, upon motion made by Director Goodman, seconded by Director Vandever and unanimously carried, directed that the Cutolas cease work on the retaining wall at 593 Fairway Court pending plan review and drainage analysis by the District's engineer and approval by the District and all other jurisdictions from which approval may be required.

ELEVENTH ORDER: PROPOSAL FOR CYBER SECURITY COVERAGE

The Board reviewed and considered a proposal for cyber security coverage and, after discussion, tabled the matter.

There being no further business, the meeting was adjourned.



Karl Sakocius
Secretary

RIVER PLANTATION MUNICIPAL UTILITY DISTRICT

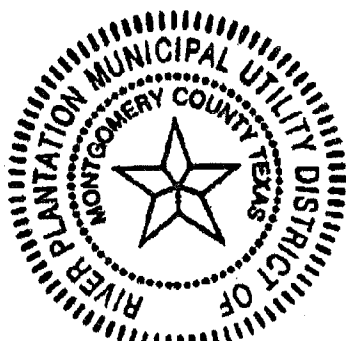
NOTICE OF PUBLIC MEETING

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, May 22, 2025.**

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. Sale of \$8,050,000 Unlimited Tax Bonds, Series 2025
 - a. Open Bids and Order Awarding Sale of Bonds
 - b. Approve Bond Order for Sale of Bonds
 - c. Approve Official Statement
 - d. Approve Paying Agent Agreement
 - e. Approve certificates, resolutions, orders, and all documents necessary to complete approval, registration and delivery of Series 2025 Bonds and authorize President, Secretary and consultants to take all actions necessary to complete approval, registration, and delivery of Series 2025 Bonds
4. Financial and bookkeeping matters including:
 - a. Bookkeeper's report
 - b. Tax Assessor-Collector's report
 - c. Review of investments
 - d. Payment of District bills
5. Park maintenance matters
6. Operator's Report
7. Engineer's Report
8. Proposal for cyber security coverage
9. Policy for Recording Meetings and Posting of Recordings
10. Violation of District rules; Public hearing for violation of District rules and damage to District property; assessment of penalties
11. Executive (closed) Session Pursuant to Texas Government Code Chapter 551 as necessary
12. Litigation Related to Damage to District Water Facilities by Tachus and Associated Contractors
13. Pending business




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